

RESOLUTION NO. 2024-082

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND APPROVING AN AMENDMENT TO THE CITY'S GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION ON 0.59 ACRES LOCATED ON THE NORTH SIDE OF SECOND STREET, APPROXIMATELY 450 FEET WEST OF BUENA VISTA AVENUE FROM HIGH DENSITY RESIDENTIAL (HDR) TO GENERAL COMMERCIAL (GC) TO HIGH DENSITY RESIDENTIAL (HDR) (CYCLE 3 OF THE GENERAL PLAN AMENDMENTS FOR 2024) (GPA2023-0004).

WHEREAS, on July 8, 2024, the Planning and Housing Commission of the City of Corona ("Planning Commission") conducted a duly noticed public hearing and recommended that the City Council of the City of Corona ("City Council") approve GPA2023-0004 as part of the General Plan Amendments for Cycle 3 for calendar year 2024 to amend the City's General Plan to change the land use designation on 0.59 acres generally located on the north side of Second Street, approximately 450 feet west of Buena Vista Avenue ("Property") from High Density Residential (HDR) to General Commercial (GC) ("General Plan Amendment"); and

WHEREAS, the General Plan Amendment was submitted in conjunction with: (i) a change of zone to change the zoning on the Property from Mobile Home Park (MP) to General Commercial (C3) and to change the zoning on 4.01 acres located at the southwest corner of Buena Vista Avenue and Second Street (CZ2023-0006); and (ii) a precise plan for the development of a 1,900 square foot restaurant with drive-through service, a gas station, and a 3,750-square-foot convenience store on a 1.40 acre site, located on the north side of Second Street and west of Buena Vista Avenue (collectively referred to herein as the "Proposed Project"); and

WHEREAS, on the basis of the initial study, which indicated that all potential environmental impacts from the Proposed Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration ("MND") was prepared pursuant to California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"), the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment on June 14, 2024, pursuant to CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the Planning Commission based its recommendation to adopt the General Plan Amendment on the findings set forth below, and the adoption of the MND; and

EXHIBIT 1

WHEREAS, on August 7, 2024, the City Council held a duly noticed public hearing at which all persons wishing to testify in connection with the General Plan Amendment were heard and the General Plan Amendment was comprehensively reviewed; and

WHEREAS, the General Plan Amendment proposes a change to the General Plan Land Use Map based on the findings below.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Corona, California as follows:

SECTION 1. CEQA Findings. The City Council has reviewed and considered the information contained in the MND, the initial study and the administrative record for the Proposed Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the whole record before it, including the MND, the initial study and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

A. The MND, initial study and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines.

B. The MND and initial study contain a complete and accurate reporting of the environmental impacts associated with the Proposed Project and reflects the independent judgment and analysis of the City Council.

C. There is no substantial evidence in the administrative record supporting a fair argument that the Proposed Project may result in significant environmental impacts.

D. All environmental impacts of the Proposed Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND, the Mitigation Monitoring and Reporting Program and the initial study.

SECTION 2. Adoption of Mitigated Negative Declaration. The City Council hereby approves and adopts the MND prepared for the Proposed Project.

SECTION 3. Adoption of the Mitigation Monitoring and Reporting Program. The City Council hereby approves and adopts the Mitigation Monitoring and Reporting Program prepared for the Proposed Project and attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 4. General Plan Amendment Findings. Based on the entire administrative record before the City Council, including all written and oral evidence presented to the City Council, the City Council hereby makes and adopts the following findings:

A. The General Plan Amendment is in the public interest and would not be detrimental to public health, safety and welfare for the following reason:

(i) GPA2023-0004 will provide a logical transition of the General Commercial designation, which exists on the adjacent parcel to the west, and will establish compatibility with the commercial land uses in the immediate area and the freeway to the north.

B. The General Plan Amendment is internally consistent with the elements of the General Plan, including the goals and policies stated therein, for the following reasons:

(i) GPA2023-0004 is consistent with companion application CZ2023-0006 which proposes to change the zoning of the Property to C3 (General Commercial) to establish consistency with the General Commercial designation of the General Plan because both classifications are intended for commercial land uses.

(ii) GPA2023-0004 is consistent with General Plan Land Use Policy LU-4.3 because it will facilitate the development of vacant lands on the periphery of existing development that complements the scale and pattern of existing uses and will result in the logical and feasible extension of infrastructure because commercial land uses and public infrastructure exist in the vicinity of the project site.

SECTION 5. Approval of General Plan Amendment GPA2023-0004. General Plan Amendment (GPA2023-0004) is hereby approved. The City Council hereby adopts the amendment to the City's General Plan Land Use Map as set forth on the map attached hereto as Exhibit "B" and incorporated herein by reference.

SECTION 6. Custodian of Records. The documents and materials that constitute the record of proceedings on which the findings set forth in this Resolution have been based are located at City of Corona City Hall, 400 S. Vicentia Avenue, Corona, California 92882. The custodian for these records is Joanne Coletta, Planning and Development Director.

SECTION 7. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 7th day of August, 2024.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly passed and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 7th day of August 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 7th day of August, 2024.

