

ORDINANCE NO. 1796

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA APPROVING SPECIFIC PLAN AMENDMENT NO. 18-001, TO CHANGE THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN (SWIP) ZONING DISTRICT DESIGNATION FROM JURUPA NORTH RESEARCH AND DEVELOPMENT DISTRICT (JND) TO SLOVER CENTRAL MANUFACTURING DISTRICT (SCD) AT THE PROJECT SITE AND THREE (3) PARCELS DIRECTLY TO THE EAST OF THE PROJECT SITE (APN: 0237-131-25, -26 & -27).

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

Section 1. The applicant submitted a request for Specific Plan Amendment No. 18-001, to change the Zoning District on four (4) parcels within the Southwest Industrial Park Specific Plan from Jurupa North Research and Development District (JND) to Slover Central Manufacturing District (SCD).

Section 2. On November 20, 2018, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto on Specific Plan Amendment No. 18-001; and

Section 3. On November 20, 2018, the Planning Commission approved Resolution No. PC 2018-071 and recommended approval to City Council of Specific Plan Amendment No. 18-001 and after carefully considered all information pertaining to the proposed project, including the staff report, findings, and all of the information, evidence, and testimony presented at its public hearings on November 20, 2018; and

Section 4. After the publication of notice as required by law, the Planning Commission and City Council of the City of Fontana, California conducted a public hearing on Specific Plan Amendment No. 18-001.

Section 5. Based on the information presented to the City Council at the public hearing held for Specific Plan Amendment No. 18-001, on February 26, 2019, the testimony received, and the supporting documents in evidence, the City Council found that the proposed specific plan amendment is in conformance with the goals and policies of the General Plan as referenced herein.

Section 6. Specific Plan Amendment No. 18-001 is consistent with the goals and policies of the City of Fontana General Plan to provide a community that is balanced between residential, commercial, and industrial that is developed to high standards and provides diverse economic and social opportunities for our citizens and those who wish to invest in the City of Fontana.

Ordinance No. 1796

Section 7. Specific Plan Amendment No. 18-001 is hereby approved and the zoning district for Assessor Parcel No. **0237-122-06, 0237-131-25, -26 and -27** is changed from Jurupa North Research and Development District (JND) to Slover Central Manufacturing District (SCD), of the Southwest Industrial Park Specific Plan, as shown on Exhibit "A", attached hereto and by this reference incorporated; and

Section 8. 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 12th day of March 2019.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:

9656A1483C6E407...

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 of said City Council on the 26th day of February, 2019, and was passed and adopted not less than five (5) days thereafter on the 12th day of March, 2019, by the following vote to wit:

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

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:

F8C0CEFA17754E5...

City Clerk of the City of Fontana

DocuSigned by:

9B476DADB90D46B...

Mayor of the City of Fontana

ATTEST:

DocuSigned by:

F8C0CEFA17754E5...

