

**RESOLUTION NO. 19-084**

**A RESOLUTION OF APPLICATION BY THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY INITIATE PROCEEDINGS TO ANNEX CERTAIN UNINHABITED TERRITORY WITHIN UNINCORPORATED SAN BERNARDINO COUNTY TO THE CITY OF RANCHO CUCAMONGA AND DETACH SAID TERRITORY FROM COUNTY SERVICE AREA 70 IN CONNECTION WITH THE ETIWANDA HEIGHTS NEIGHBORHOOD AND CONSERVATION PLAN**

**A. Recitals.**

1. The City of Rancho Cucamonga (the "City") desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for: (1) an annexation of approximately 4,088 acres of unincorporated County territory located within the City's Sphere of Influence; and (2) detachment of the territory from County Service Area 70 (collectively, the "Proposed Annexation").

2. A description of the boundaries of the territory subject to the Proposed Annexation is set forth in Exhibit A and is more particularly shown in Exhibit B of this Resolution (the "Annexation Area"). Both Exhibits A and B are incorporated herein by this reference.

3. The Annexation Area is currently uninhabited, as that term is defined in Government Code Section 56079.5.

4. The City prepared the Etiwanda Heights Neighborhood and Conservation Plan (EHNCP) DRC2015-00751 as a specific plan (the "EHNCP Specific Plan") to regulate development in an area comprising approximately 4,393 acres extending roughly from Haven Avenue easterly to the City's boundary with Fontana, and from the northerly City limits to the San Bernardino National Forest boundary that is largely in the City's Sphere of Influence. Of the entire Project Area, 4,088 acres are located within the City's Sphere of Influence and 305 acres lie within the City's current jurisdictional boundaries.

5. On July 24, 2019, the Planning Commission opened a duly noticed public hearing on the Proposed Annexation and continued the hearing to August 28, 2019.

6. On August 28, 2019, the Planning Commission re-opened the duly noticed public hearing on the Proposed Annexation, concluded the hearing on that date, and thereafter, among other actions, adopted Resolution No. 19-55, recommending that the City Council adopt this Resolution of Annexation for the Proposed Annexation and take all actions necessary to annex the Annexation Area.

7. On October 2, 2019, the City Council conducted a duly noticed public hearing on the Proposed Annexation and concluded the hearing on that date.

8. All legal prerequisites prior to the adoption of this Resolution have occurred.

B. Resolution.

NOW, THEREFORE, it is hereby found, determined, and resolved by the City Council of the City of Rancho Cucamonga as follows:

1. Recitals. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Resolution are true and correct.

2. CEQA. The EHNCP, the Proposed Annexation, and their associated approvals (collectively, the "Project") have been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City's Local CEQA Guidelines. The City prepared an Initial Study and, based on the information contained in the Initial Study, concluded that there was substantial evidence that the Project might have a significant environmental impact on certain resources. Based upon the information contained in the Initial Study and other technical reports and evidence, the City prepared an EIR for the Project in order to analyze the Project's potential impacts on the environment. A Draft EIR was prepared and circulated for public review and comment, and a Final FEIR was reviewed by the City Council. By separate Resolution No. 19-082, the City Council has: (i) made the required CEQA findings and determinations, (ii) certified the Final EIR; (iii) adopted a Statement of Overriding Considerations and (d) adopted a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 19-082 is incorporated herein by reference, and made a part hereof as if fully set forth herein. The documents and other materials that constitute the record on which this determination was made are located in the Planning Department and are in the custody of the Planning Director. Further, the mitigation measures set forth therein are made applicable to the Project.

3. Terms and Conditions. The City requests that the Proposed Annexation be subject to the following terms and conditions: (1) pursuant to Government Code Section 56886(t), all previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Rancho Cucamonga, as the annexing agency, shall be assumed by the annexing territory in the same manner as provided in their original authorization; and (2) the standard terms and conditions imposed by the Local Agency Formation Commission for San Bernardino County (LAFCO).

