

ORDINANCE NO. 1842

AN ORDINANCE OF THE CITY COUNCIL OF CITY OF FONTANA, APPROVING ZONE CHANGE NO. 15-009, TO ASSIGN A PRE-ZONE DESIGNATION OF LIGHT INDUSTRIAL (M-1) TO APPROXIMATELY 2.1 ACRES AND TO CHANGE APPROXIMATELY 76 ACRES FROM A PREZONING OF RESIDENTIAL ESTATE (R-E) TO LIGHT INDUSTRIAL (M-1) LOCATED NORTH OF THE I-15 FREEWAY, SOUTH OF LYTLE CREEK ROAD AND WEST OF SIERRA AVENUE.

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

Section 1. On June 2, 2020, the Planning Commission duly conducted a noticed public hearing on Zone Change No. 15-009, received testimony and information from any and all parties, and recommended its approval (with a 5-0 vote) to the City Council by resolution.

Section 2. After the publication of notice as required by law, the City Council of the City of Fontana, California conducted a public hearing on Zone Change No. 15-009.

Section 3. Based on the information presented to the City Council at the public hearing held for Annexation No. 16-001, General Plan Amendment No. 15-005, General Plan Amendment No. 17-001, Zone Change No. 15-009, General Plan Amendment No. 20-008, Zone Change No. 20-007, Development Agreement No. 16-001, Tentative Parcel Map No. 19712 and Design Review No. 16-003 on June 23, 2020, the testimony received, and the supporting documents in evidence, the City Council found that the proposed amendment is in conformance with the goals and policies of the General Plan to provide for a range of housing opportunities throughout the community.

Section 4. Zone Change No. 15-009 is consistent with the goals and policies of the City of Fontana, General Plan by providing for a range of housing types for potential buyers to choose; and

Section 5. Based on the foregoing, the City Council hereby adopts a resolution to certify the Final Environmental Impact Report (State Clearing House No. 2018011008), the statement of overriding consideration, the mitigation monitoring and reporting program and adopt the resolution for the statement of facts and findings and direct staff to file the Notice of Determination.

Section 6. Zone Change No. 15-009 is hereby approved and to amend the Zoning District Map to assign a pre-zone designation of Light Industrial (M-1) to APN: 0239-041-15, portions of APN 0239-91-13 and Residential Estate (R-E) to portions of APN: 0239-091-14, that currently do not have a pre-zone designation and change the pre-zoning from Residential Estate (R-E) to Light Industrial (M-1) as shown on Exhibit "A", attached hereto and by this reference incorporated.

Ordinance No. 1842

Section 7. This Ordinance shall take effect thirty (30) days after the date of the adoption and prior to the expiration of fifteen (15) days from the passage thereof, shall be published by the City Clerk at least once in the Herald News, a local newspaper of the general circulation, published and circulation in the City of Fontana, and henceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 14th day of July 2020.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:

Ruben Duran

622D5F9CCD6240C...

City Attorney

I, Tonia Lewis, 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 23rd day of June 2020, and was finally passed and adopted not less than five days thereafter on the 14th day of July, 2020, by the following vote to wit:

AYES: Mayor Warren, Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval and Cothran

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:

Toni Lewis

EBCDCEDA17754F5...

City Clerk of the City of Fontana

DocuSigned by:

Reganetta Warren

9B476DADB90D46B...

Mayor of the City of Fontana

ATTEST:

DocuSigned by:

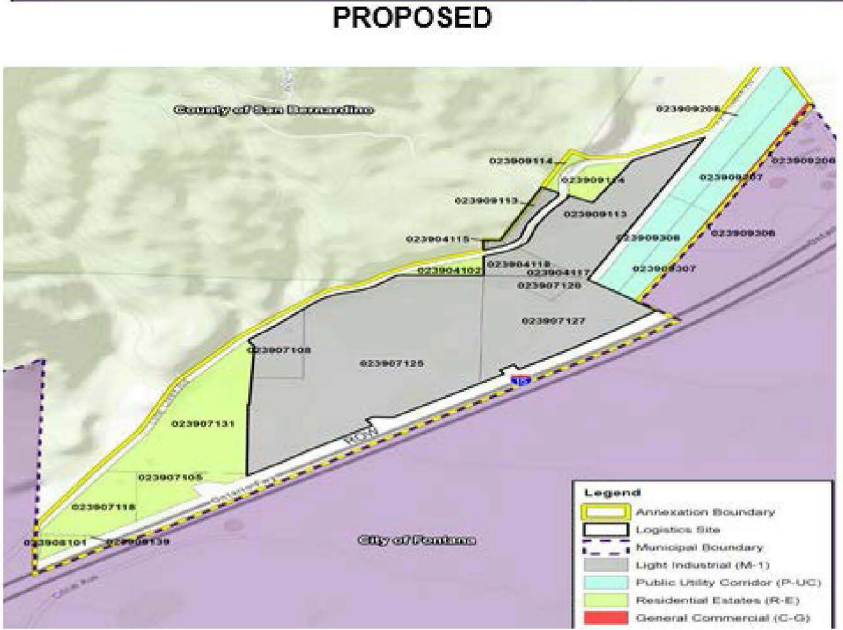
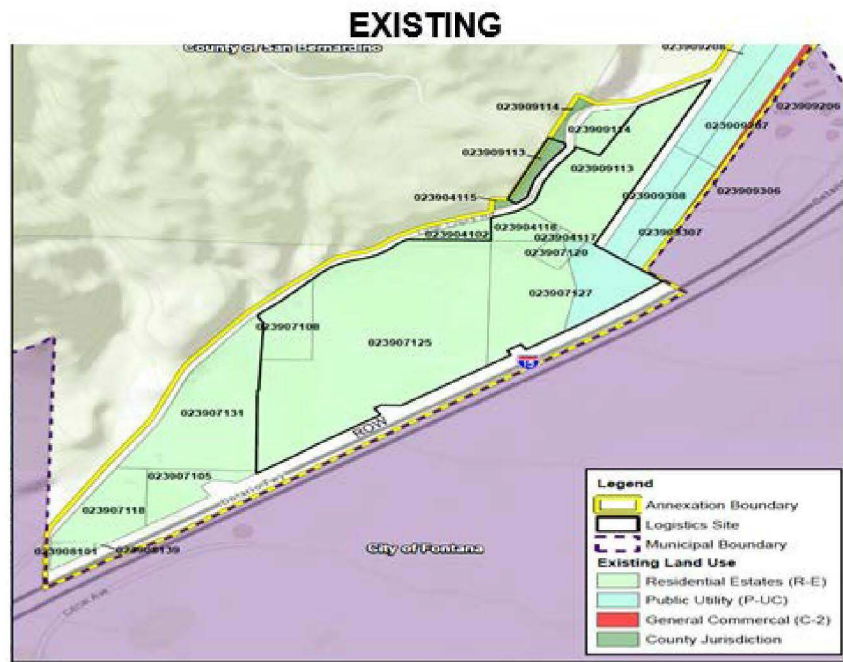
Toni Lewis

EBCDCFDA17754F5...

City Clerk

Ordinance No. 1842

EXITIBIT “A”



Certificate Of Completion

Envelope Id: 978FA2A48F1A45D0B834BE81820E39BC

Subject: Please DocuSign: Ord 1842 (Part 4-g)

Source Envelope:

Document Pages: 3

Signatures: 4

Certificate Pages: 5

Initials: 0

AutoNav: Enabled

Envelopeld Stamping: Enabled

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:

City Clerk

8353 Sierra Avenue

Fontana, CA 92335

clerks@fontana.org

IP Address: 192.146.186.96

Record Tracking

Status: Original

7/23/2020 1:02:24 PM

Holder: City Clerk

clerks@fontana.org

Location: DocuSign

Signer Events

Ruben Duran

ruben.duran@bbklaw.com

Security Level: Email, Account Authentication
(None)**Signature**

DocuSigned by:
Ruben Duran
622D5F9CCD6240C...

Signature Adoption: Pre-selected Style

Using IP Address: 74.116.243.2

Timestamp

Sent: 7/23/2020 1:02:29 PM

Viewed: 7/23/2020 4:36:15 PM

Signed: 7/23/2020 4:36:21 PM

Electronic Record and Signature Disclosure:

Accepted: 7/23/2020 4:36:15 PM

ID: 19c445e5-786b-42d7-9193-5be6f2e2676b

Acquanetta Warren

awarren@fontana.org

Security Level: Email, Account Authentication
(None)

DocuSigned by:
Acquanetta Warren
9B476DADB90D46B...

Signature Adoption: Pre-selected Style

Using IP Address: 174.195.207.35

Signed using mobile

Sent: 7/23/2020 4:36:22 PM

Viewed: 7/23/2020 7:52:45 PM

Signed: 7/23/2020 7:52:53 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Toni Lewis

tlewis@fontana.org

City Clerk

City of Fontana

Security Level: Email, Account Authentication
(None)

DocuSigned by:
Toni Lewis
EBDCDFDA17754F5...

