

**CITY OF FONTANA  
6<sup>TH</sup> CYCLE HOUSING ELEMENT UPDATE  
2021-2029**

**ADDENDUM TO FONTANA FORWARD  
GENERAL PLAN UPDATE 2015-2035**

**Prepared For:**

City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335

**Prepared By:**

Kimley-Horn and Associates, Inc.  
3880 Lemon Street, Suite 420  
Riverside, CA 92501

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# **1 INTRODUCTION AND PROJECT SUMMARY**

## **Contact Person and Phone Number**

DiTanyon Johnson, Principal Planner  
909-350-6678

## **Project Title**

City of Fontana 2021 Housing Element Update (Project)

## **Lead Agency Name and Address**

City of Fontana  
Planning Department  
8353 Sierra Avenue  
Fontana, CA 92335

## **Project Location**

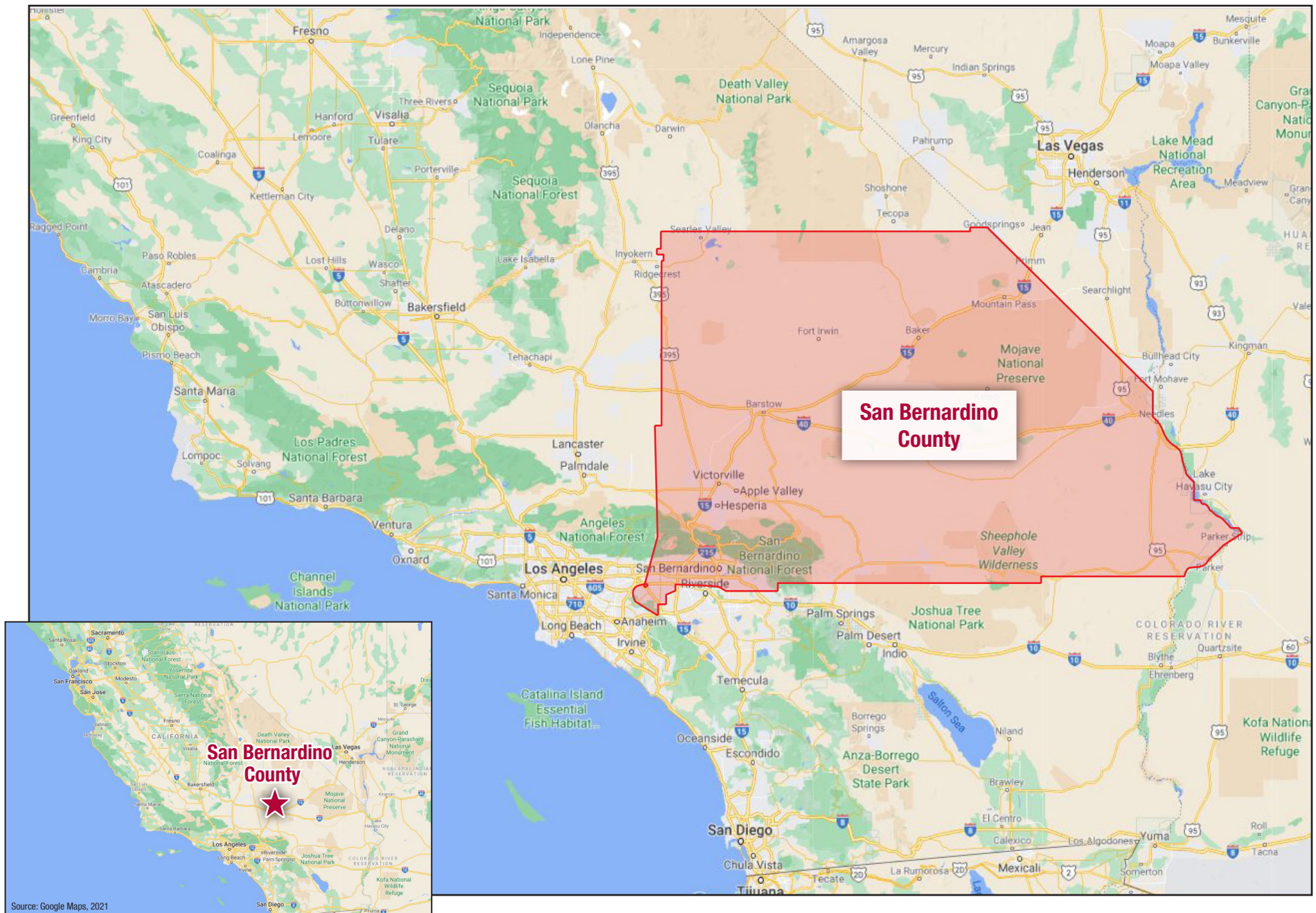
The City of Fontana (City) is located in southern San Bernardino County (County). Fontana is located in a valley and is adjacent to major roadways, including Interstates 10 and 15 as well as State Route 210. Because of the City's proximity to these major roadways, the City has been growing rapidly with industrial, commercial, and residential development expanding northward. The City encompasses approximately 52 square miles, including the City's Sphere of Influence (SOI). Of this land area, 6,000 acres (11,000 acres in the SOI) are designated for commercial and industrial uses. With the city's close vicinity to key roadways, trucking-based industries and warehouse distribution centers for large companies have flourished in Fontana, including distribution centers for Target and Mercedes Benz. The City is also home to a major-medical center, Kaiser Permanente, which attracts employees and patients to Fontana.<sup>1</sup> The Housing Element Update (HEU) planning boundaries coincide with the Fontana city limits, see **Exhibit 1** and **Exhibit 2**.

## **Project Sponsor's Name and Address**

City of Fontana  
Planning Department  
8353 Sierra Avenue  
Fontana, CA 92335

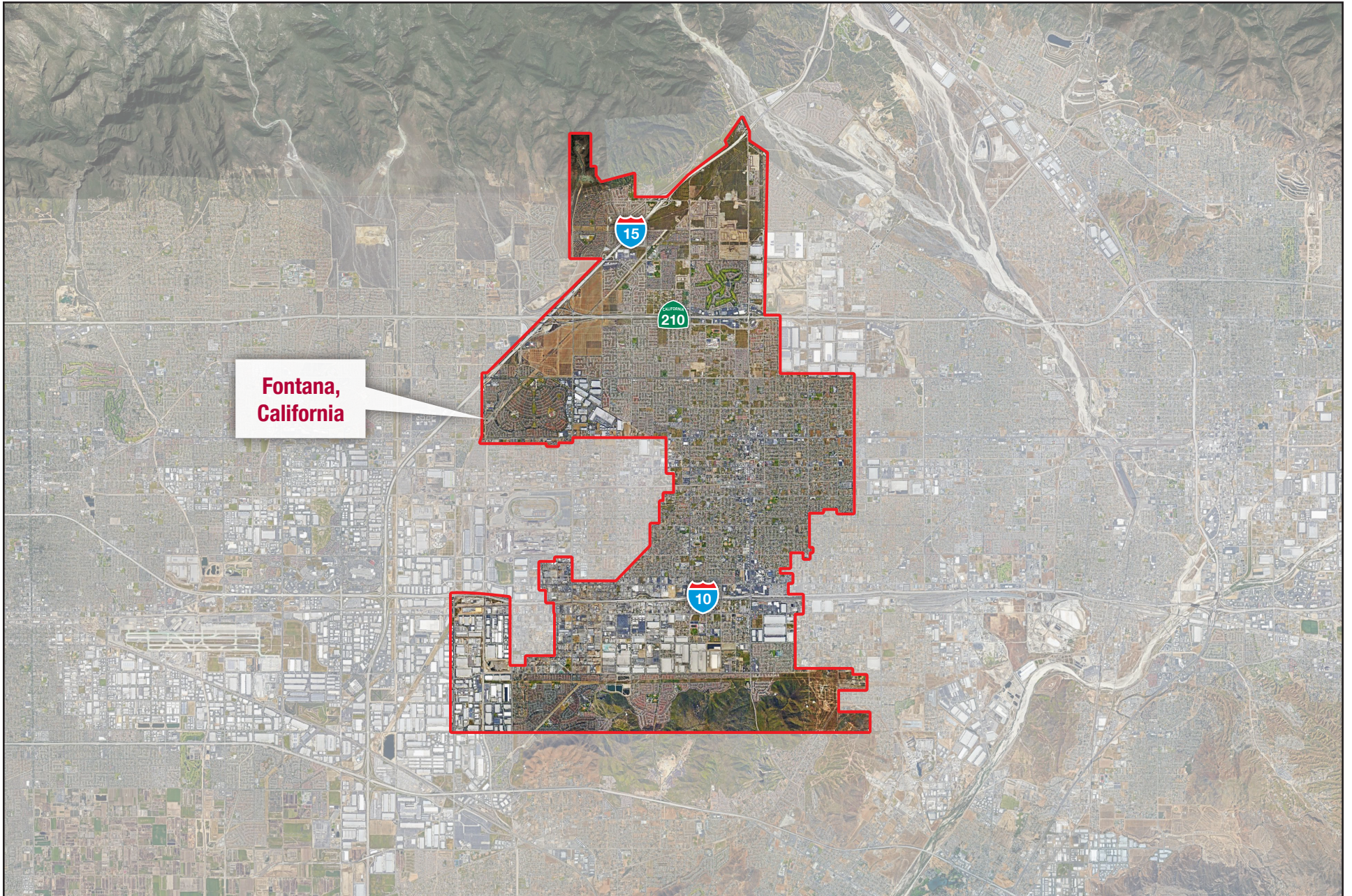
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<sup>1</sup> City of Fontana. 2018. *Fontana Forward DEIR*. <https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update> (accessed April 2021).



