

**GENERAL PLAN AMENDMENT NO. 22-006 AND ZONE CHANGE NO. 22-008
ADDENDUM TO THE
FONTANA FORWARD
GENERAL PLAN UPDATE 2015-2035**

**City of Fontana
Planning Department**
8353 Sierra Avenue
Fontana, California 92335

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INTRODUCTION

Introduction and Purpose

In 2018, the City of Fontana certified a final EIR for a comprehensive update to the General Plan (Fontana Forward General Plan Update 2015-2035 Final Environmental Impact Report, State Clearinghouse Number 2016021099, dated August 10, 2018). The certified EIR discussed the potential environmental impacts (both direct and indirect impacts) on various resources associated with future development allowed under the General Plan update and included a thorough analysis of the estimated build out of the City through the horizon year 2035. The EIR estimated new development for residential, commercial, and industrial uses throughout the City.

According to the Draft EIR for Fontana Forward, Fontana's population in 2035 is forecasted to be 269,066 people in 70,560 households, which is an increase from the 2016 population by almost 60,000 people, or about 17,200 households. The General Plan buildout plans for approximately 95 million square feet of new commercial and industrial development. The EIR found that, with implementation of the policies and programs contained in the General Plan and recommended mitigation measures, all impacts (direct and indirect) associated with future development under the General Plan update would be less than significant.

On February 8, 2022, the City Council approved zoning and general plan amendments to implement the policies of the 2021-2029 Housing Element and accommodate the City's 2021-2029 Regional Housing Needs Allocation (RHNA). In connection with that action, the City prepared an Addendum to the Fontana Forward General Plan Update 2015-2035 EIR.

The City has subsequently determined that one parcel ("Site 1") that should have been included in the February 2022 GPA/rezone was inadvertently omitted and that three parcels ("Site 2") that were included GPA/rezone should not have been. The proposed GPA and Zone Change ("Project") would correct those issues by returning Site 2 to its preexisting GP designation and zoning (General Commercial) and by designating/zoning Site 1 for multifamily use.

The City, as the Lead Agency, has determined that the proposed project is subject to CEQA Guidelines and regulations (Public Resources Code (PRC) Sections 21000-21177). This Addendum to the General Plan (Fontana Forward General Plan Update 2015-2035 Final Environmental Impact Report, State Clearinghouse Number 2016021099) has been prepared by the City to analyze the potential impacts associated with the Project and satisfy the requirements of CEQA Guidelines Section 15164, *Addendum to an EIR or Negative Declaration*.

Statutory Authority and Requirements

CEQA Guidelines Section 15164 states the following with respect to an Addendum to an EIR:

- a) *The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.*
- b) *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- c) *An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- d) *The decision making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- e) *A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

CEQA Guidelines Section 15162, *Subsequent EIRs and Negative Declarations*, states the following with respect to Subsequent EIRs:

- (a) *When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
 - (1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
 - (2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
 - (3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*
 - (A) *The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
 - (B) *Significant effects previously examined will be substantially more severe than shown in the previous EIR;*

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.

CEQA Compliance

CEQA Guidelines Section 15164 allows preparation of an Addendum to a previously certified EIR if only minor technical changes or additions are necessary, but none of the conditions calling for preparation of a Subsequent EIR have occurred. The City has determined that the proposed Project does not necessitate any changes/additions to the Fontana Forward EIR, and none of the conditions calling for preparation of a Subsequent EIR have occurred for the following reasons:

- The proposed Project does not require major revisions to the EIR. No new significant environmental effect or substantial increase in the severity of previously identified significant effects would occur with implementation of the proposed Project.
- Substantial changes have not occurred with respect to the circumstances under which the proposed Project would be undertaken. Thus, revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects are not required.
- The new available information does not show the proposed Project would have any new significant effects not already analyzed in the EIR, or that the significant effects previously examined would be substantially more severe than shown in the EIR.

Since the proposed Project does not trigger any of the conditions that warrant preparation of a Subsequent EIR, the City has determined that preparation of an Addendum is appropriate.

Incorporation by Reference

The documents outlined below, which were utilized during preparation of this Addendum and has been incorporated by reference. These documents are available for public inspection at the City Planning Department at 8353 Sierra Avenue, Fontana, and on the City's website at <https://www.fontana.org/index.aspx?nid=834>.

City of Fontana General Plan, Fontana Forward 2015-2035. In 2018, the City of Fontana certified a final EIR for a comprehensive update to the General Plan (Fontana Forward General Plan Update 2015-2035 Final Environmental Impact Report, State Clearinghouse Number 2016021099, dated August 10, 2018). The certified EIR discussed the potential environmental impacts (both direct and indirect impacts) on various resources associated with future development allowed under the General Plan update and included a thorough analysis of the estimated build out of the City through the horizon year 2035.

