

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**PROPOSAL NO.: LAFCO 3268**

**HEARING DATE: JULY 17, 2024**

## **RESOLUTION NO. 3405**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF SAN BERNARDINO MAKING DETERMINATIONS ON LAFCO 3268, AS MODIFIED, AND APPROVING THE REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF CHINO AND DETACHMENT FROM COUNTY SERVICE AREA 70 (EAST END ANNEXATION).**

The reorganization area, as modified, encompasses approximately 65.06 acres and is generally bounded by a combination bounded by the San Bernardino Countyline on the west, Francis Avenue on the north, East End Avenue (portion of existing City of Chino boundary) on the east, and a combination of Philadelphia Street and parcel lines (existing City of Chino boundary) on the south, within the City of Chino's northern sphere of influence.

**On motion of Commissioner Armendarez, duly seconded by Commissioner Cox, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed reorganization in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for July 17, 2024 at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, objections and evidence which were made, presented, or filed; and all persons

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present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing; and,

**WHEREAS**, it is the Commission's position that a county boundary change would provide for a clear and defined boundary for the three parcels whose structures currently split jurisdiction between San Bernardino and Los Angeles Counties. However, the Commission understands that such a change is not a LAFCO process and cannot be completed in a timely manner. Therefore, the Commission recommends that the City of Chino and the County of San Bernardino coordinate a county boundary change in the future that includes the three parcels, Assessor Parcel Numbers 1013-531-09, 1013-531-10, and 1013-531-11, removing these parcels from San Bernardino County and its underlying local agencies and transferring them into Los Angeles County and into the appropriate local agencies within Los Angeles County; and,

**WHEREAS**, the Commission determines to modify the reorganization proposal by expanding it to include the three adjacent parcels, Assessor Parcel Numbers 1013-531-09, 1013-531-10, and 1013-531-11, in order to avoid creating a totally surrounded unincorporated island area between the City of Chino and the San Bernardino-Los Angeles Countyline (within the City of Pomona).

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

### **CONDITIONS:**

**Condition No. 1.** The boundaries of this change of organization are approved as set forth in Exhibits "A" and "A-1" attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3268.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Chino (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The City of Chino shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes to impacted utility customer accounts.

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**Condition No. 6.** The date of issuance of the Certification of Completion shall be the effective date of the reorganization;

**SECTION 2. DETERMINATIONS.** The following determinations are required to be provided by Commission policy and Government Code Section 56668:

1. The reorganization area is legally uninhabited, containing eleven (11) registered voters as of June 10, 2024, as certified by the County Registrar of Voters Office.
2. The County Assessor has determined that the total assessed value of land and improvements within the reorganization area, as modified, is \$52,608,612 (land - \$40,130,651 -- improvements - \$12,477,961).
3. The reorganization area is within the sphere of influence assigned the City of Chino.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Inland Valley Daily Bulletin*, a newspaper of general circulation in the area. In addition, individual notices were provided to all affected and interested agencies, County departments, and those individuals and agencies having requested such notification. Comments from affected and interested agencies have been considered by the Commission in making its determination.
5. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (26) and registered voters (11) within the reorganization area (totaling 37 notices) and to landowners (552) and registered voters (910) surrounding the reorganization area (totaling 1,462 notices). Comments from registered voters, landowners, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Chino has pre-zoned the reorganization area for the following land uses: M1 (Light Industrial) and M2 (General Industrial). These zoning designations are consistent with the City's General Plan. Pursuant to the provisions of Government Code Section 56375(e), these zoning designations shall remain in effect for two years following annexation unless specific actions are taken by the City Council.  
  
Pre-zoning is not required for the additional three (3) parcels since these parcels are currently built-out with existing entitlements pursuant to Government Code Section 56375(a)(7). The City's land use designation for the additional area is Light Industrial, which is the default pre-zone designation (M1) for said area, which is also consistent with the City's General Plan.
7. The Southern California Associated Governments (SCAG) recently adopted its 2024-2050 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3268 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.
8. The City of Chino has an adopted Local Hazard Mitigation Plan (approved by FEMA) as well as an approved Safety Element of its General Plan. The reorganization area is within an area considered to have a moderate threat to wildland fire.