**EXHIBIT 1: Regional Map**  
6th Cycle Housing Element Update and EIR





**EXHIBIT 2:** City Map  
6<sup>th</sup> Cycle Housing Element Update and EIR



## Project Description

The Project consists of a comprehensive update to the Housing Element of the City of Fontana General Plan Update 2015-2035 (Fontana Forward). The General Plan was recently subject to a comprehensive update as well. It underwent environmental review in the form of an Environmental Impact Report (EIR), which was certified in 2018. The EIR for the General Plan includes discussion of alternatives and growth inducing impacts associated with development in the City. The draft 2021 HEU is available on the City of Fontana, Community Development Department website: <https://www.fontana.org/3314/2021-2029-Housing-Element-Update>. In addition, hard copies are available for purchase, upon request, at the Community Development Department Planning Department Counter.

State law requires that housing elements be updated every eight years (California Government Code [CGC] §§ 65580 to 65589.8). Per State law, the draft 2021 HEU identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under state law (CGC § 65583). It analyzes governmental and non-governmental constraints to housing production, maintenance, and affordability; provides a summary of housing resources, including sites identification and funding and financial considerations; and outlines goals, policies, and actions that promote housing opportunities for all persons. The planning period for the 2014 Housing Element was October 15, 2013 through October 15, 2021. The Project will update the City of Fontana Housing Element as part of the 6<sup>th</sup> cycle of updates. For Fontana, the planning period for the HEU runs from October 15, 2021 through October 15, 2029.

Additionally, the update to the Housing Element would bring the Element into compliance with state legislation passed since the adoption of the 2018 General Plan and 2014 Housing Element. There are multiple components of the draft 2021 HEU that mirror those of the 2014 Housing Element, but they have been updated to reflect current conditions, including:

- An Introduction and profile/analysis of the City's current population and housing characteristics, and existing and future housing needs
- Review of resources available to facilitate and encourage the production and maintenance of housing
- Analysis of nongovernmental, governmental, and environmental constraints that affect the provisions and opportunities for adequate housing
- An evaluation of performance under the previous Housing Element (5<sup>th</sup> Cycle)
- An identification of the City's quantified objectives for the Regional Housing Needs Allocation (RHNA) period, by income group
- A Community Outreach/Engagement Summary of outreach undertaken by the City of Fontana in order to inform the 5<sup>th</sup> and 6<sup>th</sup> Cycle Housing Elements

Changes unique to the draft 2021 HEU include the following components:

- Updated Demographic and Housing Analysis from the latest Census and American Community Survey, Southern California Association of Governments (SCAG), and other demographic data sources for the latest populations in the City.



- Analysis for consistency with new state laws. Since the 2014 Housing Element, the state enacted legislation to encourage housing development including, in some cases, requiring local jurisdictions to streamline project approvals for the purpose of expediting housing development. The Project includes an analysis of these new bills and as needed, programs to implement them. See **Section 2: Project Context** subsection **Changes in State Law** for additional information.
- Updated Sites Inventory and Upzone/Rezone Strategy. The draft 2021 HEU includes a citywide housing sites inventory (Appendix B of the draft 2021 HEU) which identifies all properties with the potential for residential development.
- No formal land use changes or physical development is are proposed at this time, and any future development applications would require environmental evaluation under CEQA as potential impacts are project-specific and cannot be assessed until a project site and development proposal are identified. The City of Fontana shall amend the Fontana Zoning Code to establish and codify the rezone of the parcels identified in the Housing Element Update. The rezone program will increase density of select parcels in order to accommodate housing. The Housing Element Update sites inventory exceeds the City's RHNA of 17,519 units, which would provide City decision-makers with many options for future land use changes.
- The City identified a block of parcels between Oleander and Cypress on Baseline for an R4 overlay. The R4 overlay would implement the same development standards and density requirements of R4 but would also permit property owners to develop at the current base zone, as it may be appropriate on some smaller parcels.

The draft HEU establishes goals, policies, and actions to assist the City of Fontana in achieving state-mandated housing goals. The City's implementation of these policies and programs includes continued update/revision of the General Plan Land Use Map and the rezoning of several sites in the inventory of potential sites for meeting the city's RHNA obligation. Pursuant to CGC § 65583(c)(1), these actions will be accomplished along with the necessary entitlements.

## Environmental Review

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.

In considering the potential environmental impacts of the draft HEU, the City has determined that the EIR certified for the 2018 General Plan Update is of continuing informational value. The City also has determined that the potential environmental impacts (both direct and indirect impacts) of the draft HEU are within the scope of the previously certified EIR and that none of the conditions requiring subsequent or supplemental environmental review under CEQA Guidelines §§ 15162 and 15163 exists. Based on the information and analysis provided below, the City has determined that only minor or technical changes to the previously certified EIR are necessary and that that preparation of an Addendum pursuant to CEQA Guidelines § 15164 is appropriate. Like the 2018 General Plan Update, the draft HEU does not include any development proposal or approval and future development of any specific housing site would be subject to additional environmental review pursuant to CEQA Guidelines § 15168(c).

### **Discretionary Action**

Implementation of the Housing Element would require the following discretionary actions by the City of Fontana Planning Commission/City Council:

- Approval of an Addendum to the General Plan EIR
- Approval of the updated Housing Element

### **Location of Prior Environmental Document(s)**

The location and custodian of the General Plan Update EIR is the City Clerk, City of Fontana, 8353 Sierra Avenue, Fontana, CA 92335. A copy of the EIR also is available online at the City of Fontana, Community Development Department website:

<https://www.fontana.org/2632/General-Plan-Update-2015---2035>

## 2 PROJECT CONTEXT

The state legislature has identified the attainment of a decent home and suitable living environment for every resident as California's major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the Legislature mandated that all cities and counties prepare a housing element as part of their comprehensive general plans. California Government Code §§ 65580 to 65589.8 set forth the specific components to be contained in a community's housing element.

### **Fontana General Plan Update 2015 – 2035 (Fontana Forward)**

State law mandates that each city and county in California adopt "a comprehensive, long-term general plan," the purpose of which is to plan for important community issues such as new growth, housing needs, and environmental protection. Furthermore, the general plan is used to project future demand for services such as sewer, water, roadways, parks, and emergency services.

The current Fontana General Plan, adopted in November 2018, is a long-term document with text and diagrams that express the goals, policies, visions, and principles necessary to guide the community toward achieving its vision over approximately 15 years (i.e., 2035). A general plan is only successful when it reflects the priorities and values of the community and is a key tool for influencing quality of life.

City of Fontana decision-makers (e.g., City Council and Planning Commission), rely on the General Plan for their decision-making on matters such as land use and the provision of public facilities (e.g., roads, parks, fire stations). It is also a policy document that guides decisions related to protecting, enhancing, and sustaining those things that the community values most, such as open space, habitat conservation, arts and culture, and protecting the character of the community.

State law requires that every general plan, at a minimum, address certain subject categories (called "elements"), which include land use, circulation, housing, conservation of natural resources, open space, noise, and safety. A general plan may also address other subjects that are of importance to the community's future. Fontana's General Plan includes the following elements:

- |  |   |
|--|---|
| ▪ Community and Neighborhoods                | ▪ Infrastructure and Green Systems              |
| ▪ Housing                                    | ▪ Noise and Safety                              |
| ▪ Building a Healthier Fontana               | ▪ Sustainability and Resilience                 |
| ▪ Conservation, Open Space, Parks And Trails | ▪ Economy, Education, and Workforce Development |
| ▪ Public and Community Services              | ▪ Downtown Area Plan                            |
| ▪ Community Mobility and Circulation         | ▪ Land Use, Zoning, and Urban Design            |



## 2018 General Plan EIR

The 2018 General Plan EIR addressed the potential environmental effects (direct and indirect) of the planned buildout of Fontana through the year 2035 and concluded that implementation of the General Plan would result in levels of environmental impacts as detailed in **Table 1**.

