

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, APPROVING ZONE CODE AMENDMENT NO. 21-010 FOR CHANGES TO THE ZONING DISTRICT MAP TO CHANGE THE ZONING ON ONE PARCEL (APN: 0240-011-17) FROM GENERAL COMMERCIAL (C-2) TO MULTI FAMILY RESIDENTIAL (R-3), REMOVE THE PARCEL (APN: 0240-011-17) FROM THE FONTANA AUTO CENTER OVERLAY AND AMEND SECTION 30-639, FIGURE 1 OF THE FONTANA ZONING CODE TO REMOVE THE PROJECT SITE FROM THE FONTANA AUTO CENTER OVERLAY DISTRICT.

THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, DOES HEREBY FIND AS FOLLOWS:

WHEREAS, the applicant submitted a request for approval of Zone Code Amendment No. 21-010, to amend the zoning map designation for parcel APN: 0240-011-17 from the General Commercial (C-2) Zoning District to the Multi Family Residential (R-3) Zoning District and remove the site from the Auto Center Overlay District; and

WHEREAS, on October 4, 2022, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties at a Public Hearing held with respect hereto on Zone Change Amendment No. 21-010 and related entitlements, and after carefully considering all information pertaining to the proposed project, including the staff report, findings, and all the information, evidence, and testimony presented at this public hearing , the Planning Commission approved Resolution No. PC 2022-043 and recommended approval to the City Council of Zone Change Amendment No. 21-010; and

WHEREAS, after the publication of notice as required by law, the City Council of the City of Fontana, California conducted a public hearing on Zoning Code Amendment No. 21-010; and

WHEREAS, on October 25, 2022, the City Council held a duly noticed public hearing on Zone Code Amendment No. 21-010 along with the entitlement referenced herein, received testimony and the supporting documents in evidence, and the City Council found that the Zoning Code Amendment is in conformance with the goals and policies of the General Plan to provide a community that is balanced between residential, commercial, and industrial that is developed to high standards and provides diverse economic and social opportunities for our citizens and those who wish to invest here; and

WHEREAS, Zone Code Amendment No. 21-010 is consistent with the goals and policies of the City of Fontana, General Plan Goal 7 of Chapter 15, "support high-quality development in design standards and land use decisions", in addition to Goal 7 of Chapter 15, Action Item #B "ensure that public and private developments are attractive, comfortable, and welcoming"; and

ATTACHMENT NO. 6

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council finds this Ordinance promotes the public health, safety and welfare of the community; and

Section 2. The City of Fontana City Council hereby makes the following findings for Zone Code Amendment No. 21-010 in accordance with Section 30-40 "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: The applicant is proposing to remove the project site from the Auto Center Overlay District and modify the Zoning District Map to General Commercial (C-2) to Multi Family Residential (R-3). The development is appropriate for the area as it would provide a multi-family development site that would act as a transition from the commercial area located north of the site and the existing single-family areas to the south along Citrus Ave. As mentioned above, the project will include high quality multi-family housing with paseos, landscaping, adequate parking and amenities.

Section 3. The City Council hereby adopts the Mitigated Negative Declaration on the proposed project. The City Council finds that the Mitigated Negative Declaration contains a complete and accurate reporting of all the environmental impacts associated with the Project. The City Council further finds that the Mitigated Negative Declaration has been completed in compliance with CEQA, 2019 Local Guidelines for Implementing the California Environmental Quality Act, and the State CEQA Guidelines; and

Section 4. The City Council approves Zoning Code Amendment No. 21-010 to amend the zoning designation for APN 0240-011-17 from General Commercial (C-2) to Multi Family Residential (R-3) as shown on Exhibit "A", and attached hereto and by this reference incorporated; and

Ordinance No. ____

Section 5. 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.

