

ORDINANCE NO. 1974

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, APPROVING AMENDMENTS TO MULTIPLE SECTIONS OF THE FONTANA ZONING AND DEVELOPMENT CODE TO REVISE SIGNAGE REGULATIONS WITHIN THE DOWNTOWN CORE, STREAMLINE THE APPROVAL PROCESS FOR VARIOUS SIGN TYPES, AND TO PROHIBIT FEATHER AND YARD SIGNS, PURSUANT TO THE CERTIFIED GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE [SCH] NO. 2016021099) AND PUBLIC RESOURCES CODE SECTION 21083.3.

WHEREAS, pursuant to Government Code section 37100, the legislative body of a city may pass ordinances not in conflict with the Constitution and laws of the State or the United States; and

WHEREAS, Government Code sections 50022.1 to 50022.10 authorizes a city to codify and recodify its ordinances; and

WHEREAS, the City of Fontana (“City”) desires to restate without substantive revision, amend and recodify certain ordinances codified in the Fontana Municipal Code (“Code”) through Municipal Code Amendment (“MCA”) No. 25-0007; and

WHEREAS, the City of Fontana General Plan (“General Plan”) includes policies and actions calling for numerous updates to the Code; and

WHEREAS, Use Table No. 30-721.A. is amended to allow projecting and holiday window signs within the Downtown Core; and

WHEREAS, Use Table No. 30-725.A. is amended to introduce two new categories of sign permits types, along with the designation of the bodies responsible for their review and process for appealing decisions; and

WHEREAS, Sections 30-731 and 30-731.1 is amended to establish comprehensive Downtown Core Sign Programs, specifically detailing requirements, standards and permitted uses; and

WHEREAS, Sections 30-732 and 30-732.1 are amended to regulate Downtown Core Sign Programs, specifically detailing requirements, standards and permitted uses; and

WHEREAS, the Use Table 30-742.A. is amended to incorporate Downtown Core regulations for Residential uses; and

WHEREAS, the Use Table and 30-743.A. is amended to incorporate Downtown Core regulations for nonresidential uses in commercial, mixed-use, and form-based zoning districts; and

WHEREAS, Sections 30-746(a)(2), (b)(2), (b)(3), (b)(4) and (f)(5) are amended to establish standards for permanent sign types within the Downtown Core; and

WHEREAS, Use Table 30-747.A. is amended to incorporate Downtown Core standards for permanent signs for specific uses for nonresidential uses within the Downtown boundary; and

WHEREAS, Use Table No. 30-751.A. is amended to incorporate Downtown Core standards for nonresidential zoning districts; and

WHEREAS, State law requires zoning regulations to be consistent with the general plan and therefore updating the Code would contribute to consistency with the General Plan; and

WHEREAS, the amendments in MCA No. 25-0007 are consistent and compatible with the General Plan and are in line with goals, policies and objectives of the City, the Housing Element policies and the Zoning and Development Code; and

WHEREAS, the amendments in MCA No. 25-0007 are in conformity with appropriate land use practices and will establish appropriate development standards for the land use designations; and

WHEREAS, the amendments in MCA No. 25-0007 are attached hereto as Exhibit "A" and incorporated herein by this reference, will not be detrimental to the public health, safety and general welfare, nor will it adversely affect the orderly development of property; and

WHEREAS, the amendments in MCA No. 25-0007 will better express the City's policies and will generally promote good land use planning and regulation; and

WHEREAS, on July 1, 2025, the Planning Commission held a public meeting on MCA No. 25-0007 where it received evidence and public testimony on the Code amendments and recommended that the Fontana City Council ("City Council") determine that the proposed amendments are consistent with the Fontana General Plan and certified General Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2016021099) and so qualifies for an exemption pursuant to the from California Environmental Quality Act (CEQA), specifically Public Resources Code 21083.3 and CEQA Guidelines Section 15183, as the proposed amendments in the Ordinance will have no new or more severe significant environmental effects "peculiar to" the Ordinance than discussed in the certified EIR and will have no significant off-site and cumulative impacts not discussed in that EIR as long as all applicable mitigation measures in the certified EIR will be undertaken; and