**Table 1: Potential Impacts and Mitigation Under the 2018 General Plan EIR**

Issue Area	Significant Project Impacts	Mitigation to Reduce Significant Impacts	Significance with Mitigation
Aesthetics	None identified	None required	Not applicable
Air Quality	None identified	None required	Not applicable
Biological Resources	A significant impact could occur to one species of concern identified, burrowing owl, and nesting birds	MM-BIO-1 and MM-BIO-2	Less than significant
Cultural Resources	None identified	None required	Not applicable
Geology, Soils, and Seismicity	None identified	None required	Not applicable
Greenhouse Gas Emissions	None identified	None required	Not applicable
Hazards and Hazardous Materials	None identified	None required	Not applicable
Hydrology and Water Quality	None identified	None required	Not applicable
Land Use	None identified	None required	Not applicable
Noise	None identified	None required	Not applicable
Population and Housing	None identified	None required	Not applicable
Public Services, Utilities, and Recreation	None identified	None required	Not applicable
Transportation	<p>General Plan Update would result in potentially significant impacts to the traffic and transportation network due to:</p> <ul style="list-style-type: none"> <li>• ADT would exceed an established LOS threshold at Citrus Avenue between Arrow Boulevard and Foothill Boulevard, which is forecast to operate at LOS "F" under General Plan buildout conditions</li> <li>• Citrus Avenue exceeds the San Bernardino CMP threshold of LOS "E," resulting in a significant impact based on the CMP criteria to maintain LOS "E" or better</li> </ul>	MM-TRA-1	Less than significant

The General Plan has an approximate year 2035 horizon, but actual buildout of all planned land uses may occur earlier or later due to the unpredictability of long-range demographic and economic trends. The designation within the proposed General Plan Update of a site for a certain use does not necessarily mean that the site would be developed or redeveloped with that use during the planning period because most development would depend on property owner initiative.

In 2016, the General Plan Update reported 51,517 existing housing units in Fontana (Chapter 2, Trends for Fontana’s Future, Section E. Households). According to the General Plan Update Draft EIR, the General Plan Update would accommodate 70,560 households through the planning horizon (Section 7.2, Growth-Inducing Impacts). Therefore, an additional 19,043 new housing units are assumed citywide between 2016 and horizon year 2035.

As discussed above, the City of Fontana’s RHNA for the current planning period is 17,519 units, a number that falls within projected buildout estimated under the General Plan and analyzed in the 2018 General Plan EIR. The sites inventory (Appendix B of the draft 2021 HEU) identifies sites with a maximum housing unit yield of 25,582 units. Because this is more potential dwelling units than are needed to satisfy the City’s RHNA obligation, the sites included on the sites inventory are only tentatively identified for potential development or redevelopment under the HEU. No formal land use change or physical development is proposed at this time. Any future land use changes or development would be subject to additional environmental evaluation under CEQA.

## **Role of the Housing Element**

The Housing Element is one of the seven state mandated elements included in the City of Fontana’s General Plan. The purpose of the Housing Element is to identify and plan for the City’s existing and projected housing needs; it contains a detailed outline and work program of the City’s goals, policies, and actions for the preservation, improvement, and development of housing for a sustainable future. Each eight-year planning cycle, the City is allocated a specific number of housing units called the RHNA determined by the Southern California Association of Governments (SCAG). The RHNA quantifies current and future housing growth within a City. Through research and analysis, the Housing Element identifies available candidate housing sites and the establishes the City’s official housing policies and programs to accommodate their RHNA goals. The Housing Element is a critical tool for the City of Fontana to plan for and accommodate current and future growth within the community, over the eight-year planning cycle.

## **Updates to the Housing Element**

State law requires that housing elements be updated every eight years (CGC § 65588). The Housing Element must identify residential sites adequate to accommodate a variety of housing types for all income levels and to meet the needs of special population groups as defined under state law (CGC § 65583). The Housing Element analyzes market and governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies that promote housing opportunities for all persons.

The previous Housing Element covered an eight-year planning period (October 15, 2013 through October 15, 2021). The City of Fontana Housing Element is now being revised as part of the 6<sup>th</sup> cycle of updates, the period of which runs from October 15, 2021 through October 15, 2029. Therefore, this update will be referred to as the “2021 Housing Element Update” or 2021 HEU.

## **Regional Housing Needs Allocation**

The City of Fontana is one of 191 member cities to SCAG, a regional council of government. California State Housing Element law requires SCAG and other regional councils of government to determine the existing and projected regional housing needs for persons at all income levels. SCAG is also required by

law to determine each jurisdiction's share of the regional housing need in the six-county southern California region.

In accordance with CGC § 65583, SCAG then delegates a "fair share" of housing need to its member jurisdictions. The City of Fontana's RHNA allocation is divided amongst four income categories which are benchmarked on the County of San Bernardino's median income for a family of four. **Table 2** below identifies the four income categories by which the City's RHNA allocation is divided.

**Table 2: County of San Bernardino Income Categories**

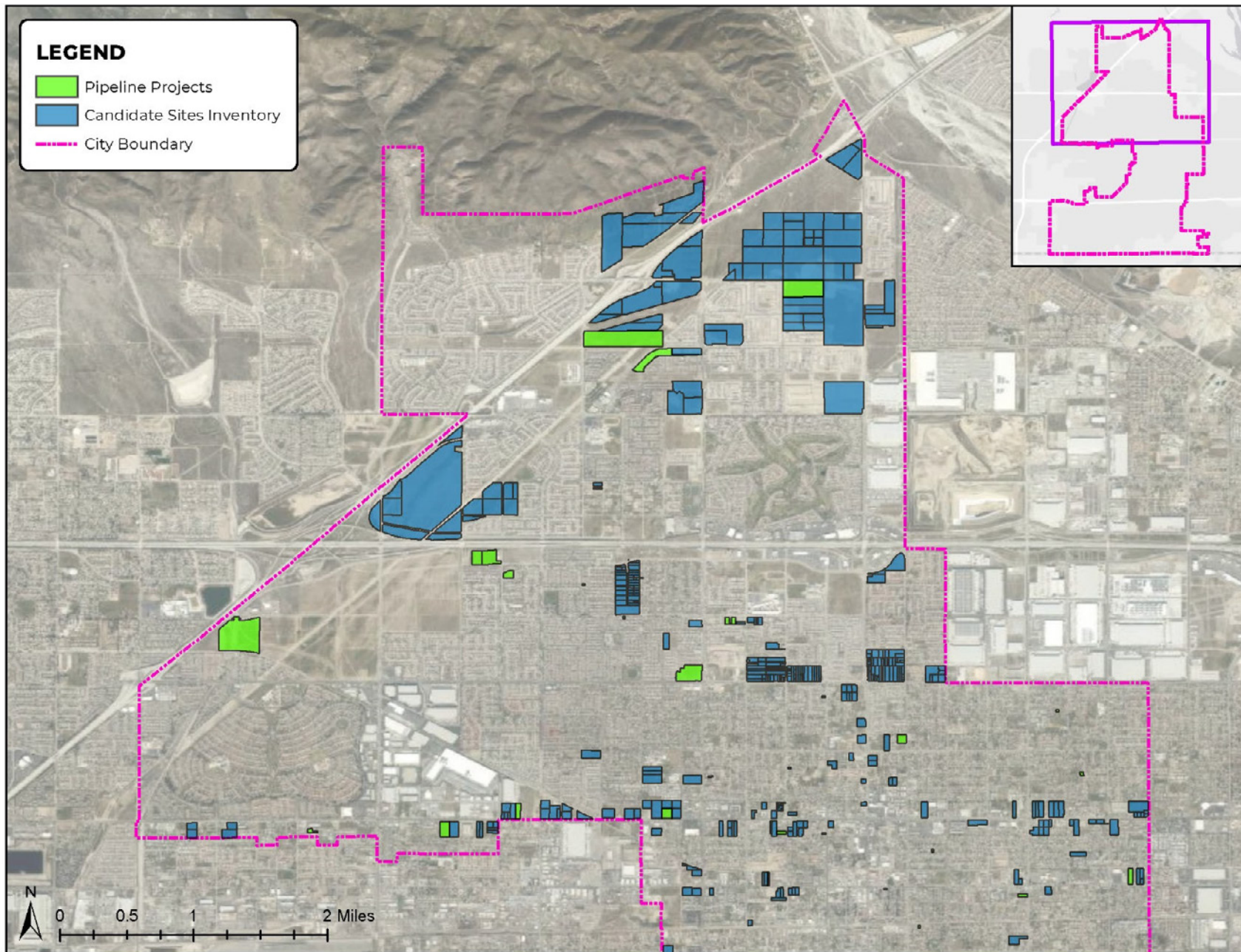
<b>Income Category</b>	<b>Percent of Median-Family Income (MFI)</b>
Very low income	0-50% MFI
Low income	51-80% MFI
Moderate income	81-120% MFI
Above moderate income	>120% MFI

For the 2021-2029 planning period the City of Fontana is allocated a total of 17,519 units, including:

- 5,109 units affordable to very low-income households
- 2,950 units affordable to low-income
- 3,035 units affordable to moderate-income
- 6,425 units affordable to above-moderate income