4. Reasons for Proposed Annexation. The reasons for the Proposed Annexation are to: (1) allow for the implementation of the EHNCP Specific Plan within the Annexation Area; (2) create a logical and orderly extension of the City's boundaries; (3) ensure that the 3,603 acres of the EHNCP Specific Plan designated as Rural/Conservation are subject to development standards that promote conservation and management of the areas as open space; and (4) ensure surplus property currently owned by the San Bernardino County Flood Control District, and which is no longer necessary for flood control purposes, is developed in accordance with appropriate City development standards.

5. Sphere of Influence. The Proposed Annexation is consistent with the City's Sphere of Influence.

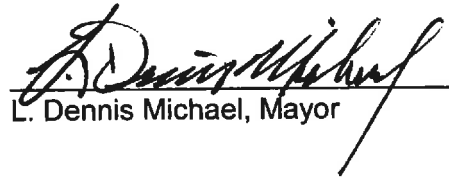
6. Indemnification. The City acknowledges LAFCO's requirement for imposing legal indemnification as outlined in Policy 3 of Chapter 2 of the Accounting and Financial Section of its Policy and Procedure Manual.

7. Request. On the basis of the foregoing and all of the evidence in the administrative record before it, the City Council hereby requests that LAFCO initiate proceedings and take all actions necessary to facilitate the Proposed Annexation of the Annexation Area pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code.

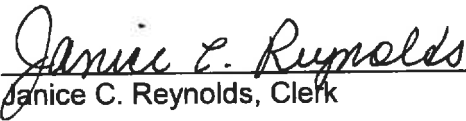
8. Authorization and Direction to Staff. The City Council hereby directs and authorizes the City Clerk to forward a certified copy of this Resolution to the Executive Officer for LAFCO and for the City Manager to take all actions necessary to submit a complete application for the Proposed Annexation to LAFCO and any other such actions as may be necessary to complete LAFCO's annexation process.

9. Certification. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 2<sup>nd</sup> day of October, 2019.

  
L. Dennis Michael, Mayor

ATTEST:

  
Janice C. Reynolds, Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF RANCHO CUCAMONGA )

I, **Janice C. Reynolds**, City Clerk of the City of Rancho Cucamonga, do hereby certify that the foregoing Resolution was duly passed, approved, and adopted by the City Council of the City of Rancho Cucamonga, at a Regular Meeting of said Council held on the 2<sup>nd</sup> day of October 2019.

**AYES:** Hutchison, Kennedy, Michael, Scott, Spagnolo  
**NOES:** None  
**ABSENT:** None  
**ABSTAINED:** None



Executed this 3<sup>rd</sup> day of October, 2019, at Rancho Cucamonga, California.

  
Janice C. Reynolds, Clerk

CITY OF RANCHO CUCAMONGA  
THE FOREGOING INSTRUMENT IS A CORRECT  
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: January 15, 2020

