

RESOLUTION NO. PC 2024-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF FONTANA CERTIFY THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (STATE CLEARING HOUSE NO. 023050271), ADOPT THE STATEMENT OF OVERRIDING CONSIDERATION, ADOPT THE MITIGATION MONITORING AND REPORTING PROGRAM AND STATEMENT OF FACTS AND FINDINGS, APPROVE GENERAL PLAN AMENDMENT NO. 22-012 TO CHANGE THE LAND USE DESIGNATION FOR SEVERAL PARCELS IN THE WALNUT VILLAGE SPECIFIC PLAN TO ALLOW FOR INCREASES IN DENSITY, ZONING CODE AMENDMENT NO. 24-003 TO REMOVE THE FONTANA AUTO CENTER OVERLAY FOR APPROXIMATELY 8.5 ACRES IN THE WALNUT VILLAGE SPECIFIC PLAN, SPECIFIC PLAN NO. 24-001 TO RESCIND THE EXISTING WALNUT VILLAGE SPECIFIC PLAN (SP-3) AND ADOPT A NEW SPECIFIC PLAN, AND DIRECT STAFF TO FILE THE NOTICE OF DETERMINATION.

WHEREAS, On June 9, 2020, the City of Fontana (“City”) was awarded the LEAP Grant program funds in the amount of \$500,000 by the Department of Housing and Community Development to complete work on a new Specific Plan for Walnut Village which is generally located south of the 210 freeway, east of Sierra Avenue, west of Palmetto Avenue and north of Baseline Avenue; and

WHEREAS on December 4, 2020, the City initiated an amendment to the Walnut Village Specific Plan with the assistance of the Local Early Action Planning (LEAP) grant from the State of California Housing and Community Development Department; and

WHEREAS, on February 28, 2023, the Planning Commission and City Council held a joint workshop on the new Walnut Village Specific Plan to provide information on the proposed land use and design amendments; and

WHEREAS, General Plan Amendment (“GPA”) No. 22-012 changes the land use designation for several parcels within the Walnut Village Specific Plan, where such changes would allow for increases in density in the area. Additionally, the general plan amendment would remove the Auto Center Overlay designation from approximately 20 acres in the Walnut Village Specific Plan; and

WHEREAS, Zoning Code Amendment (ZCA) No. 24-003, removes the Fontana Auto Center Overlay (Planning Area No. 2) from Figure No. 1 (Fontana Auto Center Overlay District Planning Area Boundaries Map) and revise Sections 30-635 and 30-639 of the Zoning and Development Code to make slight language and map modifications pertaining to Planning Area No. 2.

WHEREAS, Specific Plan (SP) No. 24-001 rescinds the existing Walnut Village Specific Plan (SP-3) and adopts a new Walnut Village Specific Plan that includes new and clarified land use, development and design standards along with increases to allowable density for residential development; and

WHEREAS, pursuant to State CEQA Guidelines section 15087(e), the Draft Program Environmental Impact Report (DPEIR) was circulated for at least a 45-day public review and comment period from March 18, 2024, to May 2, 2024, during which time the City did not receive any written comments; and

WHEREAS, the City has prepared a Final Program Environmental Impact Report (FPEIR) in compliance with the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.). For the purposes of this Resolution, the “EIR” shall refer to the DPEIR, as revised by the FPEIR, together with the other sections of the FPEIR; and

WHEREAS, the General Plan Amendment is consistent with the goals and policies of the Housing Element in the General Plan; and

WHEREAS, the City wishes to protect and preserve the quality of the life throughout the City, through effective land use and planning; and

WHEREAS, all of the notices required by statute and the City Municipal Code have been given as required; and

WHEREAS, the owners of property within the specific plan area and within 660 feet of the boundaries of the specific plan area were notified via public hearing notice mailer prior to the public hearing; and a notice of the public hearing was published in the local *Fontana Herald* Newspaper on June 21, 2024, posted at City Hall; and

WHEREAS, on July 2, 2024, a duly noticed public hearing on the FPEIR, MMRP, GPA No. 22-012, ZCA No. 24-003, and SP No. 24-001 was held by the Fontana Planning Commission (“Planning Commission”) to consider testimony and evidence presented; and,

WHEREAS, the Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on July 2, 2024; and

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

NOW, THEREFORE, the Planning Commission RESOLVES as follows:

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

Section 2. CEQA. Based on the foregoing, the Planning Commission hereby recommends that the City Council adopt a resolution to certify the FPEIR (State Clearinghouse No. 2022030544), pursuant to Section 15126 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.1 of the City of Fontana’s 2019 Local CEQA Guidelines adopt the statement of facts and findings, State of Overriding Consideration, approve the MMRP, and direct staff to file the Notice of Determination

Section 3. General Plan Amendment Findings. The Planning Commission hereby makes the following findings for GPA No. 22-012 in accordance with Section 30-31 “Purpose” of the Fontana Zoning and Development Code:

Finding: **The purpose and intent is to keep an updated General Plan to reflect**

the current desires and needs of the citizens for the long-term growth of the City.