APPROVED AND ADOPTED this 25th day of October 2022.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine McClellan 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 25th day of October, 2022, and was finally passed and adopted not less than five days thereafter on the 13th day of December, 2022, by the following vote to wit:

AYES:

NOES:

ABSENT:

City Clerk of the City of Fontana

Mayor of the City of Fontana

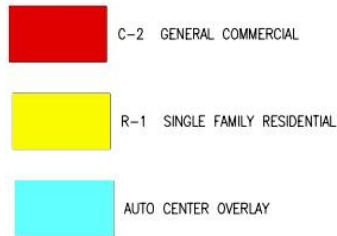
ATTEST:

City Clerk

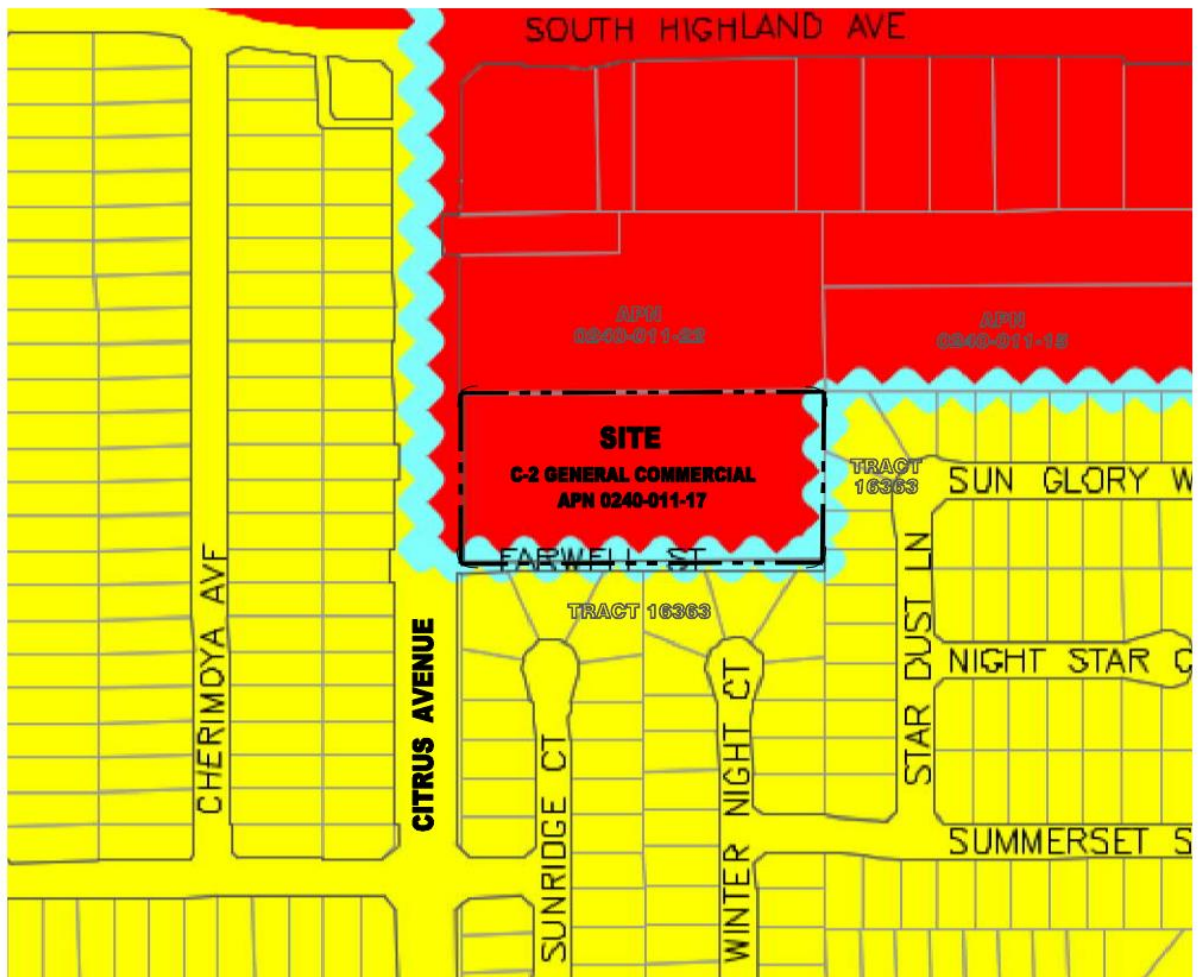
Ordinance No. ____

EXHIBIT "A"