Signature Adoption: Pre-selected Style

Using IP Address: 76.218.56.24

Signed using mobile

Sent: 7/23/2020 7:52:54 PM

Viewed: 7/23/2020 7:54:29 PM

Signed: 7/23/2020 7:54:46 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events**Signature****Timestamp****Editor Delivery Events****Status****Timestamp****Agent Delivery Events****Status****Timestamp****Intermediary Delivery Events****Status****Timestamp****Certified Delivery Events****Status****Timestamp**

Carbon Copy Events

Evelyne Ssenkoloto
essenkol@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Jesse Raymundo
jraymundo@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Kathy Kasinger
kkasinger@fontana.org

Records Coordinator

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Susana Gallardo
sgallardo@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Status

COPIED

COPIED

COPIED

COPIED

Timestamp

Sent: 7/23/2020 7:54:47 PM

Sent: 7/23/2020 7:54:47 PM

Sent: 7/23/2020 7:54:47 PM
Viewed: 7/27/2020 11:22:51 AM

Sent: 7/23/2020 7:54:48 PM

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent
Certified Delivered
Signing Complete
Completed

Hashed/Encrypted
Security Checked
Security Checked
Security Checked

7/23/2020 7:54:48 PM
7/23/2020 7:54:48 PM
7/23/2020 7:54:48 PM
7/23/2020 7:54:48 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: cteveda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at cteveda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to cteveda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none">•Allow per session cookies•Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.

TO: HERALD NEWS
EMAIL: LEGALS@FONTANAHERALDNEWS.COM
FROM: FONTANA CITY CLERK'S DEPARTMENT
DATE: JUNE 24, 2020

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCES NO. 1833 thru 1843

PUBLISH ONE TIME ONLY ON OR BEFORE JULY 3, 2020 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. 1833 thru 1843

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **June 23, 2020** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of the following eleven (11) Combined General Plan Amendments ordinances:

Part No. 1 (Frome)

1.b Read by title only and Waive further reading of and introduce **Ordinance No. 1833**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Residential Planned Community (R-PC) to Medium-Density Residential (R-2), a request to subdivide approximately 34 adjusted gross acres into 156 medium density residential lots, and one letter lot for an approximate 5,999 square foot pocket park, and that the reading of the title constitutes the first reading thereof; and

1.c Read by title only and Waive further reading of and introduce **Ordinance No. 1834**, an Ordinance of the City Council of the City of Fontana, approving Development Agreement No. 20-001, which provides a public benefit fee in the amount of \$434,000 dollars, and that the reading of the title constitutes the first reading thereof.

Part No. 2 (Providence Pointe)

2.b. Read by title only and waive further reading of and introduce **Ordinance No. 1835**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 20-001, to change the zoning in Planning Area 1 of the Providence Pointe Specific Plan from General Commercial to Medium Density Residential on 10.97 acres and remove all text references to commercial development and insert an amended section for residential standards, and that the reading of the title constitutes the first reading thereof.

Part No. 3 (Goodman)

3.b. Read by title only and Waive further reading of and introduce **Ordinance No. 1836**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Single-Family Residential (R-2) to Multi-Family Residential (R-3), and that the reading of the title constitutes the first reading thereof; and

3.d. Read by title only and Waive further reading of and introduce **Ordinance No. 1837**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Single-Family Residential (R-1) to Medium-Density Residential (R-2), and that the reading of

the title constitutes the first reading thereof; and

3.f. Read by title only and Waive further reading of and introduce **Ordinance No. 1838**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Residential-Planned Community (R-PC) to General Industrial (M-2) and that the reading of the title constitutes the first reading thereof; and

3.g. Read by title only and Waive further reading of and introduce **Ordinance No. 1839**, an Ordinance of the City Council of the City of Fontana, approving an Specific Plan Amendment No. 19-002, to expand the specific plan boundaries to the east to Juniper Avenue, to facilitate the development of the project, and that the reading of the title constitutes the first reading thereof; and,

3.h. Read by title only and waive further reading of and introduce **Ordinance No. 1840**, an Ordinance of the City Council of the City of Fontana, approving Development Agreement No. 19-002, which provides a public benefit fee in the amount of \$6,000,000 dollars, and that the reading of the title constitutes the first reading thereof.