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9. The City of Chino, as a function of its review of the Philadelphia Street Industrial Development Site and East End Annexation Project which includes Prezone/Annexation (PL20-0003), Site Approval (PL20-0004) for the construction of three (3) industrial buildings totaling 63,900 square feet, and Tentative Parcel Map No. 20174 (PL20-0005), prepared an environmental assessment and adopted a Mitigated Negative Declaration which indicates that approval of the project will not have a significant adverse impact on the environment.

The Commission certifies that it has reviewed and considered the City's Mitigated Negative Declaration and the environmental effects as outlined in the Initial Study prior to reaching a decision on the project and finds the information substantiating the Mitigated Negative Declaration is adequate for its use in making a decision as a CEQA responsible agency. The Commission finds that it does not intend to adopt alternatives or additional mitigation measures for this project as all changes, alternations and mitigation measures are within the responsibility and jurisdiction of the City and/or other agencies and not the Commission; and finds that it is the responsibility of the City to oversee and implement these measures.

The Commission directs its Executive Officer to file a Notice of Determination within five (5) days with the San Bernardino County Clerk of the Board of Supervisors. The Commission, as a responsible agency, also notes that this proposal is exempt from the California Department of Fish and Wildlife fees because the fees were the responsibility of the City of Chino as lead agency.

10. The local agencies currently serving the area are: County of San Bernardino, Chino Basin Water Conservation District, Chino Valley Independent Fire Protection District, Inland Empire Resource Conservation District, Monte Vista Water District, Inland Empire Utilities Agency, Metropolitan Water District of Southern California, West Valley Mosquito and Vector Control District, and County Service Area 70 (multi-function unincorporated area Countywide).

Upon reorganization, the territory will detach from County Service Area 70 and the sphere of influence for County Service Area 70 will be reduced as a function of the reorganization. None of the other agencies are affected by this proposal as they are regional in nature.

11. The City of Chino has submitted a plan for the provision of services as required by Government Code Section 56653, which indicates that the City can, at a minimum, maintain the existing level of service delivery and can improve the level and range of selected services currently available in the area. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
12. The reorganization area will benefit from the availability and extension of municipal services from the City of Chino.
13. The proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use to be included within a

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City so that the full range of municipal services can be planned, funded, extended and maintained.

- 14. This proposal will not assist the City’s ability to achieve its fair share of the regional housing needs based upon the anticipated industrial land uses for the reorganization area.
- 15. With respect to environmental justice, the following demographic and income profile was generated using ESRI’s Business Analyst within the City of Chino and within and around the reorganization area (2024 data):

Demographic and Income Comparison	City of Chino (%)	Subject Area & adjacent Unincorporated Sphere (%)
<b>Race and Ethnicity</b>		
• White Alone	27.4 %	33.9 %
• Black Alone	6.0 %	0.6 %
• American Indian Alone	1.5 %	0.9 %
• Asian Alone	21.0 %	8.4 %
• Pacific Islander Alone	0.2 %	0.2 %
• Some Other Race Alone	26.1 %	34.4 %
• Two or More Races	17.8 %	21.5 %
• Hispanic Origin (Any Race)	52.0 %	66.3 %
<b>Median Household Income</b>	<b>\$106,713</b>	<b>\$107,286</b>

The reorganization area will continue to benefit from the extension of services and facilities from the City and other agencies, at the same time, would not result in the deprivation of service or the unfair treatment of any person based on race, culture or income through approval of LAFCO 3268, as modified.

- 16. The City and County have negotiated the transfer of ad valorem taxes as required by State law for the area originally submitted by the City for annexation. Copies of the resolutions adopted by the City Council of the City of Chino and the San Bernardino County Board of Supervisors are on file in the LAFCO office outlining the exchange of revenues.

The Commission has modified the boundaries of this proposal and any affected agency may request renegotiation of the ad valorem tax distribution due to the modification of boundaries as outlined in Revenue and Taxation Code Section 99 (b)(7).

- 17. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards.

**SECTION 3.** Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of

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service to the functions of other local agencies in the area.

**SECTION 4.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**SECTION 5.** The Commission hereby directs that, following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer is hereby directed to initiate protest proceedings in compliance with this resolution and State law (Part 4, commencing with Government Code Section 57000) and set the matter for consideration of the protest proceedings, providing notice of hearing pursuant to Government Code Sections 57025 and 57026.

**SECTION 6.** Upon conclusion of the protest proceedings, the Executive Officer shall adopt a resolution setting forth his determination on the levels of protest filed and not withdrawn and setting forth the action on the proposal considered.

