

**RESOLUTION PC NO. 2022-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF FONTANA, CALIFORNIA, RECOMMENDING THAT  
THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING  
ZONING CODE AMENDMENT (ZCA) NO. 21-009 AMENDING  
CHAPTER 30 OF THE FONTANA MUNICIPAL CODE TO  
REGULATE SENATE BILL 9 URBAN LOT SPLITS AND TWO-  
UNIT DEVELOPMENTS**

**WHEREAS**, notices required by statute of the Fontana City Code have been given as required; and

**WHEREAS**, the Planning Commission carefully considered all information pertaining to the proposed Zoning Code Amendment, including the staff report, and all the information, evidence, and testimony presented at its public hearing on January 18, 2022; and

**WHEREAS**, on January 18, 2022, the Planning Commission received public testimony on Zoning Code Amendment (ZCA) No. 21-009 and determined that this project is exempt pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act (CEQA) and Section No. 3.07 of the 2019 Local Guidelines for Implementing CEQA.; and

**WHEREAS**, in 2021, the California Legislature approved, and the Governor signed into law Senate Bill 9 (“SB 9”), which among other things, adds Government Code section 65852.21 and 66411.7 to impose new limits on local authority to regulate urban lot splits and two-unit projects; and

**WHEREAS**, SB 9 allows local agencies to adopt objective design, development, and subdivision standards for urban lot splits and two-unit projects; and

**WHEREAS**, on December 14, 2021, the City Council adopted an urgency ordinance regulating Senate Bill 9 (SB 9) urban lot splits and two-unit developments; and

**WHEREAS**, the City desires to amend its local regulatory scheme to comply with Government Code sections 66411.7 and 65852.21 and to appropriately regulate projects under SB 9; and

**WHEREAS**, the Planning Commission finds that the proposed amendments to the Municipal (Zoning) Code are consistent and compatible with the General Plan, and that the updates are consistent with State law; and

**WHEREAS**, the Planning Commission finds that the proposed amendment to the Municipal Code will be in conformity with good land use practice and is intended to facilitate ease of use and understanding, as well as to establish appropriate development standards for the land use designations; and

**WHEREAS**, the Planning Commission finds that the proposed amendments to the Municipal Code (Exhibit “A”) will not be detrimental to the public health, safety, and general

**ATTACHMENT NO. 1**

welfare, and will not adversely affect the orderly development of property, and will better express the City's policies, and generally promote good land use planning and regulation.

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

**Section 1. Recitals.** The above recitals are incorporated herein by reference.

**Section 2.** Based on the foregoing, the Planning Commission hereby recommends that the City Council determine this project is exempt pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act. and Section No. 3.07 of the 2019 Local Guidelines for Implementing CEQA; therefore, a Notice of Exemption has been prepared.

**Section 3.** Based on the foregoing, the Planning Commission hereby recommends that the City Council approve Zoning Code Amendment (ZCA) No. 21-009 to adopt an ordinance amending the Municipal Code related to the implementation of SB 9 as indicated in "Exhibit A" as referenced herein.

**Section 4. 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 Community Development Department – Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

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

**APPROVED AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 18th day of January 2022.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Idilio Sanchez, 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 18<sup>th</sup> day of January 2022, by the following vote, to-wit:

Resolution PC No. 2022-\_\_\_\_\_

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Idilio Sanchez, Secretary

**ATTACHMENT NO. 1**