



Legislation Details (With Text)

File #: 21-3098 **Version:** 1 **Name:**

Type: Public Hearing **Status:** Agenda Ready

File created: 6/17/2024 **In control:** City Council Meeting

On agenda: 7/9/2024 **Final action:**

Title: Master Case No. 24-044 and Municipal Code Amendment No. 24-003: Fontana Municipal Code amendments to Chapter 30 (Zoning and Development Code), pursuant to a categorical exemption in accordance with CEQA Guidelines section 15060(c) and 15061(B)(3).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment No. 1 - Ordinance, 2. Attachment No. 2 - Notice of Exemption, 3. Attachment No. 3 - Public Hearing Notice

Date	Ver.	Action By	Action	Result
7/9/2024	1	City Council Meeting	adopt	Pass

FROM:

Planning Department

SUBJECT:

Master Case No. 24-044 and Municipal Code Amendment No. 24-003: Fontana Municipal Code amendments to Chapter 30 (Zoning and Development Code), pursuant to a categorical exemption in accordance with CEQA Guidelines section 15060(c) and 15061(B)(3).

RECOMMENDATION:

- Determine that this Ordinance is categorically exempted pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c), 15061(B)(3) (the common-sense exemption), and 15378 and Sections No. 3.01, 3.22, and 10.59 of the 2019 Local Guidelines for Implementing CEQA, in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment where it can be 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; and,
- Read by title only and waive further reading of and introduce **Ordinance No. 1954**, an Ordinance of the City Council of the City of Fontana approving Master Case No. 24-044 and Municipal Code Amendment No. 24-003 amending Chapter 30 to amend multiple sections of Chapter 30 of the Fontana Zoning and Development Code, including modifications to requirements for drive-through restaurants; modification of certain civic building setbacks in the Form Based Code; allowance for increases to certain building heights in connection with rooftop amenities in the Sierra Core; increased building length for duplex and triplex buildings in the Form Based Code; modification to Rowhouse and Porch Frontage building types in the Form Based Code; and removal of minimum barbeque facilities requirements in the Downtown Core; and the reading of the title constitutes the first thereof

COUNCIL GOALS:

- Promote economic development by pursuing business attraction, retention, and expansion.
- Promote economic development by establishing a quick, consistent development process.
- Promote economic development by being business friendly at all levels and striving to constantly improve the city's competitiveness.

DISCUSSION:

Background:

The Planning Commission reviewed Master Case No. 24-044 and Municipal Code Amendment No. 24-003 during its June 18, 2024, meeting. At the conclusion of the hearing, the Planning Commission adopted Resolution No. PC 2024-034 to recommend approval of Municipal Code Amendment No. 24-003 to the City Council, subject to adding verbiage under the Restaurant, drive-through Section 30-491(2)(i) that the number of seats required shall be approved by the Director of Planning. The added language is provided in the draft ordinance (Attachment 1) in red italic font.

Analysis:

The City is proposing approval of Municipal Code Amendment No. 24-001 to update Chapter 30, that will modify multiple sections of the Zoning and Development Code, including modifications to requirements for drive-through restaurants; modification of certain civic building setbacks in the Form Based Code; allowance for increases to certain building heights in connection with rooftop amenities in the Sierra Core; increased building length for duplex and triplex buildings in the Form Based Code; modification to Rowhouse and Porch Frontage building types in the Form Based Code; and removal of minimum barbecue facilities requirements in the Downtown Core. The amendments are proposed in order to provide flexibility, clarity, and streamlining of the City's Municipal Code.

The following is a brief summary of the proposed amendments. A detailed list of proposed amendments are provided under the Ordinance, attached to this staff report as Attachment No. 1.

Fast food drive-through requirements - Modifications to existing special use requirements for fast food drive-through restaurants will define queuing requirements, require customer seating, specify screening requirements for queuing areas, and clarify design requirements for these uses. The proposed revisions will ensure that drive through restaurants provide for adequate queuing, strengthen screening requirements, and require customer seating.

Civic buildings in the Form Based Code - Modifications to multiple sections of the Form Based Code to address the unique needs and features of civic buildings by providing the Planning Commission with the ability to modify building setbacks for civic buildings.

Height requirements in the Sierra Core - Modifications to allow increased height for certain portions of buildings in connection with provision of rooftop amenities, which are encouraged in the Sierra Core district.

Duplex and Multiplex Building Length - Modifications to allow for increased building length for these building types in the Form Based Code in order to facilitate residential development.

Rowhouse and Porch buildings in the Form Based Code - Modifications to clarify and provide additional flexibility in entrance design allowances for these two building types.

Downtown Core Amenities - Removal of redundant/excessive barbeque facility requirements in the Sierra Core as minimum area and numbers of amenities are already required.

In summary, the proposed amendments are proposed in order to provide flexibility in, and streamlining of, the City's Municipal Code.

FISCAL IMPACT:

None.

MOTION:

Approve Staff Recommendation.