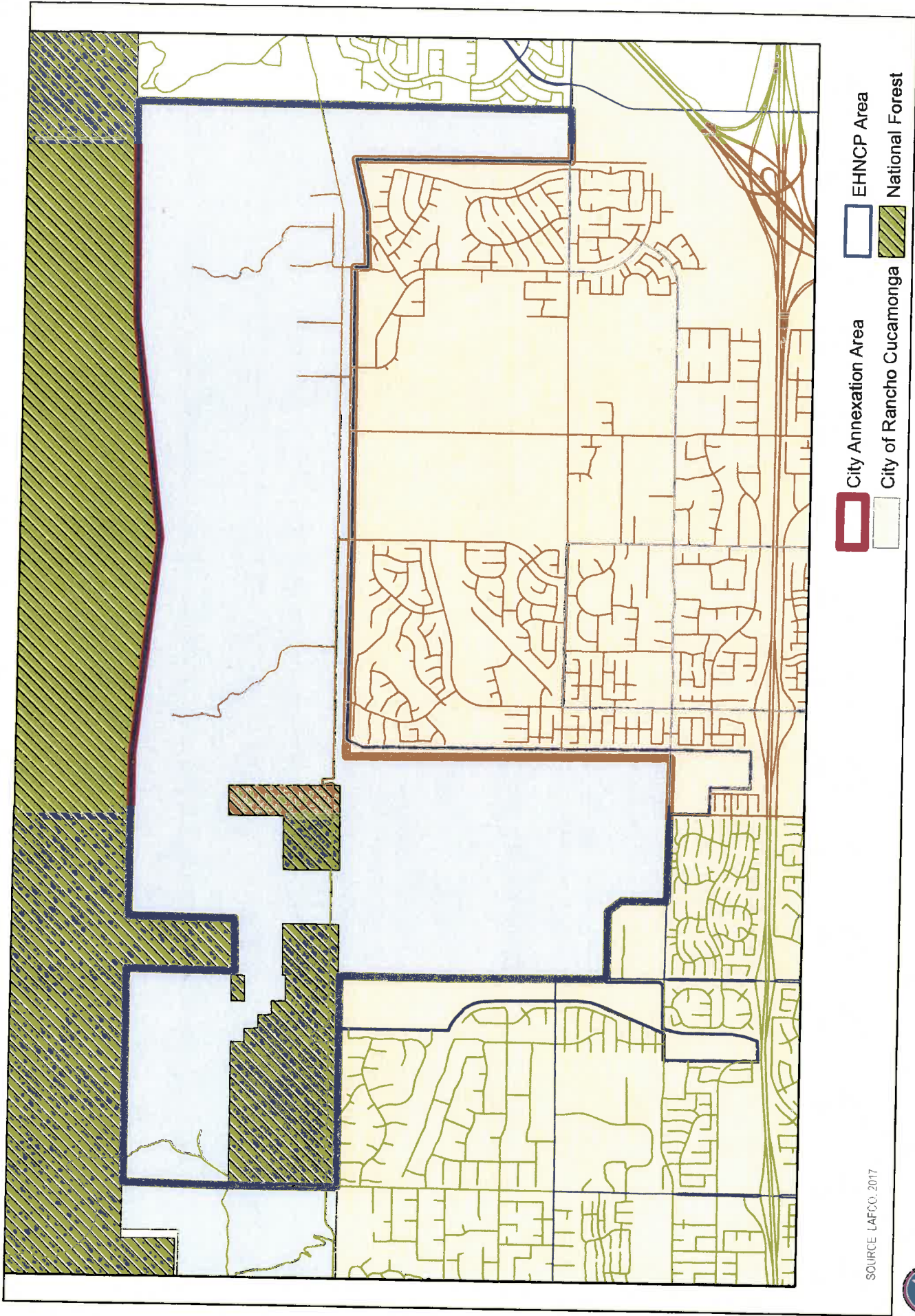
LINDAA. TROYAN, MMC  
CITY CLERK SERVICES DIRECTOR  
RANCHO CUCAMONGA, CALIFORNIA

BY: 

**Exhibit A**  
**Description of Annexation Area**

The Annexation Area is 4,088 acres in size and is located along the northeastern edge of the City of Rancho Cucamonga at the base of the San Gabriel Mountains. It is entirely within the City's Sphere of Influence (SOI) in unincorporated San Bernardino County. The Annexation Area boundaries are generally Haven Avenue (if it was extended north) to the west, City of Fontana to the east, San Gabriel Mountains (San Bernardino National Forest) to the north, and the existing City limits to the south. The southern portion of the Annexation Area is surrounded by residential neighborhoods in the City of Rancho Cucamonga on the west, south, and east, and is bounded by the Deer Creek Channel to the west and the Day Creek Channel to the east.

