

**RESOLUTION PC NO. 2025 - \_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA RECOMMENDING CEQA FINDINGS PURSUANT TO STATE CEQA GUIDELINES SECTION 15061(B)(3) AND FINDINGS THAT THE 2025/2026-2031/2032 PROPOSED CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY OF FONTANA GENERAL PLAN, AND RECOMMENDING ITS ADOPTION BY THE FONTANA CITY COUNCIL.**

**WHEREAS**, California Government Code Section 65401 requires that all proposed public works recommended by a city for planning, initiation, or construction following the adoption of a general plan be submitted to the city's planning agency for a consistency review; and

**WHEREAS**, California Government Code, Section 66002 authorizes local agencies levying fees under Section 66001 to adopt a capital improvement plan detailing the approximate location, size, anticipated time of availability, and estimated costs for all facilities or improvements to be financed by those fees; and

**WHEREAS**, on November 13, 2018, the City Council of the City of Fontana ("City Council") adopted General Plan 2015-2035 via Resolution No. 2018-097 ("General Plan"); and

**WHEREAS**, the staff of the City of Fontana ("City") has proposed a Capital Improvement Program for Fiscal Years 2025/2026-2031/2032 to provide an overview and framework for action on the City's capital projects; and

**WHEREAS**, it is necessary for the Planning Commission of the City of Fontana ("Planning Commission") to review the proposed 2025/2026-2031/2032 Capital Improvement Program to determine the relationship of planned improvements with the goals of the General Plan; and

**WHEREAS**, the "Priority 1" projects within the ten improvements categories of the proposed 2025/2026-2031/2032 Capital Improvement Program (including Streets, Traffic, Open Space & Recreation, Sewer, etc.) are either ongoing or proposed to commence in the fiscal years 2025/26 or 2026/27 and are subject to the individual review and approval processes, including separate environmental review findings; and

**WHEREAS**, the projects with a start date beginning in July 2027 or after are "future projects" and are presented for informational purposes; and

**WHEREAS**, the proposed 2025/2026-2031/2032 Capital Improvement Program is consistent with the following goals outlined in the General Plan:

- Chapter 9- Community Mobility and Circulation

Goal 1: The City of Fontana has a comprehensive and balanced transportation system with safety and multimodal accessibility as the top priority of citywide transportation planning, as well as accommodating freight movement. ).

- Chapter 8- Public and Community Services

Goal 3: Fontana has modern, well-maintained public facilities that meet the needs of residents of all ages, businesses, and government.

- Chapter 11- Noise and Safety Element

Goal 1: Enhanced public safety and the protection of public and private property; and

**WHEREAS**, all of the notices required by statute or the City Municipal Code have been given as required which included a notice of the public hearing was published in the local *Fontana Herald* newspaper on May 9, 2025, posted at City Hall; and

**WHEREAS**, Staff has determined that the Ordinance is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). Section 15061(b)(3) of the State CEQA Guidelines states that an activity is covered by the common sense exemption that CEQA only applies to project that have the potential for causing a significant effect on the environment 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 review; and

**WHEREAS**, on May 20, 2025, a duly noticed public hearing on the proposed 2025/2026-2031/2032 Capital Improvement Program was held by the Planning Commission to consider testimony and evidence presented by City staff and other interested parties at the public hearing held with respect hereto; and

**WHEREAS**, the Planning Commission has reviewed the proposed 2025/2026-2031-2032 Capital Improvement Program to determine the relationship of planned improvements with the goals of the General Plan.

**NOW, THEREFORE, the Planning Commission RESOLVES as follows:**

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

**Section 2. CEQA.** As the decision-making body for the Project, the Planning Commission recommends that the City Council find that the Ordinance is exempt from CEQA pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). Section 15061(b)(3) of the State CEQA Guidelines states that an activity is covered by the common sense exemption that CEQA only applies to project that have the

potential for causing a significant effect on the environment 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 review.

**Section 3. Recommendation of Approval.** Based on the foregoing, the Planning Commission determines that the proposed 2025/2026-2031/2032 Capital Improvement Program attached hereto as Exhibit “A” and incorporated herein is consistent with the General Plan and recommends its adoption by the City Council.

**Section 4. 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 5. Certification.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**Section 7. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect any other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

**APPROVED AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 20<sup>th</sup> day of May 2025.

**City of Fontana**

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Idilio Sanchez, Chairperson

**ATTEST:**

I, Joseph Armendarez, Secretary of the Planning Commissioner 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 20th day of May 2025, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Joseph Armendarez, Secretary