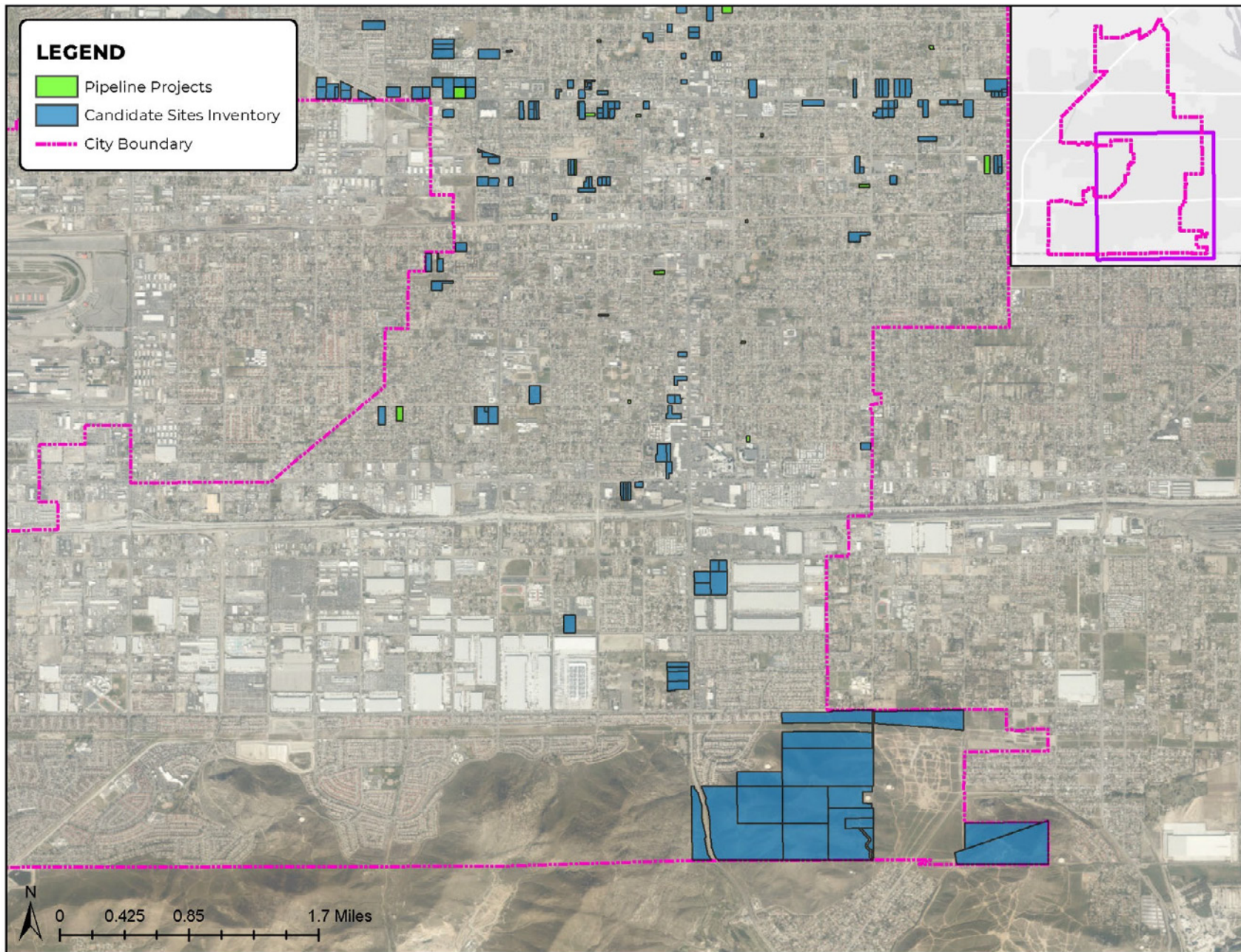
To accommodate the 17,519 unit RHNA allocation, the City has identified 413 candidate housing sites and 75 projects in the pipeline. For details on these sites/projects, see Table B-16: Sites to Accommodate the Fontana RHNA Allocation in Appendix B of the HEU. The location of the sites/projects are depicted in **Exhibits 3a** and **3b**.





**EXHIBIT 3a:** Proposed Units in Fontana, All Income Categories (North)  
6<sup>th</sup> Cycle Housing Element Update and EIR





**EXHIBIT 3b:** Proposed Units in Fontana, All Income Categories (South)  
6<sup>th</sup> Cycle Housing Element Update and EIR

## Changes in State Law

Many new state housing laws have been enacted since the City of Fontana's last HEU was amended in 2018. The draft 2021 HEU has incorporated and addressed all pertinent housing law changes through analysis or new policies or programs. The Project was found to be consistent with the changes in state law, which are listed below.

**Table 3: Housing Legislation**

<b>Funding Measures</b>
<b>SB 2</b> – Projected to generate hundreds of millions of dollars annually for affordable housing, supportive housing, emergency shelters, transitional housing and other housing needs via a \$75 to \$225 recording fee on specified real estate documents.
<b>SB 3</b> – Placed a \$4 billion general obligation bond on the November 2018 ballot to fund affordable housing programs and the veteran's homeownership program (CalVet).
<b>Streamlining Measures</b>
<b>SB 35</b> – Streamlines multifamily housing project approvals, at the request of a developer, in a city that fails to issue building permits for its share of the regional housing need by income category. In a SB 35 city, approval of a qualifying housing development on qualifying site is a ministerial act, without CEQA review or Public Hearings.
<b>SB 540</b> – Streamlines the housing approval process by allowing jurisdictions to establish Workforce Housing Opportunity Zones (WHOZs), which focus on workforce and affordable housing in areas close to jobs and transit and conform to California's greenhouse gas reduction laws. SB 540's objective is to set the stage for approval of housing developments by conducting all of the necessary planning, environmental review and public input on the front end through the adoption of a detailed Specific Plan. SB 540 provides the development community with certainty that for a five-year period, development consistent with the plan will be approved without further CEQA review or discretionary decision-making.
<b>AB 73</b> – Similar to SB 540, this bill streamlines the housing approval process by allowing jurisdictions to create a housing sustainability district to complete upfront zoning and environmental review in order to receive incentive payments for development projects that are consistent with the ordinance.
<b>Accountability Measures</b>
<b>SB 167/AB 678/AB 1515</b> – These three measures were amended late in the 2017 legislative session to incorporate nearly all of the same changes to the Housing Accountability Act (HAA). The HAA significantly limits the ability of a jurisdiction to deny an affordable or market-rate housing project that is consistent with existing planning and zoning requirements.
<b>Other Measures</b>
<b>AB 1505</b> – Allows a jurisdiction to adopt an ordinance that requires a housing development to include a certain percentage of residential rental units affordable to and occupied by households with incomes that do not exceed limits for households with extremely low, very low, low or moderate income. Such an ordinance must provide alternative mean of compliance such as in-lieu fees, off-site construction, etc.
<b>AB 879</b> – Expands upon existing law that requires, by April 1 of each year, general law cities to send an annual report to their respective city councils, the state Office of Planning and Research (OPR) and HCD that includes information related to the implementation of the General Plan, including RHNA.
<b>AB 1397</b> – Makes numerous changes to how a jurisdiction establishes its Housing Element site inventory.



**Table 3: Housing Legislation**

<p><b>AB 72</b> – Provides HCD new broad authority to find a jurisdiction’s Housing Element out of substantial compliance if it determines that the jurisdiction fails to act in compliance with its Housing Element and allows HCD to refer violations of law to the attorney general.</p>
<p><b>AB 2753</b> – Seeks to expedite the processing of density bonus applications pursuant to the State Density Bonus Law. The State Density Bonus Law, originally enacted in 1979, requires an agency to grant a density bonus and/or a certain number of concessions or incentives to developers who agree to construct developments that provide affordable housing and meet certain criteria. This year’s amendments now require local governments to provide determinations to developers regarding the amount of density bonus for which a development is eligible, all reductions in parking requirements for which the applicant is eligible and whether the applicant has provided adequate information for the local government to make a determination regarding any requested incentives, concessions, waivers or reductions in required parking. The law further requires such determinations to be based on the development project at the time the application is deemed complete, and provides that the local government shall adjust the amount of density bonus and required parking based on any changes during the course of the development processing.</p>
<p><b>AB 2372</b> – Authorizes cities or counties to grant a developer of an eligible housing development under the State Density Bonus Law a floor area ratio bonus in lieu of a bonus on the basis of dwelling units per acre. The floor area bonus is calculated based on a formula prescribed in the new statute (i.e., allowable residential base density x (site area in square feet / 43,500) x 2,250). An eligible housing development under the law is a multifamily housing development that provides at least 20 percent affordable units, is located within a transit priority area or a half-mile from a major transit stop, meets requirements for the replacement of existing units and complies with height requirements applicable to the underlying zone. The law also prohibits cities and counties from imposing parking requirements in excess of specified ratios and allows an applicant for an eligible development to calculate impact fees based on square feet and not per unit.</p>
<p><b>SB 1227</b> – Extends the State Density Bonus Law to apply to student housing. It allows student housing projects where at least 20 percent of the units are affordable for lower income students to receive a 35 percent density bonus. The law also provides that the development must provide priority to students experiencing homelessness. The density bonus under the law will be calculated based on the number of beds instead of units.</p>
<p><b>AB 2797</b> – Requires the State Density Bonus Law to be harmonized with the California Coastal Act so that both statutes can be given effect within the coastal zone to increase affordable housing in the coastal zone while protecting coastal resources and access.</p>
<p><b>AB 3194</b> – Makes three important revisions to strengthen the HAA. The HAA strictly limits local governments’ authority to reject or restrict housing development projects that comply with applicable objective general plan, zoning, and subdivision standards. The Legislature’s reforms to the HAA in 2017 were one of the most significant elements of the 2017 housing package. This year, as revised by AB 3194, if the zoning for a project site is inconsistent with the general plan, a proposed housing development project cannot be considered “inconsistent” with a jurisdiction’s zoning standards and cannot be required to seek a rezoning, as long as the project complies with the jurisdiction’s objective general plan standards. Second, local agencies must now apply zoning standards and criteria to facilitate and accommodate development at the density allowed on the site by the general plan. Third, the Legislature declared its intent that a “specific, adverse impact on the public health and safety” – the only permissible basis on which a local government can reject or reduce the size of a project that complies with objective standards—will “arise infrequently.”</p>