**Exhibit B**  
**Map of Annexation Area**



SOURCE: LAFCO, 2017



City of Rancho Cucamonga, CA

FIGURE 6

# City of Rancho Cucamonga Annexation Boundary

Etiwanda Heights Neighborhood and Conservation Plan (EHNCP)

## ORDINANCE NO. 959

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CUCAMONGA, CALIFORNIA, ADOPTING ZONING MAP AMENDMENT AND PREZONING DRC2015-00752 IN CONNECTION WITH THE ETIWANDA HEIGHTS NEIGHBORHOOD AND CONSERVATION PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF

#### A. Recitals.

1. The City of Rancho Cucamonga (the "City") prepared the Etiwanda Heights Neighborhood and Conservation Plan (EHNCP) DRC2015-00751 as a specific plan (the "Specific Plan") to regulate development in an area comprising approximately 4,393 acres extending roughly from Haven Avenue easterly to the City's boundary with Fontana, and from the northerly City limits to the San Bernardino National Forest boundary that is largely in the City's Sphere of Influence (the "Project Area"). The Project Area is more particularly described in Section 2.2 of the Specific Plan.

2. The City has caused to be prepared Zoning Map Amendment DRC2015-00752 (the "Zoning Map Amendment") attached hereto as Exhibit "A" and incorporated herein by this reference, in order to pre-zone the portion of the Project Area within the City's Sphere of Influence, re-zone the portion of the Project Area within the City's boundaries, and ultimately incorporate the Specific Plan into the City's official Zoning Map. To accomplish this objective, the Zoning Map Amendment would zone the entire Project Area as SP-EHNCP, which would implement the Specific Plan's regulating zones across the Project Area. The entire Project Area is also zoned Equestrian/Rural Overlay District, which would continue to apply to the Project Area under the Specific Plan and annexation of the unincorporated Project Area into the City.

3. On July 24, 2019, the Planning Commission opened a duly noticed public hearing on the Zoning Map Amendment and continued the hearing to August 28, 2019.

4. On August 28, 2019, the Planning Commission re-opened the duly noticed public hearing on the Zoning Map Amendment, concluded the hearing on that date, and thereafter, among other actions, adopted Resolution No. 19-52, recommending that the City Council approve the Zoning Map Amendment.

5. On October 2, 2019, the City Council conducted a duly noticed public hearing on the Zoning Map Amendment and concluded the hearing on that date.

6. All legal prerequisites prior to the adoption of this Ordinance have occurred.

#### B. Findings.

1. Recitals. The City Council hereby specifically finds that all of the facts set forth in the Recitals, Part A, of this Ordinance are true and correct.

2. CEQA. The EHNCP, the Zoning Map Amendment, and their associated approvals (collectively, the "Project") have been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City's Local CEQA Guidelines. The City prepared an initial study and, based on the information contained in the initial study, concluded that there was substantial evidence that the Project might have a significant environmental impact on several resources. Based upon the information contained in the initial



ORDINANCE NO. 959  
EHNCP ZONING MAP AMENDMENT DRC2015-00752

Page 2

study, the City prepared an EIR for the Project in order to analyze the Project's potential impacts on the environment. A Draft EIR was prepared and circulated for public review and comment, and a Final FEIR was reviewed by the City Council. By separate Resolution No. 19-082, the City Council has: (i) made the required CEQA findings and determinations, (ii) certified the Final EIR; (iii) adopted a Statement of Overriding Considerations and (d) adopted a Mitigation Monitoring and Reporting Program for the Project. Resolution No. 19-082 is incorporated herein by reference, and made a part hereof as if fully set forth herein. The documents and other materials that constitute the record on which this determination was made are located in the Planning Department and are in the custody of the Planning Director. Further, the mitigation measures set forth therein are made applicable to the Project.

3. Based upon all available evidence presented to the City Council during the above-referenced public hearing on October 2, 2019, including written and oral staff reports, together with public testimony, the City Council hereby specifically finds as follows:

a. Much of the portion of the Project Area in the City's sphere of influence is currently within unincorporated San Bernardino County, with a small portion located within the City's limits. Specifically, 4,088 acres of the Project Area are located within the City's Sphere of Influence and 305 acres lie within the City. Approximately 3,494 acres of the Project Area, including portions within the City's Sphere of Influence, are governed by the Etiwanda North Specific Plan, adopted by the City in 1992.

b. Development of the Project Area is currently governed by the San Bernardino County General Plan and zoning regulations, with various portions of the Project Area designated as Resource Conservation, Single Residential, Rural Living, Special Development Residential, Open Space, Institutional, and Floodway under the County General Plan. The portion of the Project Area currently within the City is regulated by the City's General Plan, the Etiwanda North Specific Plan, or both.