City Clerk of the City of Corona

[SEAL]

EXHIBIT “A”

MITIGATION MONITORING AND REPORTING PROGRAM

(THE MMRP IS ATTACHED BEHIND THIS PAGE, 1-5)



MITIGATION MONITORING AND REPORTING PROGRAM CITY OF CORONA

MM No.	Mitigation Measures	Implementation Action	Method of Verification	Timing of Verification	Responsible Person	Verification Date
CUL-1	<p>Archaeological Monitoring. Prior to the issuance of a grading permit, the Project Applicant shall retain and enter a monitoring and mitigation service contract with a qualified Archaeologist ("Archaeological Monitor") for mitigation monitoring services and implement a Cultural Resource Monitoring Program (CRMP). At least 30 days prior to issuance of grading permits, a copy of the executed agreement between the Project Applicant and Archaeologist shall be submitted to the Planning and Development Department:</p>	Condition of Approval	Submittal of documentation showing that an archaeologist has been retained for the Project.	Prior to issuance of grading permits and during grading activities	Project Applicant, Project Archaeologist/ Planning Division	

	<ul style="list-style-type: none"> • A CRMP shall be prepared to guide the procedures and protocols of an archaeological mitigation monitoring program that shall be implemented during initial onsite and offsite ground disturbing activities. The CRMP shall include, but not be limited to, the Project grading and development schedule; approved Project cultural resources mitigation measures and conditions of approval; monitoring procedures; protocols for the identification, assessment, collection, and analysis of any resource(s) observed during grading; curation guidelines; and coordination with project personnel, City staff, and any participating Native American tribe(s). The Rincon Band of Luiseño Indians shall be notified of any discoveries. The final CRMP shall be submitted to the City Project planner and/or inspector, the appropriate Project supervisor/engineer/etc., and monitoring Native American tribe(s), if any. • The Archaeological Monitor shall be invited to a preconstruction meeting with construction personnel and City and tribal representatives. The attending archaeologist shall review the provisions of the CRMP and answer any applicable questions. • Full-time monitoring shall occur throughout the entire Project area, including all off-site improvement areas, during initial ground-disturbing activities. Full-time monitoring shall continue until the Archaeological Monitor determines that the overall sensitivity of the Project area is low as a result of mitigation monitoring and shall have the authority to modify and reduce the monitoring program to 					
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	to either periodic spot-checks or complete suspension of the monitoring program. Should the monitor(s) determine that there are no cultural resources within the Project site or off-site improvement areas, or should the sensitivity be reduced to low during monitoring, all monitoring shall cease.					
CUL-2	Inadvertent Discovery and Native American Notification. In the event that a significant cultural resource is discovered during ground disturbance activities, the project archaeologist shall notify the City and the Rincon Band of Luiseño Indians for purposes of inviting the Tribe to participate in the CRMP implementation and to observe any continuing ground-disturbing construction activities. Further, all ground disturbance activities within 50 feet of the discovered cultural resource shall be halted and the applicant and a meeting shall be convened between the developer, the consulting archaeologist, the lead agency and a Rincon tribal representative to discuss the significance of the find. Further ground disturbance shall not resume in the area of the discovery until the appropriate treatment has been accomplished.	Condition of Approval	Submittal of documentation showing that a Native American Monitor has been retained for the Project.	Prior to issuance of grading permits and during grading activities	Project Applicant, Project Archaeologist, Planning and Planning Division, Native American Monitor	
CUL-3	Paleontological Monitor. Prior to the issuance of grading permits, the Project Applicant shall submit to and receive approval from the City of a Paleontological Resources Monitoring and Mitigation Plan (PRMMP). The PRMMP shall include the provision of a trained paleontological monitor during onsite soil disturbance activities. The monitoring for paleontological resources shall be conducted on a full-time basis during the rough grading phases of the Project site within native soils that have the potential to harbor paleontological resources. The paleontological monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples of soil shall be collected and processed to recover micro-vertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify	Condition of Approval	Submittal of a Paleontological Resources Monitoring and Mitigation Plan	Prior to issuance of grading permits and during grading activities	Project Applicant, Planning Division, Paleontological Monitor	

	<p>small vertebrate remains. If paleontological resources are unearthed or discovered during grading activities, the following recovery processes shall apply:</p> <ul style="list-style-type: none"> ▪ Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. ▪ All fossils collected during the project shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. ▪ A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. ▪ All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository (such as the Western Science Center for Archaeology & Paleontology, the Riverside Metropolitan Museum, or the San Bernardino County Museum) for permanent curation and storage. 					
CUL-4	<p>Discovery of Human Remains: In the event that human remains (or remains that may be human) are discovered at the project site during grading or earthmoving activities, the construction contractors, project archaeologist, and/or designated Native American Monitor shall immediately stop all activities within 100 feet of the find. The project proponent shall then inform the Riverside County Coroner and the City of Corona Planning and Development Department,</p>	Condition of Approval	Submittal of documentation	If human remains are discovered during ground-disturbing construction activities	Construction Contractor(s), County Coroner, NAHC	

	<p>Planning Division, immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the applicant shall comply with the state relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (PRC Section 5097). The coroner shall contact the Native American Heritage Commission (NAHC) to determine the most likely descendant(s) (MLD). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The Disposition of the remains shall be overseen by the most likely descendant(s) to determine the most appropriate means of treating the human remains and any associated grave artifacts.</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC).According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052) determined in consultation between the project proponent and the MLD. In the event that the project proponent and the MLD are in disagreement regarding the disposition of the remains, State law will apply and the median and decision process will occur with the Native American Heritage Commission (see Public Resources Code Section 5097.98(e) and 5097.94(k)).</p>					
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EXHIBIT “B”

PROPOSED CHANGES TO LAND USE MAP OF THE GENERAL PLAN

GPA2023-0004

(THE PROPOSED LAND USE MAP IS ATTACHED BEHIND THIS PAGE)

GPA2023-0004 & CZ2023-0006 EXHIBITS

