

ORDINANCE NO. 1897

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF FONTANA, APPROVING ZONE CHANGE NO. 21-002, TO AMEND THE ZONING DISTRICT MAP DESIGNATION FROM GENERAL COMMERCIAL (C-2) TO LIGHT INDUSTRIAL (M-1) FOR APPROXIMATELY 4.49 ACRES LOCATED AT THE NORTHEAST CORNER OF SIERRA AVENUE AND SUMMIT AVENUE (APN 1118-041-06)

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

WHEREAS, the applicant submitted a request for Zoning District Map Amendment (Zone Change No. 21-002) to amend the zoning map designation for parcel APN 1118-041-06 from the General Commercial (C-2) Zoning District to the Light Industrial (M-1) Zoning District; and

WHEREAS, on July 5, 2022, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties at a public hearing held on Zoning District Map Amendment (Zone Change) No. 21-002 and related entitlements, and after carefully considering all information pertaining to the proposed project, including the staff report, findings, and all information, evidence, and testimony presented, the Planning Commission recommended approval to the City Council of Zoning District Map Amendment (Zone Change) No. 21-002; 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 District Map Amendment (Zone Change) No. 21-002; and

WHEREAS, on July 26, 2022, the City Council held a duly noticed public hearing on Zoning District Map (Zone Change) Amendment No. 21-002 along with the entitlement referenced herein, received testimony and the supporting documents in evidence, and the City Council found that the Zoning District Map 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 Change Amendment No. 21-002 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"; and

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.

Section 2. The City of Fontana City Council hereby makes the following findings for Zoning District Map Amendment (Zone Change) No. 21-002 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 amend the project site from the General Commercial (C-2) Zoning District Map designation to the Light Industrial (M-1) designation. The C-2 Zoning District does not permit industrial development; the M-1 designation would allow the applicant to develop the project site with industrial development consistent with development to the north, east, and south.

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 District Map Amendment (Zone Change) No. 21-002 to amend the zoning designation for APN 1118-041-06 from General Commercial (C-2) to Light Industrial (M-1) as shown on Exhibit "A", and attached hereto and by this reference incorporated; and

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 Herald News or other 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 13th day of September 2022.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine McClellen 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 26th day of July 2022, and was finally passed and adopted not less than five days thereafter on the 13th day of September 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

EXHIBIT "A"