**Table 3: Housing Legislation**

<p><b>SB 765</b> – Makes a series of “cleanup” revisions to SB 35, the major streamlining law enacted in 2017, which requires localities to grant a streamlined ministerial approval to housing projects that meet the locality’s objective standards, commit to provide prevailing wage labor and provide a specified amount of affordable housing, among other criteria.</p>
<p><b>AB 2263</b> – Authorizes parking reductions for a development project in which a designated historical resource is being converted or adapted. For projects converting or adapting a designated historical resource to a residential use that is located within a half-mile of a major transit stop, an agency shall not require the project to provide parking spaces greater than the number of parking spaces that existed on the project site at the time the project application was submitted. For a project converting or adapting a designated historical resource to a nonresidential use, a local agency shall provide a 25 percent reduction in the amount of parking spaces that would otherwise be required.</p>
<p><b>AB 2162</b> – Requires supportive housing to be considered a use “by right” in zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses, if the proposed housing development meets specified criteria. Supportive housing is housing linked to an onsite or offsite service that assists the resident in retaining the housing, improving his or her health status and ability to live and work in the community. Qualifying criteria relates to affordability, long-term deed restrictions, nonresidential floor use providing supportive services and other design requirements. The law requires a local government to approve, within specified periods, supportive housing developments that comply with these requirements. The law prohibits the local government from imposing any minimum parking requirement for units occupied by supportive housing residents if the development is located within a half-mile of a public transit stop.</p>
<p><b>AB 829</b> – Prohibits local governments from requiring a developer to obtain a letter of acknowledgment or similar document prior to applying for state assistance for a housing development. The law defines state assistance as any state funds, a state tax credit or a federal tax credit administered by the state. The legislative analysis for the bill explained that in at least one case in the state, city council members have delayed projects for supportive housing requiring financial assistance by conditioning a project to receive official sign-off from the local elected official in order to receive funding. This law ends that practice for all jurisdictions.</p>
<p><b>SB 828/AB 1771</b> – Makes a number of changes to the RHNA process to use more data to more accurately and fairly reflect job growth and housing needs, with an emphasis on fair housing goals. RHNA is the process to identify the total number of housing units and income levels that each jurisdiction must accommodate in its Housing Element. The RHNA process has been in the spotlight recently due to claims that some cities have artificially low RHNA targets due to a politically driven process. New amendments revise the data that the council of governments (the entities that determine RHNA targets) must provide to HCD as part of the RHNA process. That data must now include new information regarding overcrowding rates, vacancy rates and cost-burdened housing (among other new data points). This law adds more opportunities for public comment and HCD adjustments to the council of governments’ methodology for selecting RHNA targets, as well an ability for local governments to appeal RHNA targets. Additionally, the law prohibits a council of governments from using prior under-production of housing, or stable population numbers, as justification for a determination or reduction in a local government’s share of the RHNA.</p>
<p><b>AB 686</b> – Requires a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing and not take any action that is inconsistent with this obligation. “Affirmatively furthering fair housing” means, among other things, “taking meaningful actions ... that overcome patterns of segregation and foster inclusive communities” and “address significant disparities in housing needs and in access to opportunity.” Additionally, an assessment of fair housing practices must now be included in upcoming Housing Elements.</p>

**Table 3: Housing Legislation**

<p><b>SB 1333</b> – Makes charter cities (those governed by a city charter document rather than by general law) subject to a number of planning laws that previously only applied to general law cities. These include laws related to general plan amendment processing, accessory dwelling unit permitting and the preparation of Housing Elements. Notably, the new law now requires a charter city’s zoning ordinances to be consistent with its adopted general plan.</p>
<p><b>AB 1919</b> – Recognizes that under current prohibitions against “price gouging,” landlords cannot raise rents by more than 10 percent within 30 days of a declared disaster, but the prohibition does not apply to rental properties that were not on the market at the time of the emergency. This new law expands the existing crime of price gouging to include new rentals that were not on the market at the time of the emergency within the types of goods and services that are price-controlled in the immediate aftermath of an emergency. The law also makes other related reforms to limit rent increases and evictions following an emergency.</p>
<p><b>AB 2913</b> – Extends the duration of a building permit from six months (180 days) to 12 months, as long as construction has started and has not been abandoned. The law also provides that a permit is subject to the building standards in effect on the date of original issuance, and if the permit does expire, the developer may obtain approval from the local building official for one or more six-month extensions.</p>
<p><b>SB 330</b> – Limits a jurisdiction’s ability to change development standards and zoning applicable to the project once a “preliminary application” is submitted. Amends the Permit Streamlining Act to specify what constitutes a “preliminary application” and states that a jurisdiction has one chance to identify incomplete items in an initial application, and after that may not request any new information. Prevents jurisdictions from increasing exactions or fees during a project’s application period, and only allows such increases if the resolution or ordinance establishing the fee calls for automatic increases in the fee over time. Prohibits jurisdictions from conducting more than five hearings if a proposed housing project complies with the applicable, objective general plan and zoning standards in effect at the time the application is deemed complete. Prohibits a jurisdiction from enacting development policies, standards or conditions that would change current zoning and general plan designations of land to “lessen the intensity of housing”; from placing a moratorium or similar restrictions on housing development; and from limiting or capping the number of land use approvals or permits. Creates the Housing Accountability Act. This law is intended to streamline the development process by removing potential governmental constraints during through the development process and providing more surety for developers regarding fees and timeline.</p>
<p><b>AB 1763</b> – Creates enhanced density bonus options, including a potential 80% increase in base density and unlimited density bonuses for qualifying projects within a half-mile of a major transit stop. Applies only to projects that consist of 100% affordable housing (no more than 20% moderate-income, and the rest for lower income).</p>
<p><b>AB 1485</b> – Clarifies that the calculation to determine if a project qualifies for SB 35 where it consists of two-thirds residential excludes underground space. Clarifies that the 3-year expiration for SB 35 approval in case of litigation expires 3 years after a final judgment upholding the approval and clarifies that the approval also remains valid as long as vertical construction has begun and is in progress. Clarifies that local governments must issue subsequent permits without unreasonable delay, as long as those subsequent permit applications substantially comply with the approved SB 35 permit. Clarifies that a project complies with SB 35’s qualifying criteria as long as “there is substantial evidence that would allow a reasonable person to conclude” that the development qualifies. Clarifies that under existing law, SB 35 projects are entitled to protection under the Housing Accountability Act.</p>
<p><b>AB 1483</b> – Requires local agencies to make information available on housing development fees, applicable zoning ordinances and standards, annual fee reports and archived nexus fee studies. Requires cities to clearly post their impact fee schedules and nexus studies. HCD will be required to prepare a 10-year housing data strategy that identifies the data useful to enforce existing housing laws and inform state housing policy-making.</p>

**Table 3: Housing Legislation**

<b>AB 101</b> – Effective as of July 31, 2019. Requires local governments to provide “by right,” CEQA-exempt approvals to certain qualifying navigation centers that move homeless Californians into permanent housing. Creates additional incentives for cities to comply with their mandates to plan for sufficient housing under Housing Element law. Creates steep penalties for cities that refuse to comply with Housing Element law and ties financial incentives to cities that adopt “pro-housing” policies.
<b>AB 1560</b> – Broadens the definition of a “major transit stop” to include bus rapid transit. Provides that projects located within a ½ mile of a qualifying bus rapid transit stop may qualify for parking reductions, CEQA infill housing, aesthetic and parking exemptions, SB 375 streamlining for qualifying transit priority projects, and a less than significant Vehicle Miles Traveled (VMT) impact presumption. The new definition also applies to local incentives.
<b>SB 744</b> – Streamlines the approval process for supportive housing projects by clarifying that a decision to seek funding through the No Place Like Home program is not a project for the purpose of CEQA.
<b>AB 68</b> – Allows two ADUs on a single lot, as well as multiple ADUs on multifamily lots. Requires local agencies to approve or deny an ADU project within 60 days. Restricts local agencies’ ability to adopt certain ordinances that would discourage ADUs.
<b>AB 881</b> – Restricting local jurisdictions’ permitting criteria. Clarifies that ADUs must receive streamlined approval if constructed in existing garages. Eliminates local jurisdictions’ ability to require owner-occupancy for five years.
<b>SB 13</b> – Sunsets on January 1, 2025. Creates a tiered fee structure which charges ADUs more fairly based on their size and location. Prohibits local jurisdictions from imposing impact fees on ADUs under 750 square feet. Prohibits conditional approval of an ADU on the applicant being an “owner-applicant.”
<b>AB 587</b> – Provides that local jurisdictions may allow ADUs to be sold or conveyed separately from a primary residence if certain conditions are met. Allows affordable housing organizations to sell deed restricted ADUs to eligible low-income homeowners.
<b>AB 670</b> – Prevents homeowners’ associations from barring ADUs. Allows reasonable restrictions.
<b>AB 671</b> – Requires local governments to include in their housing plans to incentivize and promote the creation of affordable ADUs. Requires HCD to develop a list of state grants and financial incentives for ADU development and post it by December 31, 2020.
<b>AB 1255</b> – Requires cities and counties to report to the state an inventory of its surplus lands in urbanized areas. Requires the state to include this information in a digitized inventory of state surplus land sites.