c. The majority of the unincorporated Project Area is currently pre-zoned under the Etiwanda North Specific Plan, which includes zoning designations for Utility Corridor, Flood Control/Riparian, Resource Conservation, Very Low Residential Estate, Very Low Residential, Low Residential, Hillside Residential Estate, Hillside Residential, Neighborhood Commercial, Fault Zone, and Open Space. The remainder of the unincorporated Project Area in the City's Sphere of Influence is not currently pre-zoned by the City. The Project Area located within the City's boundaries is zoned Flood Control north of Banyan Street and Residential-Medium south of Banyan Street.

d. The Specific Plan is comprised of two planning areas: (1) the Rural/Conservation Area generally located north of the Day Creek Diversion Levee to the San Bernardino National Forest boundary and east from Haven Avenue to the City limits; and (2) the Neighborhood Area located south of the Day Creek Diversion Levee to the 210 Freeway and east from the Day Creek Channel past Milliken Avenue. Each planning area is governed by a regulating zone that carries specific regulatory requirements intended to implement the Specific Plan's vision.

e. The Rural/Conservation Area comprises approximately 3,603 acres within the Project Area and is subject to development standards and strategies intended to conserve and manage the areas as open space. The Rural/Conservation Area consists of a single regulating zone known as Rural, which is subdivided into the following sub-zones that correspond to existing General Plan open space land use designations: (1) Hillside; (2) Conservation; (3) Open Space; and (4) Flood Control. Up to 100 residential units could be developed within the Rural/Conservation

area under the proposed development standards, with a Transfer of Development Rights (TDR) program that would allow property owners to transfer development rights for up to 300 residential units from the Rural/Conservation Area to the Neighborhood Area. The City Council supports the Specific Plan's goal of preserving the foothills that comprise the Rural/Conservation Area as open space, along with the standards and strategies intended to achieve that goal.

f. The Neighborhood Area comprises approximately 790 acres within the Project Area and is subject to development standards intended to promote appropriate and well-designed residential, limited commercial, and recreational development. The Neighborhood Area consists of the following regulating zones: (1) Neighborhood Estate; (2) Neighborhood General 1; Neighborhood General 2; (3) Shops and Restaurants; and (4) Central Greenway Overlay. The Specific Plan permits up to 2,700 residential units in the Neighborhood Area, which may be expanded to 3,000 units depending on property owner participation in the TDR program. Among other amenities, the Neighborhood Area includes a trail network that builds upon the City's existing trail network as identified in the General Plan and Trail Implementation Plan. Development within the Neighborhood Area is intended to help generate funds to support open space conservation within the Rural/Conservation Area. The City Council finds that the Neighborhood Area is well designed and planned and will help promote the Rural/Conservation Area as open space.

g. As reflected in Exhibit "A," the Zoning Map Amendment would pre-zone the unincorporated portions of the Project Area within the City's Sphere of Influence as SP-EHNCP. It would also zone the portions of the Project Area within the City as SP-EHNCP. Upon approval of the Zoning Map Amendment, the Specific Plan's regulating zones within both the Rural/Conservation and Neighborhood Areas, as described above, would be applied to each parcel in accordance with the Specific Plan. By adopting the Zoning Map Amendment, the City Council desires to implement these regulating zones within the Project Area and thus implement the Specific Plan.

h. The City Council has independently reviewed the General Plan Consistency Analysis attached as Exhibit Q to the City Council staff report and included as Table 4.10-2 in the EIR. Based on this comprehensive consistency analysis, the City Council finds that in conjunction with the related documents and approvals associated with the EHNCP (General Plan Amendment DRC2015-00749, Development Code Amendment DRC2019-00459, Etiwanda North Specific Plan Amendment DRC 2015-00750, and Annexation DRC2015-00732), the Zoning Map Amendment is consistent with the goals, policies and implementation programs of the General Plan and will not conflict with any specific plan applicable to the Project Area. This finding is more specifically supported by the following evidence:

i. The Zoning Map Amendment would facilitate implementation of the EHNCP Specific Plan, including its limitation on development within the Specific Plan's Rural/Conservation Area, consistent with the City's conservation goals, as outlined in the General Plan's Resource Conservation Element and including Goal RC-1 ("Encourage stewardship of natural open space areas, environmentally sensitive lands, and agricultural resources") and its associated policies.