Addendum to City of Fontana General Plan, Fontana Forward 2015-2035. On February 8, 2022, the City Council approved zoning and general plan amendments that implemented the policies of the 2021-2029 Housing Element and demonstrate that there are adequate sites that are appropriately zoned on which to develop the housing to meet the City's 6th Cycle Regional Housing Needs Allocation (RHNA). In connection with that action, the City prepared an Addendum to the Fontana Forward General Plan Update 2015-2035 EIR, which indicated the amendments would not result in any significant new or more severe environmental impacts.

City of Fontana Municipal Code, as (continuously) updated. The Fontana Municipal Code (Municipal Code) establishes detailed zoning districts and regulations based on the General Plan. The Fontana Zoning and Development Code (Municipal Code Chapter 30) serves as the primary implementation tool for the General Plan. Whereas the General Plan is a policy document that sets forth direction for development decisions, the Zoning Code is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Zoning Code regulates development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Zoning Code also indicates which land uses are permitted in the various zones. The Municipal Code includes all of the City's zoning ordinance provisions and has been supplemented over time to include other related procedures such as subdivision regulations, environmental review procedures, and an advertising and sign code. Municipal code regulations and maps must be consistent with the General Plan land uses, policies, and implementation programs. The Municipal Code is referenced throughout this Addendum to establish the proposed Project's baseline requirements according to the City's regulatory framework.

Project Location

The project includes two sites:

Site 1 – One parcel located on the south side of Baseline Road approximately 290 feet east of Juniper Avenue (APN 0241-051-13)

Site 2 – Three parcels including 16835 Baseline Avenue (APN: 0241-051-16), 16818 Montgomery Avenue (APN: 0241-051-02) and 16844 Montgomery Avenue (APN: 0241-051-32)

Proposed project

On February 8, 2022, the City Council approved zoning and general plan amendments to implement the policies of the 2021-2029 Housing Element and accommodate the City's 6th Cycle Regional Housing Needs Allocation (RHNA). However, Site 1 was inadvertently left out of the adopted general plan and zoning amendments, despite the fact that it is under the same ownership as adjacent parcels to the east that

were designated/rezoned for residential use. In addition, Site 2 was inadvertently included among the properties that were redesignated from commercial to residential, despite the fact that its ownership did not wish it to be included and adjacent parcels under the same ownership were not included. Adoption of General Plan Amendment 22-006 and Zone Change 22-008 will thus clean up the changes previously made as part of the Housing Element update to provide more consistency and cohesiveness and will complete the land use changes recommended in the 2021-2029 Housing Element.

Analysis

General Plan Amendment No. 22-006:

The proposed General Plan Amendment updates the General Plan land use map to changing the general plan land use designation on Site 1 from General Commercial (C-G) to Multi-Family Medium/High Residential (R-MFMH) and to revert Site 2 from Multi-Family Medium/High Residential (R-MFMH) to General Commercial (C-G) (its designation prior to the February 2022 GPA/rezone).

Zone Change Amendment No 21-008:

The proposed zone change update will change the zoning on Site 1 from General Commercial (C-2) to Multi-Family Medium/High Residential (R-4). Site 2 will be rezoned from Multi-Family Medium/High Residential (R-4) back to General Commercial (C-2) (its designation prior to the February 2022 GPA/rezone). The proposed changes implement the goals and policies of the general plan and are consistent with GPA No. 22-006, as required under State law.

When the City Council approved the General Plan and Zone changes on February 8, 2022, it provided the potential for 25,582 housing units, which satisfies the City’s RHNA allocation of 17,519 housing units and recognizes that all property owners may not be interested in or able to develop their land within the next 8 years. With the proposed general plan and zoning land use designations for Site 1 and 2, there is a net loss of 60 units. **Table A** below provides a breakdown of the number of housing units gained, lost, and the net total number of units. The proposed changes will not impede on the City’s ability to meet the RHNA number because this decrease is within the range of the RHNA allocation of 17, 519 and is consistent with the General Plan and Housing Element.

| Table A: Total Number of Units | | |
|---------------------------------------|--------------------------|---------------------------|
| | With Current Designation | With Proposed Designation |
| Site #1 (1-acre site) | 0 | 35 |
| Site #2 (3-acre site) | 95 | 0 |
| Total Number of Units | - 60 | |

All of the land in the Project area was previously designated as commercial, prior to the February 2022 GPA/rezone. The prior addendum considered the impact of designating several lots as residential and concluded there was no impact. As described above, the City has now determined that an error was made with respect to the sites identified for redesignation for residential use. The City is correcting that error by returning 3 lots (Site 2) to their original commercial designation, and designating one lot for residential use. Because the acreage/number of lots being rezoned for residential is less than indicated in the prior addendum, the proposed action will not result in any new or more severe impact than described in the prior addendum.

Further, future development projects on the project site involving new construction of residential and/or commercial uses will continue to be subject to an Administrative Site Plan/Design Review, in which a project-specific analysis based on location and project details will be conducted, subject to CEQA review/documentation. Therefore, all future development projects on the subject site will be subject to CEQA, standard Conditions of Approval, and all other State/Federal/Local requirements.