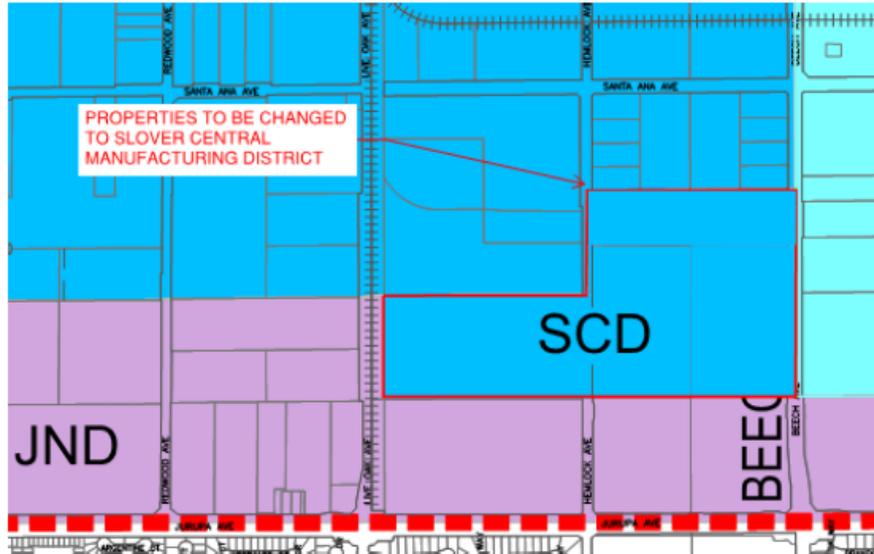
City Clerk

DocuSign Envelope ID: D7E879EF-5A96-4CF2-8040-D5AB417547B7

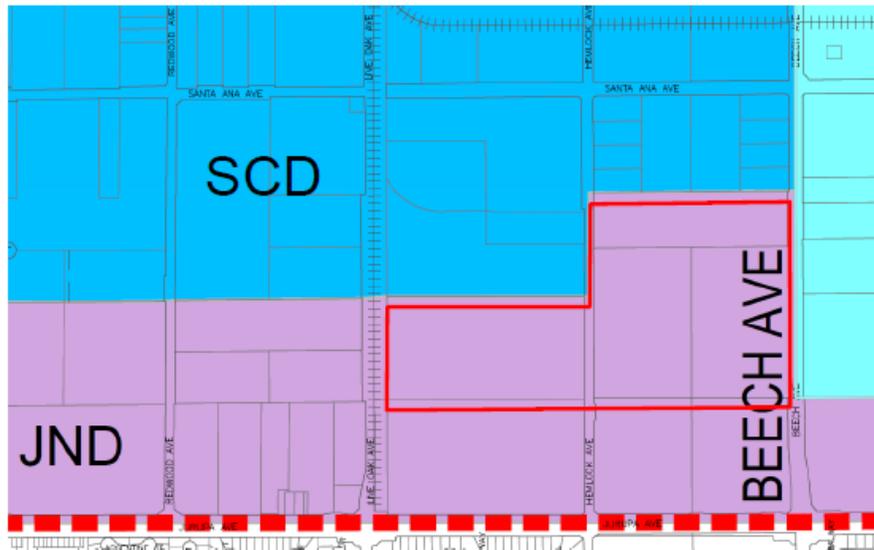
Ordinance No. 1796

Exhibit "A"

Proposed zoning district Map



Existing zoning district map



Certificate Of Completion

Envelope Id: D7E879EF5A964CF28040D5AB417547B7
Subject: Please DocuSign: Ord 1796 - Part 2-2b
Source Envelope:
Document Pages: 3
Certificate Pages: 5
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
3/19/2019 1:01:53 PM

Holder: City Clerk
clerks@fontana.org

Location: DocuSign

Signer Events

Jeff Ballinger
jeff.ballinger@bbklaw.com
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

9656A1483C6E407...

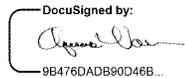
Timestamp

Sent: 3/19/2019 1:02:05 PM
Viewed: 3/19/2019 2:48:11 PM
Signed: 3/19/2019 2:48:17 PM

Signature Adoption: Pre-selected Style
Using IP Address: 74.116.243.2

Electronic Record and Signature Disclosure:
Accepted: 2/6/2017 5:14:58 PM
ID: 49bce3bd-df4d-4cff-8659-0af6d478de62

Acquanetta Warren
awarren@fontana.org
Security Level: Email, Account Authentication
(None)

DocuSigned by:

9B476DADB90D46B...

Sent: 3/19/2019 2:48:18 PM
Viewed: 3/19/2019 3:03:23 PM
Signed: 3/25/2019 8:27:59 AM

Signature Adoption: Uploaded Signature Image
Using IP Address: 108.184.100.94
Signed using mobile

Electronic Record and Signature Disclosure:
Accepted: 3/25/2019 8:27:50 AM
ID: 17d7625d-5c92-43a1-8b67-8246d0a4e00b

Toni Lewis
tlewis@fontana.org
City Clerk
City of Fontana
Security Level: Email, Account Authentication
(None)

DocuSigned by:

EBCDCFDA17754F5...

Sent: 3/25/2019 8:28:01 AM
Viewed: 3/25/2019 10:03:45 AM
Signed: 3/25/2019 10:04:12 AM

Signature Adoption: Drawn on Device
Using IP Address: 172.58.27.128
Signed using mobile

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
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: 3/25/2019 10:04:13 AM

Sent: 3/25/2019 10:04:13 AM

Sent: 3/25/2019 10:04:13 AM
Viewed: 3/25/2019 5:34:07 PM

Sent: 3/25/2019 10:04:14 AM

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent
Certified Delivered
Signing Complete
Completed

Hashed/Encrypted
Security Checked
Security Checked
Security Checked

3/25/2019 10:04:14 AM
3/25/2019 10:04:14 AM
3/25/2019 10:04:14 AM
3/25/2019 10:04:14 AM

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: ctejeda@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 ctejeda@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 ctejeda@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 ctejeda@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: FEBRUARY 27, 2019

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. 1795, 1796, 1797, 1798 and 1799