ii. The Zoning Map Amendment would facilitate implementation of the EHNCP Specific Plan Neighborhood Area, which is well designed and planned and will help promote the Rural/Conservation Area as open space. This is consistent with General Plan Goal LU-9 ("Foster a cohesive, healthy community through appropriate patterns and scales of development, including complementary transitions between districts, neighborhoods, and land uses") and its associated policies.

i. Approval of the Zoning Map Amendment would not be materially injurious or detrimental to adjacent properties.

C. Ordinance.

The City Council of the City of Rancho Cucamonga does ordain as follows:

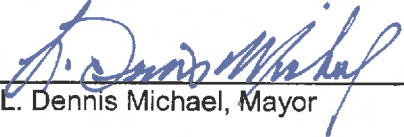
1. Zoning Map. The City Council hereby adopts Zoning Map Amendment DRC2015-00752. The Official Zoning Map for the City of Rancho Cucamonga is hereby amended by changing the Project Area to "SP-EHNCP" as more particularly identified in the revised Zoning Map attached hereto as Exhibit "A."

2. Prezoning. Pursuant to Section 17.22.050 of the Municipal Code, the zoning of the unincorporated portions of the Project Area shall become effective at the time the proposed annexation for the EHNCP becomes effective. Until such time, the Zoning Map shall be revised to show the prezoning classification with the label "PRE DISTRICT" in addition to such other map designation as may be applicable.

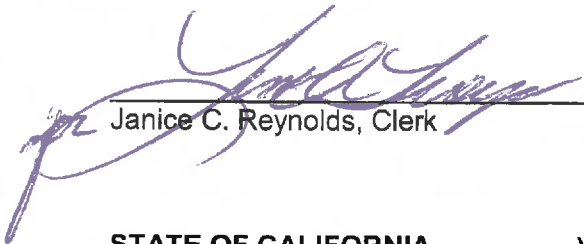
3. Severability. The City Council declares that, should any provision, section, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Ordinance shall remain in full force and effect.

4. Certification. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED, AND ADOPTED this 6<sup>th</sup> day of November, 2019.

  
E. Dennis Michael, Mayor

ATTEST:

  
Janice C. Reynolds, Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO ) ss  
CITY OF RANCHO CUCAMONGA )

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 City Council of the City of Rancho Cucamonga held on the 2<sup>nd</sup> day of October 2019, and was passed at a Regular Meeting of the City Council of the City of Rancho Cucamonga held on the 6<sup>th</sup> day of November 2019.

**AYES:** Hutchison, Kennedy, Michael, Scott and Spagnolo  
**NOES:** None  
**ABSENT:** None  
**ABSTAINED:** None



Executed this 7<sup>th</sup> day of November 2019, at Rancho Cucamonga, California.