## 2021 Housing Element Update

The public draft 2021 HEU was prepared in mid-2021 and the City of Fontana made the public draft 2021 Housing Element Update available for public review and comment on its website (<https://www.fontana.org/3314/2021-2029-Housing-Element-Update>) from May 19, 2021 through June 18, 2021 formally; the City also created an online form to gather comments on the draft through the California Department of Housing and Community Development (HCD) review process. The draft 2021 HEU will remain available for public viewing until the final update is adopted by City Council. The public draft 2021 HEU was provided to the HCD for preliminary review on June 25, 2021. HCD evaluated the public draft 2021 HEU for compliance with state law and provided comments to the City of Fontana on the changes needed to complete the element updates.

The 2021 Housing Element Update has the following major components:

**Chapter 1: Introduction** contains a summary of the content, organization and statutory considerations of the Housing Element;

**Chapter 2: Community Profile** contains an analysis of the City’s population, household and employment base, and the characteristics of the housing stock;

**Chapter 3: Housing Constraints and Resources** examining governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including sites identification and funding and financial considerations, as well as a fair housing analysis;

**Chapter 4: Policy Plan** addresses Fontana’s identified housing needs, including housing goals, policies, and actions; and

**Appendices** provides various appendices with supplementary background resources including:

- **Appendix A** – Review of Past Performance of 5<sup>th</sup> Cycle Housing Element Programs
- **Appendix B** – Adequate Sites Analysis
- **Appendix C** – Community Engagement Summary
- **Appendix D** – Glossary of Housing Terms

## Candidate Housing Sites Inventory

State Housing law requires that the HEU demonstrate that the agency has enough land adequately zoned to accommodate its share of the regional growth and the City’s required share of lower income DUs. To comply with State law (CGC § 65583), the City prepared an inventory to identify specific housing sites that may be suitable for residential development that can accommodate the lower income DUs allocated to the City in the 6<sup>th</sup> Cycle RHNA.

Appendix B of the HEU includes a parcel-specific listing of candidate housing sites that are available to accommodate the City’s full share of the regional housing need (i.e., RHNA allocation) during the planning period. Ultimately, the City Council will decide which housing sites from the candidate housing sites inventory will be identified in the 6<sup>th</sup> Cycle Housing Element, as action programs to accommodate the assigned affordable housing obligations.

**Table 4: Summary of RHNA Status and Candidate Housing Sites Inventory** shows the City’s 2021-2029 RHNA need by income category, as well as a summary of the sites identified to meet that need. The analysis shows that the City has the capacity to meet their 2021-2029 RHNA allocation through various methods, including through the future development of accessory dwelling units (ADUs)



Within the HEU, all identified sites were evaluated based on existing onsite and surrounding land uses to determine the extent to which on-site land uses have the potential to redevelop within the planning period (2021-2029).

**Table 4: Summary of RHNA Status and Candidate Housing Sites Inventory (Dwelling Units)**

	Extremely Low/Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
<b>RHNA (2021-2029)</b>	<b>5,109</b>	<b>2,950</b>	<b>3,035</b>	<b>6,425</b>	<b>17,519</b>
<b>Sites Inventory – Existing Zoning</b>					
Projects in the Pipeline	0	0	0	1,583	1,583
Existing Zoning	4,738	0	0	6,688	11,426
Specific Plan Capacity	417	4,200	4,200	1,542	6,159
<i>Total Potential Capacity Based on Existing GP and Zoning</i>	<i>5,155</i>	<i>4,200</i>	<i>4,200</i>	<i>8,230</i>	<i>17,585</i>
<b>Sites Inventory – Rezones and ADU Production</b>					
Rezone/Overlay Site Capacity	4,298	0	0	3,043	7,341
Projected ADU Construction	373	230	230	53	656
<b>Sites Inventory Total</b>					
<b>Total Units (All Categories)</b>	<b>9,826</b>	<b>4,430</b>	<b>4,430</b>	<b>11,326</b>	<b>25,582</b>
<b>Number of Units Above RHNA</b>	<b>1,767</b>	<b>1,395</b>	<b>1,395</b>	<b>4,901</b>	<b>8,063</b>
<b>% Above RHNA Allocation</b>	<b>22%</b>	<b>46%</b>	<b>46%</b>	<b>76%</b>	<b>46%</b>

Source: City of Huntington Beach. 2021. 2021-2029 Housing Element. Table B2.

As shown in **Table 4**, 1,583 of the City's RHNA allocation would be met by pipeline projects. The sites identified for rezoning/overlay have a development capacity of approximately 7,341 housing units. As shown in **Table 4**, the City's total potential development capacity for all candidate housing sites, in addition to the ADU (656 units), is approximately 25,582 housing units, which would exceed the City's unmet RHNA of 17,519 housing units by approximately 8,063 DU (or approximately 46 percent).

As indicated in **Table 4**, the City's RHNA allocation is 17,519 DU. As also indicated in **Table 4**, the City would meet its total RHNA allocation for all income categories (with a surplus) through pipeline projects, existing zoning, specific plan capacity, rezoning/overlay, and ADUs. The City is committed to providing adequate sites with appropriate zoning to accommodate the RHNA for groups of all income levels, as required by State Housing Element law.

To this end, a total potential development capacity of approximately 7,341 units would be provided by sites identified for rezone/overlay and 656 units would be provided by projected ADU construction. The total development capacity under rezone strategies is 7,341 units (4,298 low income and 3,043 above moderate). The total development capacity under the ADU strategy is 656 units (373 low income, 230 moderate income and 53 above moderate). This includes a

buffer sufficient to accommodate the RHNA during the entire planning period given the requirements of the “no net loss” statute.

As previously stated, rezoning would occur across sites for low and above moderate income categories. Therefore, the Project would involve GP, Zoning Code, and Specific Plan Amendments to as many as 267 sites (as many as 267 parcels). Depending on the City's policy preferences and guidance from HCD, it is possible that not all the candidate sites included in the Project will be included in the final HEU, but this SEIR considers all 413 candidate sites to provide a conservative analysis of potential environmental impacts. The candidate sites are detailed in Appendix B of the HEU.

As previously discussed, the General Plan Update reported 51,517 existing housing units in Fontana. According to the General Plan Update Draft EIR, the General Plan Update would accommodate 70,560 households through the planning horizon. Therefore, an additional 19,043 new housing units are assumed citywide between 2016 and horizon year 2035.

The sites inventory identifies sites with a maximum housing unit yield of 25,582 units. Of these sites, 1,583 are identified as pipeline projects; 11,426 as project under existing zoning, and 6,159 as sites under existing specific plans. Impacts associated with these sites were analyzed in the General Plan Update EIR. Sites identified for rezone/overlay and ADU construction total 7,997. These sites (7,997) are well within the additional 19,043 new housing units assumed for the City through 2035. Therefore, impacts associated with the rezone/overlay sites were considered in the additional units considered for the City as part of the General Plan Update EIR, and are not analyzed in this Addendum.

## Goals, Policies, and Actions

The primary objective of the draft 2021 Housing Element Update is to encourage the production of new housing units to meet the City of Fontana’s share of the RHNA. This is done by adopting a series of goals and policies that support housing. The draft 2021 HEU goals, policies, and actions are summarized below and referenced throughout this Addendum as appropriate. For more detailed information, refer to Section 4 of the draft 2021 HEU.

### **Goal 1            Adequate housing to meet the needs of all residents in Fontana**

**Policies            Housing Policy 1.1:** Establish a range of rental and for sale housing opportunities in the City.

**Housing Policy 1.2:** Maintain an adequate land inventory to accommodate the City’s Regional Housing Needs allocation for the years 2021 to 2029.

**Housing Policy 1.3:** Promote the development and access to housing affordable to all income levels in Fontana.

**Housing Policy 1.4:** Maintain open discussion and coordination with stakeholders, residents and interested parties regarding housing opportunity in the City.