WHEREAS, the Planning Commission carefully considered all evidence and testimony presented at its public hearing on July 1, 2025 regarding MCA No. 25-0007 and approved Resolution No. 2025-023 recommending that the City Council adopt the modifications to the Zoning and Development Code contained therein; and

WHEREAS, on July 22, 2025, the City Council held a public hearing on MCA No. 25-0007 where City Council received evidence and public testimony pertaining to the Zoning and Development Code amendments as well as documentation from the Planning Commission's public hearing on July 1, 2025; and

WHEREAS, the City Council carefully considered all information pertaining to MCA No. 25-0007 presented at its public hearing on July 22, 2025; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, the City Council of the City of Fontana, California, **DOES ORDAIN** as follows:

Section 1. Recitals. The recitals are true, correct and incorporated herein by this reference.

Section 2. CEQA. The City Council hereby finds that the proposed amendments in the Ordinance are consistent with the Fontana General Plan and certified General Plan Environmental Impact Report (EIR) (State Clearinghouse No. 2016021099) and so qualifies for an exemption from CEQA, specifically Public Resources Code 21083.3 and CEQA Guidelines Section 15183, as the proposed amendments will have no new or more severe significant environmental effects "peculiar to" the Ordinance than discussed in the certified EIR and will have no significant off-site and cumulative impacts not discussed in that EIR as long as all applicable mitigation measures in the certified EIR will be undertaken.

Section 3. Development Code Amendment Findings. The City Council hereby makes the following findings for Municipal Code Amendment No. 25-0007 accordance with Section 30-40 "Purpose" of the Fontana Zoning and Development Code:

Finding: **A Zoning and Development Code may be amended by changing the development standards (text) or zoning designation map boundaries of any zone whenever such an amendment is deemed necessary to protect or promote the public's health, safety or general welfare or when modification is viewed as appropriate in the context of generally accepted planning principles, surrounding land uses, and the General Plan.**

Findings of Fact: The Municipal code amendments modify Article XII (Sign Regulations) of the Zoning Code and encourage attractive signage in the Downtown Core by allowing flexibility in design requirements and streamlining the approval process for creative signs, sign programs, wall signs, directional signage, awning signs, canopy signs, inlay signs, graphic projecting signs, projecting signs, holiday window signs and roof signage, and prohibiting feather and yard sign. These amendments would encourage visually attractive signage in the Downtown area as a local and regional destination. The amendments are appropriate, aligning with generally accepted planning principles, compatible with surrounding land uses, and consistent with the General Plan.

Section 4. Development Code Amendment Approval. Based on the foregoing, the City Council hereby approves the amendments as set forth in MCA No. 25-0007, attached hereto as **Exhibit "A"** and incorporated herein by this reference as fully set forth herein.

Section 5. Effective Date/Publication. This Ordinance shall take effect thirty (30) days after the date of the adoption and prior to the expiration of fifteen (15) days from the passage thereof, shall be published by the City Clerk at least once in the Fontana Herald News, a local newspaper of the general circulation, published and circulated in the City of Fontana, and henceforth and thereafter the same shall be in full force and effect.

Section 6. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 8353 Sierra Avenue, Fontana, CA 92335. The custodian of records is the City Clerk.

Section 7. Certification. The City Clerk of the City Council shall certify to the adoption of this Ordinance.

Section 8. Severability. If any provision of this Ordinance or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

APPROVED AND ADOPTED this 22nd day of July 2025

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine Key, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Ordinance is the actual Ordinance adopted by the City Council and was introduced at a regular meeting on the 22nd day of July 2025, and was finally passed and adopted not less than five days thereafter on the 9th day of September 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

ATTEST:

City Clerk