CITY OF RANCHO CUCAMONGA  
THE FOREGOING INSTRUMENT IS A CORRECT  
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

ATTEST: January 15<sup>th</sup>, 2020

LINDA A. TROYAN, MMC  
CITY CLERK SERVICES DIRECTOR  
RANCHO CUCAMONGA, CALIFORNIA

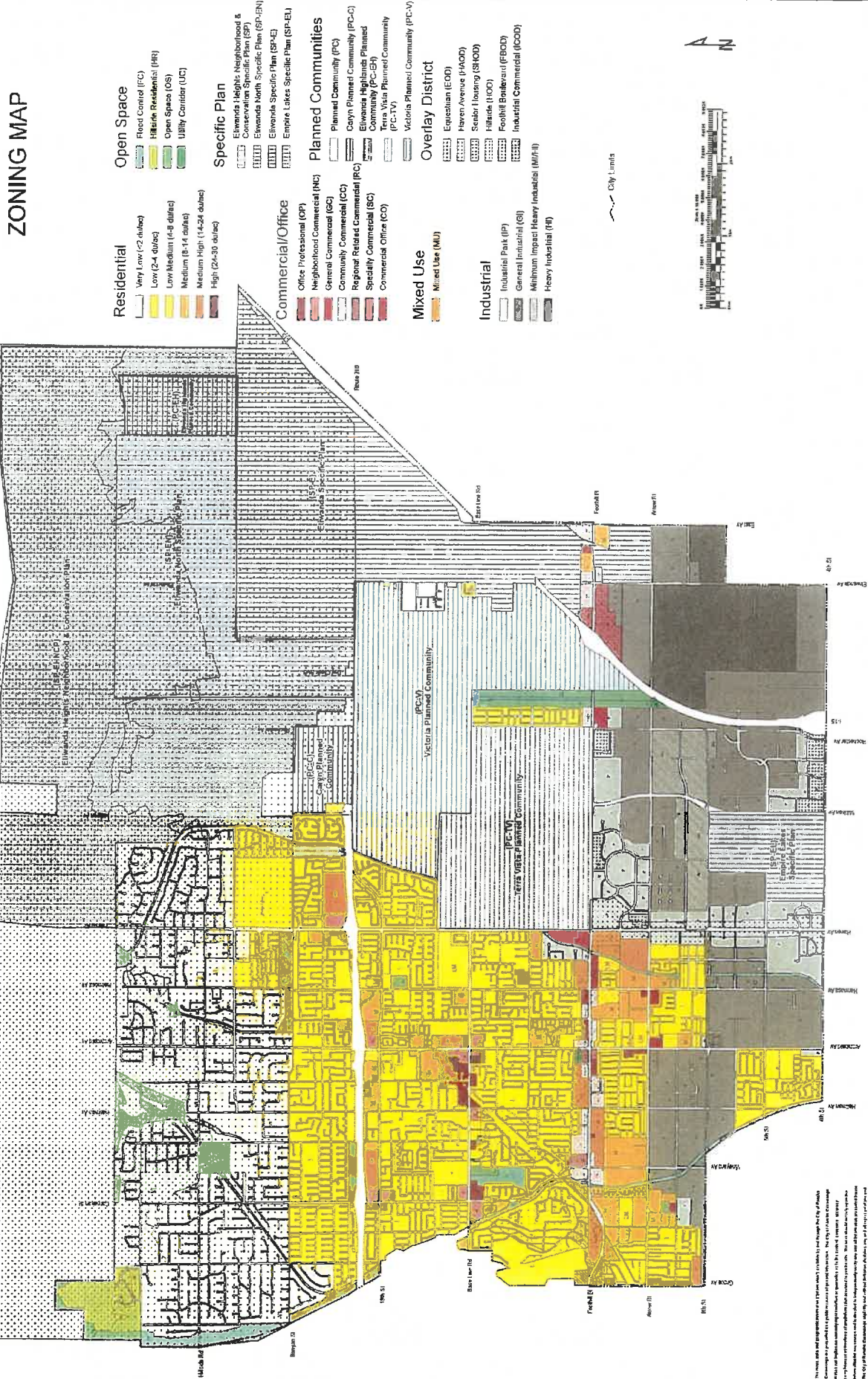
  
Janice C. Reynold, Clerk

BY: 

**Exhibit A**  
**Amended Zoning Map**



# CITY OF RANCHO CUCAMONGA ZONING MAP



This map was prepared by the City of Rancho Cucamonga for informational purposes only. It is not intended to be used as a legal document. The City of Rancho Cucamonga is not responsible for any errors or omissions on this map. The City of Rancho Cucamonga is not responsible for any actions taken based on this map. The City of Rancho Cucamonga is not responsible for any damages resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any liability resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any loss resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any death resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any property damage resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any personal injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any physical injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any mental injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any emotional injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any physical injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any mental injury resulting from the use of this map. The City of Rancho Cucamonga is not responsible for any emotional injury resulting from the use of this map.