

RESOLUTION NO. PC 2026-028

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA, CALIFORNIA, PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3), MAKING CERTAIN FINDINGS REQUIRED UNDER CALIFORNIA GOVERNMENT CODE SECTION 65402 FOR THE VACATION, ABANDONMENT AND DISPOSITION OF A PORTION OF THE RIGHT-OF-WAY EASEMENT LOCATED ALONG THE WEST SIDE OF LAUREL AVENUE SOUTH OF ARROW BOULEVARD, AND DIRECTING STAFF TO FILE A NOTICE OF EXEMPTION

WHEREAS, the City of Fontana (“City”) possesses a right-of-way easement over certain real property located on the west side of Laurel Avenue south of Arrow Boulevard (the “Property”) as more particularly depicted in Exhibit “A” attached hereto and incorporated herein; and

WHEREAS, the City proposes to vacate the property to allow the land to be more effectively utilized; and

WHEREAS, Government Code Section 65402(a) states that a local agency may not vacate, abandon, nor dispose of real property or a street within the City until the location, purpose and extent of the vacation, abandonment, or disposition have been reported upon by the planning agency of the City regarding the conformity with the General Plan; and

WHEREAS, on November 13, 2018, the City Council of the City of Fontana updated the City of Fontana General Plan (“General Plan”); and

WHEREAS, vacation, abandonment and disposition of the Property aligns with the objectives of Goal Number 2 and Goal Number 4 of the General Plan’s Community Mobility and Circulation Element, which provides for a comprehensive and balanced transportation system and multimodal accessibility and transportation planning; and

WHEREAS, the Planning Commission has considered the entire administrative record, including the staff report and oral and written testimony from interested persons; and

WHEREAS, on August 18, 2026, the Planning Commission reviewed the General Plan conformance findings.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission:

SECTION 1. Recitals. The foregoing recitals are true, correct and incorporated herein.

SECTION 2. CEQA. Compliance with the California Environmental Quality Act. As the decision-making body for the Project, the Planning Commission finds that this

Resolution is not subject to the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15061(b)(3) (the activity does not have the potential for causing a significant effect on the environment and Sections No. 3.01, 3.22, and 10.59 of the 2019 Local Guidelines for Implementing CEQA. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. A determination that a vacation or disposition is consistent with a City’s adopted General Plan has no potential for resulting in physical change to the environment, directly or indirectly. The vacation and abandonment of streets and disposition will not involve nor approve any physical change to the environment nor any reasonably foreseeable future change. Therefore, no environmental review is required and staff is directed to file a Notice of Exemption.

SECTION 3. General Plan Conformance – Vacation and Abandonment. Based upon the entire record before it, the Planning Commission finds there is substantial evidence supporting the finding that the proposed vacation, abandonment and disposition of the Property, in accordance with the details listed in the above recitals, is consistent with the goals, objectives, and policies of the General Plan. The Planning Commission hereby directs staff to report this finding to the City Council. This finding is based on the fact that this right-of-way is not part of the City’s General Plan Community Mobility and Circulation Element, and in part, on the following General Plan policies:

Community Mobility and Circulation Element (Chapter 9): Goal 4, Policy 1: *“Balance neighborhood traffic circulation needs with the goal of creating walkable and bike friendly neighborhoods.”*

Vacating and abandoning the subject right-of-way will facilitate adjacent infill residential development without compromising circulation or creating substandard right-of-way dimensions. Right-of-way pedestrians, bicyclists, and automobiles will continue to circulate through the area in a safe and efficient manner.

SECTION 4. General Plan Conformance - Disposition. Based upon the entire record before it, the Planning Commission finds there is substantial evidence supporting the finding that the proposed disposition of the Property, in accordance with the details listed in the above recitals, is in conformance with the General Plan. The Planning Commission hereby directs staff to report this finding to the City Council. This finding is based on the following General Plan policies:

Community Mobility and Circulation Element (Chapter 9): Goal 2, Policy 1: *“When constructing or modifying roadways, design the roadway space for use by all users when feasible, including motor vehicles, buses, bicyclists, mobility devices, and pedestrians, as appropriate for the context of the area.”*

Vacating the adjacent right-of-way will incorporate underutilized land into the proposed infill residential development while preserving all required right-of-way for pedestrian, bicycle, and vehicular circulation.

SECTION 5. Applicability of General Plan Conformance. The Planning Commission's General Plan conformance determination applies only to the vacation and disposition of the right-of-way as described in this Resolution, and to no other public street.

SECTION 6. Approval. Based on the foregoing, the Planning Commission hereby adopts this resolution and for purposes of reporting General Plan conformance pursuant to Government Code Section 65402 and finds that the proposed vacation for a portion of the west side of Laurel Avenue south of Arrow Boulevard to be in conformance with the City of Fontana General Plan.

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, the remainder of this Resolution shall not be affected by such invalidity, and the provisions or applications of this Resolution are severable.

APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting of the Planning Commission held on the 18th day of August, 2026.

City of Fontana

Joseph Armendarez, Chairperson

ATTEST:

I, Torrie Lozano, 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 18th day of August, 2026, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Torrie Lozano, Secretary