**SECTION 7.** Upon adoption of the final resolution by the Executive Officer, either a Certificate of Completion or a Certificate of Termination, as required by Government Code Sections 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204, shall be prepared and filed for the proposal.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS: ARMENDAREZ, BAGLEY, COX, DENISON, FARRELL, AND WARREN.**

**NOES: COMMISSIONERS: NONE.**

**ABSENT: COMMISSIONERS: BACA, DUPPER (Denison voting in his stead), AND HAGMAN (Armendarez voting in his stead).**

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STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SAN BERNARDINO )

I, SAMUEL MARTINEZ, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of July 17, 2024.

DATED: JULY 17, 2024

  
SAMUEL MARTINEZ  
Executive Officer



EXHIBIT "A"

LAFCO 3268

**Reorganization to Include Annexation to the City of Chino and  
Detachment from County Service Area 70 (East End Annexation)**

Those portions of Lots 28, 37, 38, 43, 44, 53, 54, 59 and 60 in Section 33, Township 1 South, Range 8 West, San Bernardino Meridian; together with Lot 5 in Section 4, in Township 2 South, Range 8 West, San Bernardino Meridian, of Rancho Santa Ana Del Chino, in San Bernardino County, State of California, as filed in Book 6, Page 15, records of said County and State, more particularly described as follows:

Course 1: **Beginning** at the centerline intersection of Philadelphia Street and East End Avenue, said intersection also being on the existing City of Chino boundary per Annexation No. 20, and also being the South 1/4 corner of said Section 33, thence South 0°00'42" East along the centerline of said East End Avenue, and also along said City boundary, and also along the Easterly line of the Northwest 1/4 of said Section 4, a distance of 660.02 feet to the Southeasterly corner of said lot 5 as shown on Parcel Map 8923, in the City of Chino, San Bernardino County, State of California, filed in Book 97, Pages 37 and 38, inclusive, of Parcel Maps, in said office of the County Recorder,

Course 2: Thence leaving said section line, and also leaving said centerline, North 89°56'18" West along the Southerly line of said Lot 5, a distance of 660.00 feet to the Southwest corner of said Lot 5 as shown on said Parcel Map 8923;

Course 3: Thence North 0°00'42" West along Westerly line of said Lot 5, a distance of 660.18 feet to the centerline of Philadelphia Street as shown on said Parcel Map 8923, and also to the Southerly line of the Southwest 1/4 of said Section 33;

Course 4: Thence North 89°55'27" West along said centerline of Philadelphia Street, and also along said section line, a distance of 475.58 feet to the boundary line of San Bernardino County as shown on Parcel Map 15226, in the Unincorporated Territory of San Bernardino, State of California, filed in Book 189, Pages 30 and 31, inclusive, of Parcel Maps, in said office of the County Recorder;

Course 5: Thence leaving said City boundary, and also leaving said section line, North 8°39'39" East along said County Boundary, a distance of 1490.30' feet to an angle point in said boundary line, said point also shown on County Surveyor map 3262 as Station 15, records of said County;

EXHIBIT A

Course 6: Thence North 17°10'41" East along said Boundary line, a distance of 1406.32 feet to the centerline of Francis Avenue being a point on a curve concave Southwesterly having a radius of 450.00 feet as shown on Record of Survey 97-0079 filed in Book 109, Page 19 of Records of Survey, in said office of the County Record a radial line of said curve to said point being North 15°54'43" East;

Course 7: Thence leaving said County boundary Easterly 129.54 feet along said centerline and said curve through a central angle of 16°29'38" as shown on said Record of Survey 97-0079;

Course 8: Thence continuing along said centerline South 57°35'39" East, a distance of 106.10 feet to the beginning of a curve concave Northeasterly having a radius of 450.00 feet as shown on said Record of Survey 97-0079;

Course 9: Thence continuing along said centerline Easterly 254.24 feet along said curve through a central angle of 32°22'14" as shown on said Record of Survey 97-0079;

Course 10: Thence continuing along said centerline South 89°57'53" East, a distance of 48.18 feet to the intersection of Francis Avenue and East End Avenue, and also to the Center 1/4 corner of said Section 33;

Course 11: Thence South 0°00'48" West along the centerline of East End Avenue, and also along the Easterly line of the Southwest 1/4 of said Section 33, a distance of 2,638.59 feet to the **Point of Beginning**.

Containing an area of 65.06 acres, more or less.