<b>Actions</b>	<p><u>Action 1A</u>: Provision of Adequate Sites to Meet RHNA Goals</p> <p><u>Action 1B</u>: Rezone Parcels to R-4/R-4 Overlay to Accommodate RHNA Growth Need for Low and Very Low-Income Households</p> <p><u>Action 1C</u>: Rezone Parcels to R5 to Accommodate RHNA Growth Need for Low and Very Low-Income Households</p> <p><u>Action 1D</u>: Proactively Coordinate with Property Owners to Encourage the Development of Affordable Housing in Fontana</p> <p><u>Action 1E</u>: Encourage the Development of Housing Units for Low, Very Low, and Extremely Low Income Levels</p> <p><u>Action 1F</u>: Annual Monitoring of Housing Production</p> <p><u>Action 1G</u>: Compliance with State Density Bonus Law</p> <p><u>Action 1H</u>: Manufactured and Modular Housing</p> <p><u>Action 1I</u>: Infill Housing Program</p> <p><u>Action 1J</u>: Accessory Dwelling Unit Construction</p> <p><u>Action 1K</u>: Accessory Dwelling Units Monitoring Program</p> <p><u>Action 1L</u>: Conversion of Existing, Non-Permitted Accessory Dwelling Units</p> <p><u>Action 1M</u>: Farmworker and Employee Housing Act Compliance</p> <p><u>Action 1N</u>: Amend Fontana Zoning Code for a Variety of Housing Types</p> <p><u>Action 1O</u>: Minimum Lot Sizes in Multifamily Zones</p> <p>Action 1P: Replacement Housing for Non-vacant Sites</p>
<b>Goal 2</b>	<b>A high standard of quality in existing affordable housing stock</b>
<b>Policies</b>	<p><b><u>Housing Policy 2.1</u></b>: Conserve the existing housing stock and preserve housing opportunities for Fontana’s residents.</p> <p><b><u>Housing Policy 2.2</u></b>: Encourage and promote sustainable, energy efficient design in existing and future residential units.</p> <p><b><u>Housing Policy 2.3</u></b>: Establish high-quality, environmentally responsible, well designed living environments for Fontana’s residents.</p>
<b>Actions</b>	<p><u>Action 2A</u>: Monitoring of "At-Risk" Housing Units</p> <p><u>Action 2B</u>: Code Enforcement for Residential Properties</p> <p><u>Action 2C</u>: Housing Unit Revitalization Program</p> <p><u>Action 2D</u>: Resources Conservation Practices</p> <p><u>Action 2E</u>: Promotion of Green/Sustainable Development Practices</p>

Action 2F: Water and Sewer Service Purveyors

**Goal 3      Housing development that is not affected by governmental constraints**

**Policies**      **Housing Policy 3.1**: Encourage incentivizing, development of housing affordable to all income levels in Fontana.

**Housing Policy 3.2**: Facilitate the development of quality housing that is affordable to all income levels and residents of Fontana through flexible development standards.

**Housing Policy 3.3**: Look for innovative solutions to reduce governmental constraints to facilitate the provision of housing, specifically affordable housing.

**Actions**      Action 3A: Expedited Permit Processing

Action 3B: Review Parking Requirements

Action 3C: Monitoring Development Fees

Action 3D: SB 35 Streamlining Procedures

**Goal 4      Affirmatively further fair housing in Fontana**

**Policies**      **Housing Policy 4.1**: Enhance opportunities for affordable housing for all segments of Fontana's population.

**Housing Policy 4.2**: Enforce fair housing laws prohibiting discrimination in the building, financing, selling, or renting of housing on the basis of race, ethnicity, ancestry, national origin, religion, sex, disability, age, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.

**Housing Policy 4.3**: Partner with local organizations, to increase and promote fair housing outreach and education in Fontana.

**Housing Policy 4.4**: Partner with the County of San Bernardino to increase information of and promote support services.

**Actions**      Action 4A: Affordable Housing Online Resource Website

Action 4B: Participation and Support of Regional Fair Housing Efforts

Action 4C: Family Self-Sufficiency Program

Action 4D: Mental Health Services Program

Action 4E: Supportive/Transitional Housing Facilitation

Action 4F: Domestic Violence Services Program

Action 4G: Community Assistance Program

Action 4H: Anti-Poverty Program

Action 4I: Housing Referral and Information Services

Action 4J: Housing for Persons with Developmental Disabilities

Action 4K: Affirmatively Further Fair Housing

Action 4L: Community and Stakeholder Engagement



### **3 OVERVIEW OF CEQA GUIDELINES § 15164**

Public Resources Code (PRC) § 21166 and California Environmental Quality Act (CEQA) Guidelines §§ 15162 and 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when changes are proposed to a project that has a previously certified EIR. When considering the need for additional environmental review, the fundamental determination a lead agency must make is whether the previously certified EIR retains some informational value or whether changes in the project or circumstances have rendered it wholly irrelevant. If the previously certified EIR has continuing informational value, the lead agency then must determine whether the proposed changes in the Project require additional environmental review under PRC § 21166 and CEQA Guidelines § 15162.5

CEQA Guidelines § 15164 states that a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in § 15162 calling for preparation of a subsequent EIR have occurred. CEQA Guidelines § 15162(a) states that no Subsequent or Supplemental EIR shall be prepared for a project with a certified EIR unless the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project that will require major revisions of the previous EIR 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 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
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, shows any of the following:
  - A. The project will have one or more significant effects not discussed in the previous EIR.
  - 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.
  - D. Mitigation measures or alternatives that 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.

The analysis pursuant to CEQA Guidelines § 15162 demonstrates whether the lead agency can approve the activity as being within the scope of the existing certified EIR, that an addendum to the existing EIR

would be appropriate, and no new environmental document, such as a new EIR, would be required. The addendum need not be circulated for public review but can be included in or attached to the final EIR, and the decision-making body shall consider the addendum with the final EIR prior to deciding on the project.

The City of Fontana has prepared this Addendum, pursuant to CEQA Guidelines §§ 15162 and 15164, to evaluate whether the Project's environmental impacts are covered by and within the scope of the General Plan EIR (2018, State Clearinghouse Number 2016021099). The following Addendum details any changes in the Project, changes in circumstances under which the Project is undertaken, and/or "new information of substantial importance" that may cause one or more significant effects to environmental resources.

The responses herein substantiate and support the City of Fontana's determination that the potential environmental impacts of the 2021 HEU goals, policies, and actions are within the scope of the General Plan EIR, do not require subsequent or supplemental environmental review under CEQA Guidelines § 15162 and, in conjunction with the EIR, preparation of an Addendum pursuant to CEQA Guidelines § 15164 is appropriate.

## 4 INCORPORATION BY REFERENCE

CEQA Guidelines § 15150 encourage environmental documents to incorporate by reference other documents that provide relevant data and analysis. The documents outlined below, which were utilized during preparation of this Addendum to the General Plan EIR, are a matter of public record and are hereby incorporated by reference. These documents are available for review at the City of Fontana Community Development Department at 8353 Sierra Avenue, Fontana, CA 92335, and on the City's website at <https://www.fontana.org/2632/General-Plan-Update-2015---2035>.

- *Fontana Forward General Plan Update 2015-2035* (City of Fontana, California, 2017) – Adopted by Resolution Nos. 2018-096 and -097 on November 13, 2018. Available at <https://www.fontana.org/DocumentCenter/View/28271/Complete-Document---Approved-General-Plan-Documents-11-13-2018>.
- *Fontana Forward General Plan Update 2015-2035 Draft Environmental Impact Report* (City of Fontana, California, June 8, 2018). State Clearinghouse #2016021099. Available at <https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update>.
- *Fontana Forward General Plan Update 2015-2035 Final Environmental Impact Report* (City of Fontana, California, August 10, 2018). State Clearinghouse # 2016021099. Available at <https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>.

## 5 INTENDED USES OF THE ADDENDUM EIR

This Addendum to the General Plan EIR documents the City's consideration of the potential environmental consequences anticipated to occur, as a result of the Project's proposed changes to the Housing Element, which are necessary to comply with State housing law and reflect the current 6<sup>th</sup> Cycle RHNA Final Allocation Plan. This Addendum also explains and documents the City's decision that a subsequent EIR is not required. The City of Fontana is the Lead Agency and has approval authority over the General Plan Program and the Housing Element, upon approval from the State Department of Housing and Community Development.

### List of Agencies

This City of Fontana, as the Lead Agency for this proposed Project, will use this Addendum EIR in consideration of the proposed 6<sup>th</sup> Cycle 2021-2029 HEU. This Addendum EIR will also provide environmental information to other agencies affected by the Project, or who have an interest in the Project. The various public, private, and political agencies and jurisdictions with particular interest in the proposed Project include, but are not limited to:

- State Department of Housing and Community Development; and
- Southern California Association of Governments.

### List of Permits and Other Approvals

Upon its adoption by the Fontana City Council, the 6<sup>th</sup> Cycle Housing Element Update would serve as a comprehensive statement of City's housing policy and program of actions to support those policies. The Project involves approval of the following City of Fontana entitlements:

- General Plan Amendment No. 21-002 to amend Chapter 5 (Housing Element) of the 2015-2035 General Plan and adopt the 2021-2029 6<sup>th</sup> cycle Housing Element
- General Plan Amendment No. 21-007 to update the General Plan land use map to change the general plan land use designation on multiple properties through the City to Multi-Family Medium/High Residential (R-MFMH) and Multi-Family High Residential (R-MFH) to accommodate the 2021-2029 RHNA allocation (issued by the Department of Housing and Community Development (HCD) and the Southern California Association of Governments (SCAG).
- Zone Code Amendment No. 21-008 to update the Zoning District Map to change the zoning on multiple properties through the City to Multi-Family Medium/High Residential (R-4) and Multi-Family High Residential (R-5) to accommodate the 2021-2029 RHNA allocation (issued by the Department of Housing and Community Development (HCD) and the Southern California Association of Governments (SCAG).
- Zone Code Amendment No. 21-004 to amend Chapter 30 (Development Code) of the Municipal Code to expand to include additional properties within the Form Based Code Transitional District and establish and overlay to allow for additional housing at the R-4 densities and provide clarification on the minimum lot size for R-4 and R-5 zoned properties.

