

ORDINANCE NO. 1972

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, ADOPTING THE 2025 STATE OF CALIFORNIA FIRE HAZARD SEVERITY ZONE MAP PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 51177-51179 AND AMENDING CHAPTER 30, ARTICLE IX (OVERLAY DISTRICTS), DIVISION 8 (FIRE HAZARD OVERLAY DISTRICT), SECTION 30-656(a) OF THE CITY OF FONTANA ZONING AND DEVELOPMENT CODE

WHEREAS, California Government Code Sections 51177-51179 mandates local jurisdictions to designate areas that are within local control and identified by the California Department of Forestry and Fire Protection (CALFIRE) as Fire Hazard Severity Zones (FHSZ); and

WHEREAS, the City of Fontana ("City") Zoning and Development Code identifies fire hazard overlay districts based on Fire Hazard Severity Zone (FHSZ) maps created by CALFIRE; and

WHEREAS, CALFIRE has recently updated its Fire Hazard Severity Zone (FHSZ) maps and the City of Fontana is mandated to designate by Ordinance moderate, high and very high fire hazard severity zones within the City as identified in the updated FHSZ map by amending its Zoning and Development Code to reflect the same; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 24, 2025, to consider the updated CALFIRE FHSZ map, received public comment, and voted in favor of adopting Resolution No. PC 2025-021 to recommend the updated CALFIRE FHSZ map for City Council approval and to amend the Zoning and Development Code to reflect the same; and

WHEREAS, the City Council held a duly noticed public hearing on July 8, 2025, at which time all interested persons were allowed to address the City Council regarding adoption of this ordinance; and

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

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

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference as findings in support of this Ordinance.

Section 2. CEQA. The City Council hereby determines that this action is exempt under California Public Resources Code section 21080(b)(4) as the City is mandated by the California Government Code to adopt this Ordinance as a necessity to

prevent or mitigate an emergency. Therefore, adoption of the proposed ordinance is statutorily exempt from CEQA in that it implements state law.

Section 3. Adoption of the 2025 Fire Hazard Severity Zone Map and Amendment of Zoning and Development Code. The City Council hereby adopts the 2025 Fire Hazard Severity Zone Map as reflected in Exhibit A, attached hereto and incorporated herein by reference, and amends Section 30-626(a) of the Zoning and Development Code to reflect the same.

Section 4. Effective Date/Publication. This Ordinance shall take effect thirty (30) days after the date of adoption and prior to the expiration of fifteen (15) days from passage thereof, shall be published by the City Clerk at least once in the Fontana Herald News, a local newspaper of general circulation, published and circulated in the City of Fontana, and thenceforth and thereafter the same shall be in full force and effect.

Section 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at 8353 Sierra Avenue, Fontana, CA 92335. The custodian or records is the City Clerk.

Section 6. Certification. The City Clerk of the City Council shall certify to the adoption of this Ordinance.

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

APPROVED AND ADOPTED this 22nd day of July 2025.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine 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 8th day of July 2025, and was finally passed and adopted not less than five days thereafter on the 22nd day of July 2025, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

ATTEST:

City Clerk