As shown on Exhibit B attached hereto.

Subject to covenants, conditions, reservations, restrictions, right-of-way and easements, if any, of record.

Prepared by me or under my direct supervision:

  
\_\_\_\_\_  
Samuel G. Ochoa  
Deputy County Surveyor  
PLS 9505

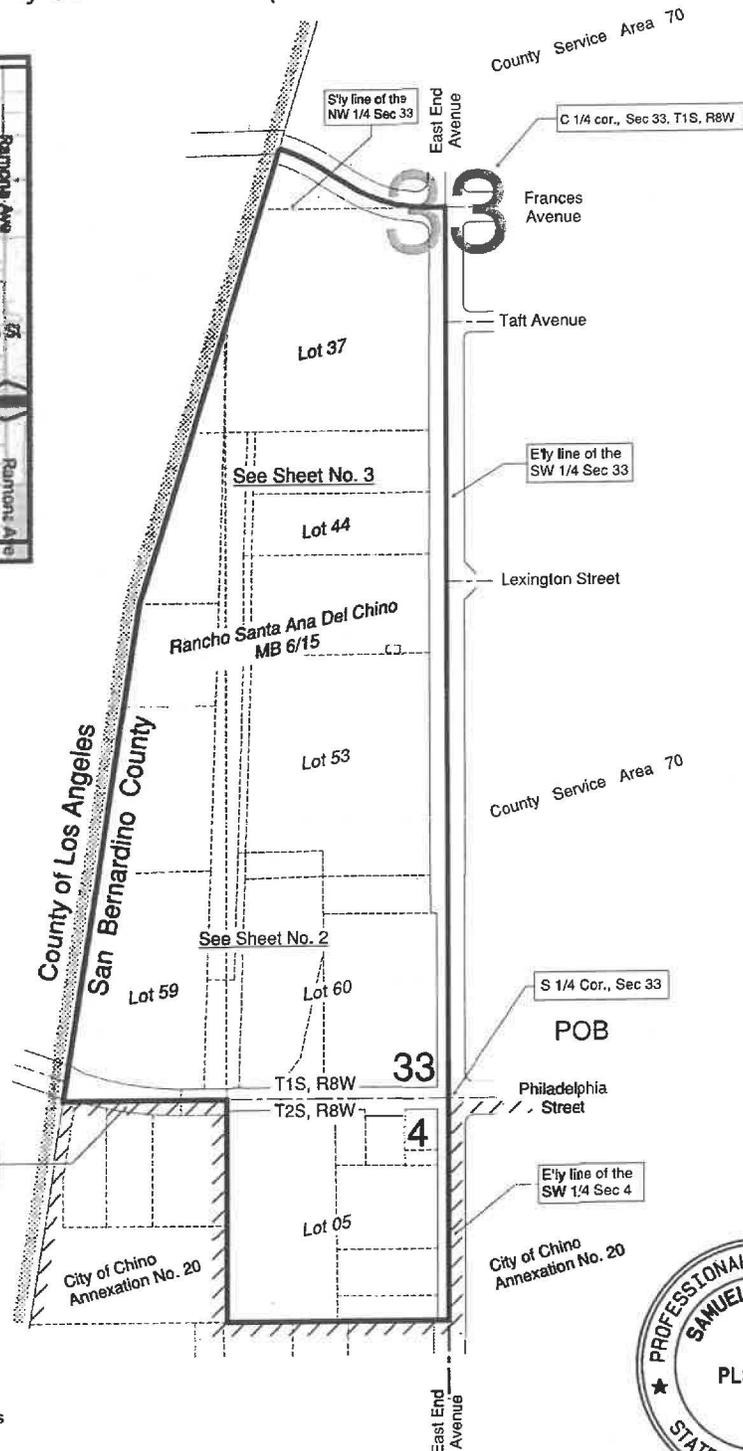
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Date



LAFCO 3268

Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 (East End Annexation)

Vicinity Map



Legend

- Annexation boundary
- Existing County of Los Angeles boundary
- Existing City of Chino boundary