Findings of Fact: The City is updating the General Plan within certain properties in the Walnut Village Specific Plan in order to allow higher density residential development, commercial used, and/or mixed-use development along with the removal of the auto center overlay in order to encourage the development of properties within the Specific Plan area and to enhance the gateways into the City. The new Walnut Village Specific Plan includes implementing goals and policies designed to allow for higher density residential, mixed and commercial uses, enhanced walkability, and the creation of high-quality development, which will forward the Housing Goal No. 1 (Housing Policy 1.1, Fontana 6th Cycle Housing Element) of the General Plan which is to establish a range of housing opportunities in the city and also forward Action A (Goal 3 in Chapter 13 of the General Plan) to refine zoning to encourage mixed-use development where appropriate.

Section 4. Zoning Code Amendment Findings. The Planning Commission hereby makes the following findings for ZCA No. 24-003 in accordance with Section 30-040 "Purpose" of the Fontana Zoning and Development Code:

Finding: **The 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: As part of the newly envisioned Walnut Village Specific plan a portion of the specific plan is located within the Auto Center Overlay - Planning Area No. 2, which is a restrictive overlay. Therefore, the City has initiated a Zoning Code Amendment to modify the Auto Center Overlay - Planning Area No. 2 from approximately 8.5 acres on properties located on the northwest portion of Walnut Village Specific Plan and from the Zoning and Development Code. The proposed change will to support the vision for this planning area, provide for a more complimentary relationship between future development and existing development and land uses in the immediate vicinity.

Changes to the Project Site's land use designation at the southeast corner of South Highland Avenue and Sierra Avenue to remove the Auto Center Overlay – Planning Area 2 would help to facilitate higher density residential development, commercial uses, and/or mixed-use development to encourage the development of undeveloped and underdeveloped properties in the Walnut Village Specific Plan area and to enhance the gateways into the City. The project will contribute to building a sustainable community where people living in the area could live and work. Any future

development will be reviewed by the City's Planning, Fire and Building Department. Additionally, any future development will be required to meet all Fire and Building Codes, as well as the Fontana Municipal Code. Therefore, the project will promote public's health, safety, or general welfare.

Section 5. Specific Plan Findings. The Planning Commission hereby makes the following findings for ZCA No. 20-015 in accordance with Section 30-67 "Purpose" of the Fontana Zoning and Development Code:

Finding: **A specific plan may be amended by changing the development standards or zoning designation 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 Specific Plan will establish new land use districts within the Walnut Village Specific Plan, provide new development and design standards for the undeveloped and underdeveloped areas of the Specific Plan, establish clarified allowable land uses, and clarify development standards for the previously-developed areas of the Specific Plan. The updates to the Walnut Village Specific Plan pertaining to undeveloped and underdeveloped areas will encourage attractive pedestrian-oriented development and will enhance gateways into the city along Sierra Avenue and Baseline Avenue. The updates to the Walnut Village Specific Plan pertaining to the existing development will provide clarification of standards and provide ease in implementation. The new Walnut Village Specific Plan includes implementing goals and policies designed to allow for higher density residential, mixed and commercial uses, enhanced walkability, and the creation of high-quality development, which will forward the Housing Goal No. 1 (Housing Policy 1.1, Fontana 6th Cycle Housing Element) to establish a range of housing opportunities in the city and also forward Action A (Goal 3 in Chapter 13 of the General Plan) to refine zoning to encourage mixed-use development where appropriate.

The proposed changes to the Walnut Village Specific Plan will promote the public's health, safety and general welfare by encouraging new and attractive development in the area, potentially eliminating unappealing and unsafe conditions on undeveloped and underdeveloped parcels and will create pedestrian-oriented development to improve health and mobility in the vicinity.

Section 6. Approvals. Based on the foregoing, the Planning Commission finds that GPA No. 22-012, ZCA No. 24-003, and SPA No. 24-001 substantially promotes the goals of the City's general plan and recommends that the City Council adopt the following:

- A resolution certifying the Final Program Environmental Impact Report (State Clearing House No. 023050271), adopt the Statement of Overriding Consideration and Statement of Facts and Findings, and approving the

Mitigation Monitoring Reporting Program, and directing staff to file the Notice of Determination;

- A resolution adopting GPA No. 22-012 to amend Exhibit 15.9 in Chapter 15 (Land Use, Zoning, and Urban Design) of the General Plan to change: approximately 7 acres from Community Commercial (C-C) to Multi-Family Medium to High Density Residential (R-MFMH), approximately 5 acres from Community Commercial (C-C) to Residential Planned Community (R-PC), approximately 38 acres from Residential Planned Community (R-PC) to Multi-Family High Density Residential (R-MFH), approximately 10 acres from Residential Planned Community (R-PC) to Multi Family Residential (R-MF), and removal of the Auto Center Overlay designation on approximately 20 acres within the Walnut Village Specific Plan boundary; and
- An ordinance adopting ZCA No. 24-003 to remove the Fontana Auto Center Overlay (Planning Area No. 2) from Figure No. 1 (Fontana Auto Center Overlay District Planning Area Boundaries Map) and revise Sections 30-635 and 30-639 of the Zoning and Development Code to modify language and mapping references to Planning Area No. 2; and
- An ordinance rescinding the existing Walnut Village Specific Plan (SP-3) and adopt SPA No. 24-001 for a new Walnut Village Specific Plan along with new planning areas and development standards.

Section 7. Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

Section 8. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 9. Effective Date. This Resolution shall become effective immediately upon adoption.

Section 10. Severability. If any provision of this Resolution or the application of any provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on the 2nd day of July 2024.

City of Fontana

Cathline Fort, Chairperson

ATTEST:

I, Ricardo Quintana, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 2nd day of July 2024, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ricardo Quintana, Secretary