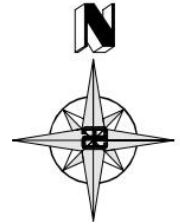
EXISTING ZONING DESIGNATION GENERAL COMMERCIAL (C-2) WITHIN AUTO CENTER OVERLAY



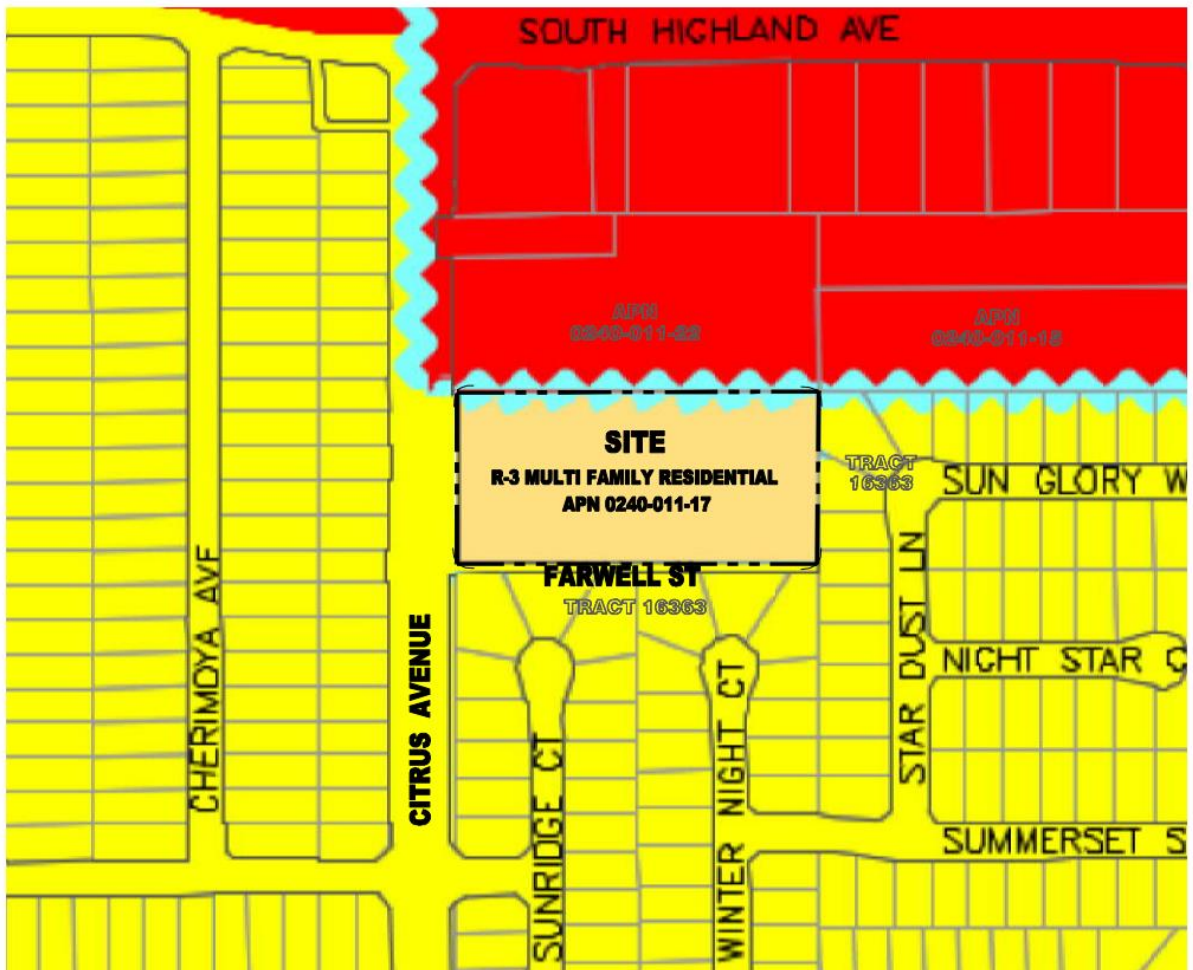
SCALE: 1"=120'