**Affected Agencies:**  
City of Chino  
San Bernardino County

**Total Area:**  
65.06 AC



Date: 5/1/2024  
Rev. V.1.0

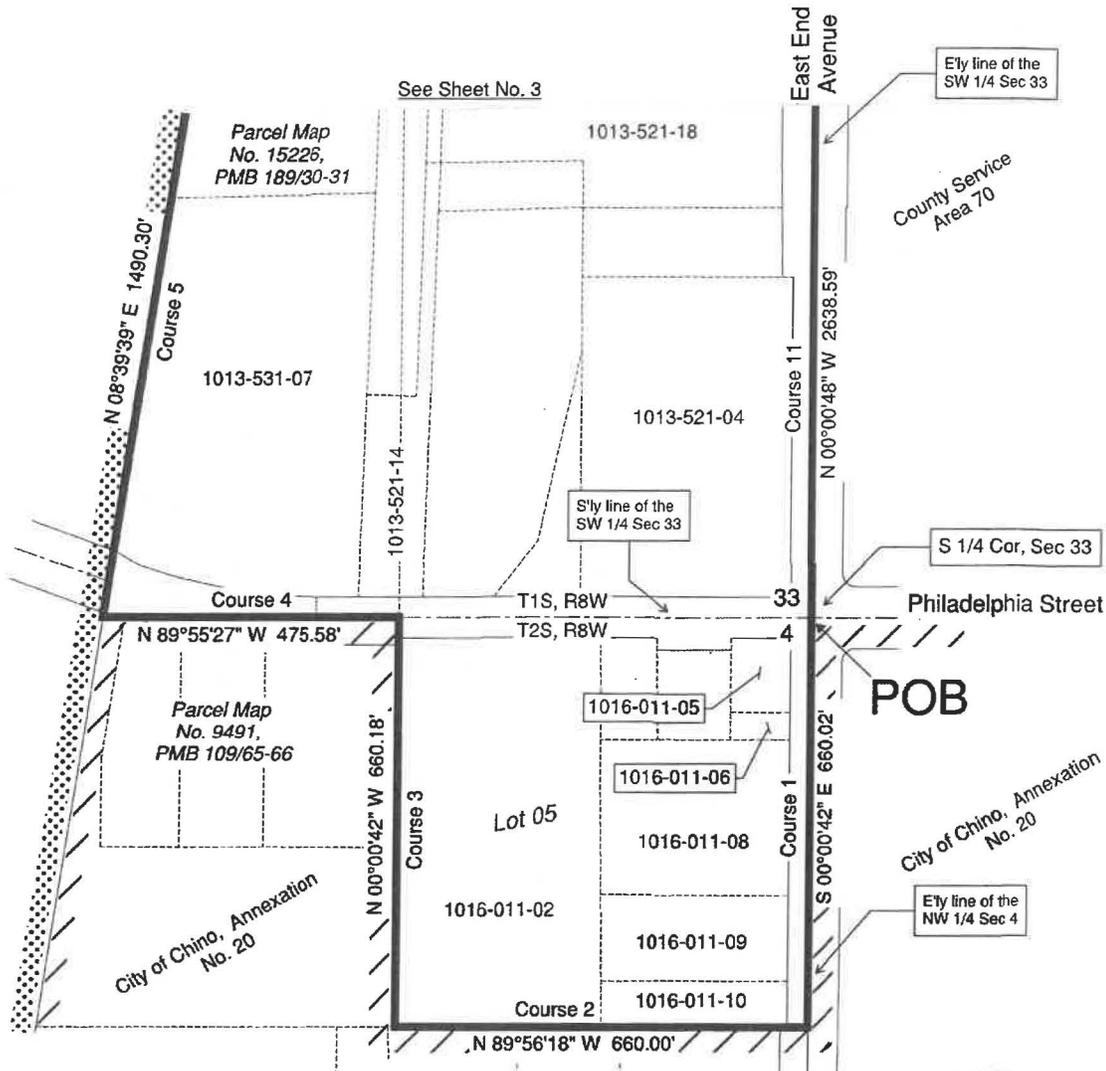
**LAFCO 3268**  
Reorganization to Include Annexation to the City of Chino and  
Detachment from County Service Area 70 (East End Annexation)

Exhibit "A-1"

Sketch to Accompany a Legal Description

LAFCO 3268

Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 (East End Annexation)



Legend

-  Annexation boundary
-  Existing County of Los Angeles boundary
-  Existing City of Chino boundary