PUBLISH ONE TIME ONLY ON OR BEFORE MARCH 8, 2019 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. 1795, 1796, 1797, 1798 and 1799

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **February 26, 2019** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of the following ordinance:

1. Waive further reading of and introduce **Ordinance No. 1795** an Ordinance of the City Council of the City of Fontana approving Zone Change No. 18-002, amending the Zoning District Map to change the zoning on approximately 23,400 square feet (APN: 0191-162-36 through -38) from Community Commercial (C-1) to Multi-Family High Residential (R-5); and, that the reading of the title constitutes the first reading thereof;
2. Waive further reading of and introduce **Ordinance No. 1796**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 18-001, to change the Southwest Industrial Park Specific Plan (SWIP) Zoning District designation from Jurupa North Research and Development District (JND) to Slover Central Manufacturing District (SCD) at the project site and three (3) parcels directly to the east of the project site (APN: 0237-131-25, -26 & -27);
3. Waive further reading of and introduce **Ordinance No. 1797**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 18-003, which includes a financial contribution towards improvement of a new public park in the amount of \$300,000, paid by the applicant within ninety (90) days following the effective date of the agreement. The financial contribution will be used towards the construction of the South Fontana park to be located at the southeast corner of Santa Ana Avenue and Cypress Avenue.
4. Waive further reading of and introduce **Ordinance No. 1798** an Ordinance of the City Council of the City of Fontana approving Zone Change No. 16-001, a zone change to the Zoning District Map to existing zoning districts from the current zoning of Residential Planned Community (R-PC), Residential Estates (R-E), Open Space – Resource (OS-R), and Public Utility Corridors (P-UC) to a proposed 80.7 acres of Residential Planned Community (R-PC), 34.4 acres of Medium Density Residential (R-2), 10.9 acres of Multi-Family Residential (R-3), 13.9 acres of Open Space – Resource (OS-R), and 2.9 acres of Recreational Facilities (P-R) to combine 13 parcels (APN: 0226-075-10, -13, -15, -16, -17, -18, -26, -27, -28, -29, -39, -40, and -41).
5. Waive further reading of and introduce **Ordinance No. 1799** an Ordinance of the City Council

of the City of Fontana approving Development Agreement No. 16-003 (Monarch Hills), 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: MARCH 13, 2019

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCE NO. 1795, 1796, 1797, 1798 and 1799

PUBLISH ONE TIME ONLY ON OR BEFORE MARCH 22, 2019 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCE NO. 1795, 1796, 1797, 1798 and 1799

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **March 12, 2019** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted the following ordinances:

1. Second Reading/ Adopt **Ordinance No. 1795** an Ordinance of the City Council of the City of Fontana approving Zone Change No. 18-002, amending the Zoning District Map to change the zoning on approximately 23,400 square feet (APN: 0191-162-36 through -38) from Community Commercial (C-1) to Multi-Family High Residential (R-5);
2. Second Reading/ Adopt **Ordinance No. 1796**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 18-001, to change the Southwest Industrial Park Specific Plan (SWIP) Zoning District designation from Jurupa North Research and Development District (JND) to Slover Central Manufacturing District (SCD) at the project site and three (3) parcels directly to the east of the project site (APN: 0237-131-25, -26 & -27);
3. Second Reading/ Adopt **Ordinance No. 1797**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 18-003, which includes a financial contribution towards improvement of a new public park in the amount of \$300,000, paid by the applicant within ninety (90) days following the effective date of the agreement. The financial contribution will be used towards the construction of the South Fontana park to be located at the southeast corner of Santa Ana Avenue and Cypress Avenue.
4. Second Reading/ Adopt **Ordinance No. 1798** an Ordinance of the City Council of the City of Fontana approving Zone Change No. 16-001, a zone change to the Zoning District Map to existing zoning districts from the current zoning of Residential Planned Community (R-PC), Residential Estates (R-E), Open Space – Resource (OS-R), and Public Utility Corridors (P-UC) to a proposed 80.7 acres of Residential Planned Community (R-PC), 34.4 acres of Medium Density Residential (R-2), 10.9 acres of Multi-Family Residential (R-3), 13.9 acres of Open Space – Resource (OS-R), and 2.9 acres of Recreational Facilities (P-R) to combine 13 parcels (APN: 0226-075-10, -13, -15, -16, -17, -18, -26, -27, -28, -29, -39, -40, and -41).
5. Second Reading/ Adopt **Ordinance No. 1799** an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 16-003 (Monarch Hills).

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