PROPOSED ZONING DESIGNATION
MULTI FAMILY RESIDENTIAL (R-3)
OUTSIDE AUTO CENTER OVERLAY

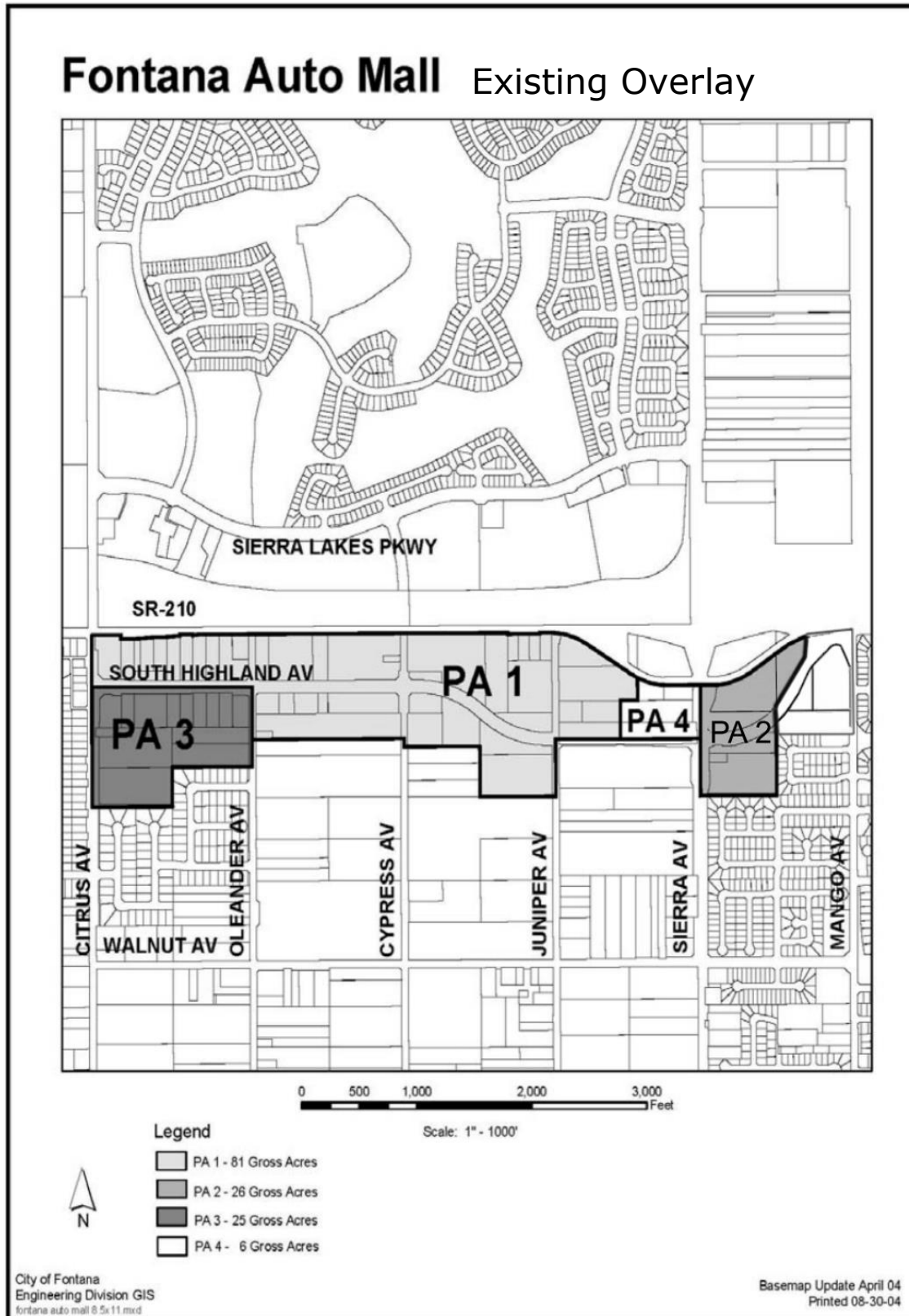


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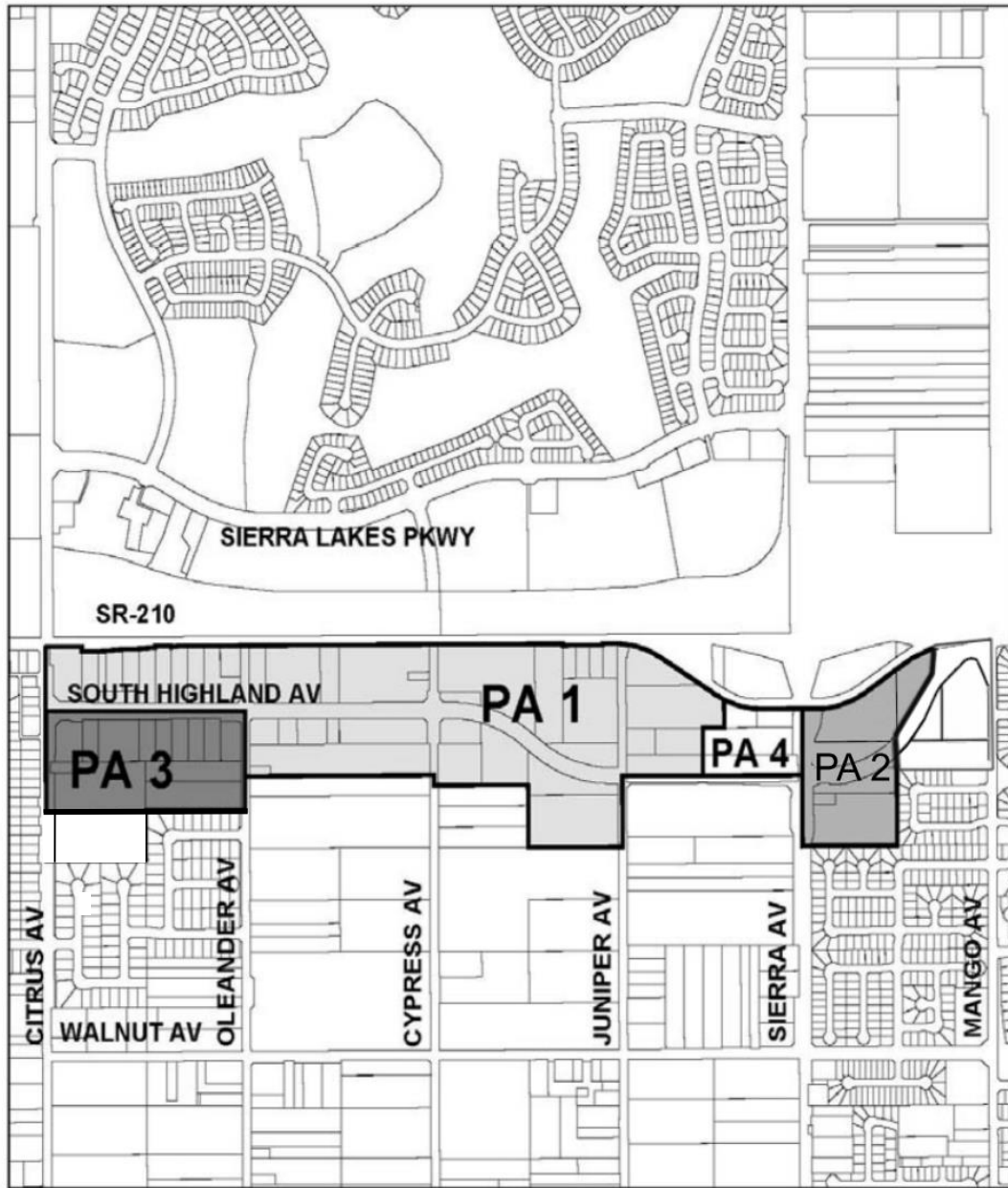


Sec. 30-639. - Authority and requirements.

Figure 1. Fontana Auto Center Overlay District Planning Area Boundaries Map



Fontana Auto Mall Proposed Overlay



Legend

- PA 1 - 81 Gross Acres
- PA 2 - 26 Gross Acres
- PA 3 - 25 Gross Acres
- PA 4 - 6 Gross Acres