Parcel Map No. 8923, PMB 97/37-38



Affected Agencies:  
City of Chino  
San Bernardino County



Date: 5/1/2024  
Rev. V.1.0  
SBCO Surveyors

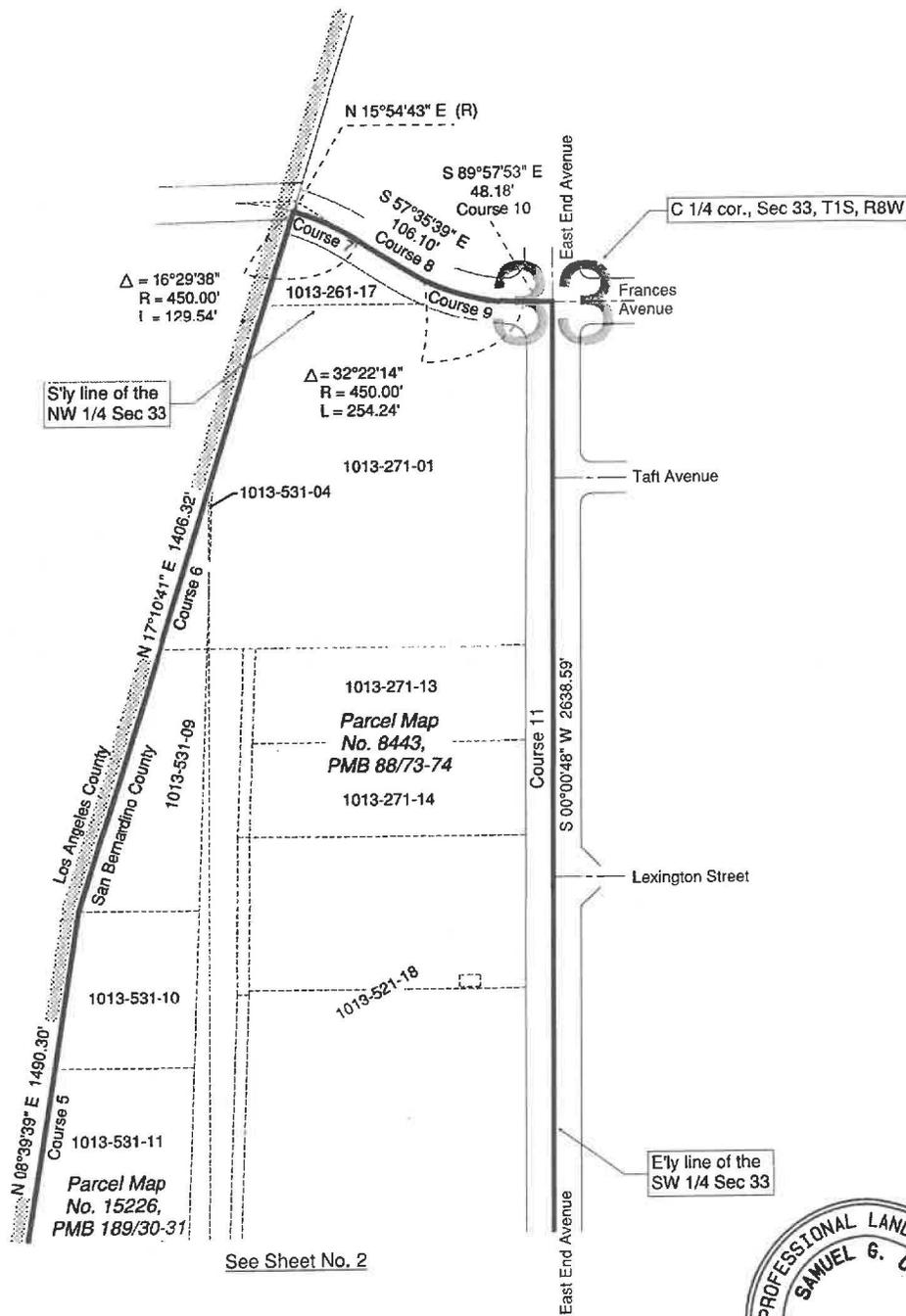
LAFCO 3268  
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Exhibit "A-1"

Sketch to Accompany a Legal Description

LAFCO 3268

Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 (East End Annexation)



Legend

- Annexation boundary
- Existing County of Los Angeles boundary



Scale: 1" = 200'

Affected Agencies:  
City of Chino  
San Bernardino County



Date: 5/1/2024  
Rev. V.1.0  
SBCO Surveyors

LAFCO 3268

Reorganization to Include Annexation to the City of Chino and Detachment from County Service Area 70 (East End Annexation)

Exhibit "A-1"

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