Part No. 4 (I-15 Logistics)

4.c. Read by title only and waive further reading of and introduce **Ordinance No. 1841**, an Ordinance of the City Council of the City of Fontana, approving Zone Change No. 20-007 to change approximately 12.5 acres from Single-Family Residential (R-1) to Medium-Density Residential (R-2), and that the reading of the title constitutes the first reading thereof; and,

4.g. Read by title only and waive further reading of and introduce **Ordinance No. 1842**, an Ordinance of the City Council of the City of Fontana approving Zone Change No 15-009, an amendment to the Zoning District Map to assign a pre-zone designation of Light Industrial (M-1) to APN: 0239-041-15, portions of APN 0239-91-13 and Residential Estate (R-E) to portions of APN: 0239-091 14, that currently do not have a pre-zone designation and change the pre-zoning from Residential Estate (R-E) and Public Facilities to Light Industrial (M-1) and that the reading of the title constitutes the first reading thereof; and,

4.i. Read by title only and waive further reading of and introduce **Ordinance No. 1843**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 16-001, which provides a public benefit fee in the amount of \$5,000,000 dollars, which includes a sewer credit of \$1,070,000, and that the reading of the title constitutes the first reading thereof.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Tonia Lewis
City Clerk

P.O. #800496

TO: HERALD NEWS
EMAIL: LEGALS@FONTANAHERALDNEWS.COM
FROM: FONTANA CITY CLERK'S DEPARTMENT
DATE: JULY 15, 2020

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCES NO. 1833 thru 1843

PUBLISH ONE TIME ONLY ON OR BEFORE **JULY 24, 2020** ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCE NO. 1833 thru 1843

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **July 14, 2020** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted the following eleven (11) Combined General Plan Amendments ordinances:

Part No. 1 (Frome)

1.b Second Reading/Adopt **Ordinance No. 1833**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Residential Planned Community (R-PC) to Medium-Density Residential (R-2), a request to subdivide approximately 34 adjusted gross acres into 156 medium density residential lots, and one letter lot for an approximate 5,999 square foot pocket park.

1.c Second Reading/Adopt **Ordinance No. 1834**, an Ordinance of the City Council of the City of Fontana, approving Development Agreement No. 20-001, which provides a public benefit fee in the amount of \$434,000 dollars.

Part No. 2 (Providence Pointe)

2.b. Second Reading/Adopt **Ordinance No. 1835**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 20-001, to change the zoning in Planning Area 1 of the Providence Pointe Specific Plan from General Commercial to Medium Density Residential on 10.97 acres and remove all text references to commercial development and insert an amended section for residential standards.

Part No. 3 (Goodman)

3.b. Second Reading/Adopt **Ordinance No. 1836**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Single-Family Residential (R-2) to Multi-Family Residential (R-3).

3.d. Second Reading/Adopt **Ordinance No. 1837**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Single-Family Residential (R-1) to Medium-Density Residential (R-2).

3.f. Second Reading/Adopt **Ordinance No. 1838**, an Ordinance of the City Council of the City of Fontana, approving an amendment to the Zoning Map from Residential-Planned Community (R-PC) to General Industrial (M-2).

3.g. Second Reading/Adopt **Ordinance No. 1839**, an Ordinance of the City Council of the City of Fontana, approving an Specific Plan Amendment No. 19-002, to expand the specific plan boundaries to the east to Juniper Avenue, to facilitate the development of the project.

3.h. Second Reading/Adopt **Ordinance No. 1840**, an Ordinance of the City Council of the City of Fontana, approving Development Agreement No. 19-002, which provides a public benefit fee in the amount of \$6,000,000 dollars.

Part No. 4 (I-15 Logistics)

4.c. Second Reading/Adopt **Ordinance No. 1841**, an Ordinance of the City Council of the City of Fontana, approving Zone Change No. 20-007 to change approximately 12.5 acres from Single-Family Residential (R-1) to Medium-Density Residential (R-2).

4.g. Second Reading/Adopt **Ordinance No. 1842**, an Ordinance of the City Council of the City of Fontana approving Zone Change No 15-009, an amendment to the Zoning District Map to assign a pre-zone designation of Light Industrial (M-1) to APN: 0239-041-15, portions of APN 0239-91-13 and Residential Estate (R-E) to portions of APN: 0239-091 14, that currently do not have a pre-zone designation and change the pre-zoning from Residential Estate (R-E) and Public Facilities to Light Industrial (M-1).

4.i. Second Reading/Adopt **Ordinance No. 1843**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 16-001, which provides a public benefit fee in the amount of \$5,000,000 dollars, which includes a sewer credit of \$1,070,000.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Tonia Lewis
City Clerk

P.O. #800496