## **6 ENVIRONMENTAL CHECKLIST AND ANALYSIS**

This Section provides an analysis of the potential environmental consequences anticipated to occur as a result of Project implementation. This Section is patterned after the CEQA Guidelines Appendix G Checklist. Each of the environmental topical areas presented below includes the following: a summary of the Fontana Forward General Plan Update 2015-2035 EIR conclusions; a brief discussion supporting the finding that the impact was adequately addressed in the EIR; and a listing of the HEU Update and General Plan Policies and EIR mitigation measures applicable to the Project. This section supports the findings that only some changes/additions to the previously certified General Plan EIR are necessary and none of the conditions described in CEQA Guidelines § 15162 are met.



## Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.1, Aesthetics, analyzes impacts concerning aesthetic resources, as summarized below:

Scenic Vista: The most notable scenic vistas in the City are the San Gabriel Mountains and the Jurupa Hills. The GP EIR determined that a potentially significant impact could occur if viewsheds to these scenic resources were obscured by development. The GP Update land use goals, policies, and actions will ensure that land use pattern changes will be consistent with the Strategic Policy Map and the Future Land Use Map. The Strategic Policy Map and the Future Land Use Map guide land use decision making. From the Land Use, Zoning, and Urban Design Element, the GP Update will review citywide land use strategies when considering changes to the land use map. They will keep zoning and other regulations up to date and consistent with the Future Land Use Map by preserving existing open space resources, enhancing opportunities to grant access to local amenities within existing master-planned neighborhoods, and overall support a high quality of life and economic prosperity within the City. Following compliance with the identified goals, policies, and actions concerning scenic vistas and applicable regulations outlined in specific plans, implementation of development associated with the GP Update will result in a less than significant impact on scenic vistas.

Substantially Damage Scenic Resources: There are no officially designated scenic highways within or adjacent to the Project area. Nonetheless, the GP Update Community and Neighborhoods Element, proposes goals, policies, and actions relative to trees and historic buildings (no rock outcropping exist within the City) that will ensure the preservation of these resources by maintaining and enhancing the integrity and character of historic structures, cultural resources sites and overall historic character of the City. Through the GP Update Community and Neighborhoods Element, Goal 1 through 3, the City will coordinate programs and policies to support preservation goals; support and promote community-based historic preservation initiatives; designate local historic landmarks; provide appropriate tools to review changes that may detract from historic integrity and character; collaborate with state agencies to protect cultural and archaeological resources; enhance public awareness of the City's unique historical and cultural legacy and the economic benefits of historic preservation in the City; support creation of the Fontana Historical Museum. The Conservation, Open Space, Parks and Trails Element within the GP

Update proposes policies and actions to support tree conservation and planting, and expand the City's tree canopy, in order to preserve and expand the City's urban forest with drought-resistant trees. Furthermore, this Element proposes a Tree and Shade Master Plan, which would provide best management practices (BMPs) to enhance the resilience of the City trees during extreme weather. Additionally, there are three individual National Register of Historical Places (NRHP) sites, one California Register of Historical Landmarks (CRHR) site, and at least 12 California Points of Historical Interest in the City. As stated above, the GP Update proposes these goals, policies, and actions within its Community and Neighborhood Element and Conservation, Open Space, Parks and Trails Element, relative to these historic resources. Refer to the General Plan policies listed below under each respective Element, for further detail. Compliance with the identified goals, policies, and actions of the GP Update, and applicable state and local regulations, will result in a less than significant impact on scenic resources in the Project area.

Degrades Visual Character: The Project area is characterized as an urbanized, largely built-out area that includes residential, commercial, industrial, and open space uses. This aligns with the overall community design of the City which is reflected in its development history and a strong reliance on planned development models for large residential communities, shopping centers, and the warehouse industry. As such, in accordance with the Land Use, Zoning, and Urban Design Element of the GP Update, future development within the City would largely consist of infill development and redevelopment of previously built sites to accommodate new growth and improvement to entrance corridors with the annexation of land within the SOI. In addition, the need to redevelop older neighborhoods, provision for more compact, walkable, mixed-use developments with new housing and shopping opportunities; and revitalization of the central core of the City, are identified in the Community and Neighborhoods Element and Downtown Area Plan. The ultimate design of these new developments could have a potentially significant impact on visual character or quality of the Project area and its surroundings. However, the Land Use, Zoning, and Urban Design Element goals and policies within the GP Update support high-quality development in design standards and in land use decisions through prioritizing hiring a planner with urban design training and expertise; ensure public and private developments are attractive, comfortable, and welcoming by following the urban design principles in Chapter 14, Downtown Area Plan of the GP Update; design new housing and neighborhoods in walkable neighborhoods that are connected to adjoining neighborhoods and existing street grids; and design streets to include accessible, attractive, and comfortable pedestrian ways. The GP Update will delineate the nature and extent of new development types within the City, and provide actionable guidance with regard to the ways in which urban design can shape the aesthetic character of new development. Additionally, urban design that will shape the character of new construction for infill, redevelopment, and new development would be guided by the policies and actions in the GP Update, as well as the City's Zoning and Development Code, which is required to be consistent with the City's General Plan. Therefore, implementation of development allowed under the GP Update will have a less than significant impact on the existing visual character and quality of the Project area and its surroundings.

Source of Light and Glare: Implementation of the GP Update would create new sources of substantial light in areas that were previously undeveloped, and additional sources of light in previously developed areas in which infill or redevelopment occurred. New light sources are expected to be in the form of exterior building and signage illumination, street lighting, lighting associated with new transit shelters, and security lighting in parks and on trails. Increased vehicle traffic lights (i.e., headlights) in areas that were previously vacant also could be a new source of light and glare. These new sources of light and glare could have a

potential impact on existing residential areas of the City. As stated previously, the City is characterized with predominately urban development, which associated light and glare currently exists. Given that the proposed development would largely be located adjacent to the existing development with light and glare sources, development under the GP Update would represent a continuation of existing lighting conditions that would be substantially similar to existing conditions. Furthermore, the addition of lighting on neighborhood streets, parks, and transit shelters could be considered a beneficial amenity, rather than an adverse impact due to the sense of security and safety that results with this increase in illumination. Goals, policies, and actions included in the GP Update encourage the addition of these light sources in places to enhance safety for security purposes. Lastly, any future development within the City would be required to comply with existing City regulations relative to light and glare to address light and glare impacts to adjacent properties. Section 30.326 of the Fontana Municipal Code requires low-level security lighting for all multiple-family residential common parking areas, and for all other uses anticipated to have night-time activity. In addition, all lights must be directed and shielded to prevent light and glare from spilling over onto adjacent properties (thereby avoiding an adverse effect), and lighting design must be compatible with the architectural style of related buildings. With compliance with the Fontana Municipal Code, implementation of development under the GP Update would result in less than significant impacts of light and glare on day and nighttime views.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Finally, adherence to the goals, policies, and actions identified in the HEU in combination GP goals and policies would further minimize impacts to aesthetic resources. See below for HEU goals, policies, and actions and GP policies. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of aesthetics impacts is necessary.

## Housing Element Update Goals, Policies, and Actions

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well-designed living environments for Fontana's residents.
    - **Housing Policy Action 2B: Code Enforcement for Residential Properties** - Properly maintained, safe and sustainable housing supports households' ability to age in place and promotes high quality housing options for future homebuyers. The City intends to utilize General Funds for code enforcement activities; with special attention placed on the properties within the City's low- and moderate-income neighborhoods. Currently, Section 2 of this housing element identifies 210 units in need of rehabilitation, meaning, these units are in substandard condition or if a property requires significant repairs or maintenance, code enforcement officials will inform property owners of available

assistance, such as rehabilitation loans or grants available to address such issues. In addition to responding to general code violations, abandoned structures will be boarded-up or cleaned-up to provide a safe environment for surrounding residents.

- **Housing Policy Action 2C: Housing Unit Revitalization Program** - The City will implement this program which facilitates the acquisition, substantial rehabilitation, and professional management of selected units. During the 5th Cycle, the City rehabilitated nine (9) units, two (2) categorized for extremely low income and seven (7) categorized for low income. This program is specifically designed to address the negative impacts created within the community by substandard buildings and serves as a vehicle for reducing code enforcement activity and police department calls for service.

Neighborhoods that need revitalization to reduce crime rates or to improve neighborhood appeal are referred to the Housing Department for targeting. Property owners within the area are then approached by a realtor, on behalf of the Housing Department, and are offered cash for their property. Tenants are temporarily relocated, and a substantial rehabilitation is completed. The site is then turned over to a professional property management firm to maintain the property to the Housing Department's high standards, and the units are leased to low- and very low-income families only. The Housing Department acquires enough properties in each designated neighborhood to create a visual standard which code enforcement can apply to the surrounding properties to continue the revitalization program.

## **General Plan Policies and Mitigation Measures**

### **General Plan Policies**

#### **■ Community and Neighborhoods Element**

- Continue to support existing traditional and master-planned neighborhoods with excellent City services.
- Coordinate City programs and policies to support preservation goals.
- Support and promote community-based historic preservation initiatives.
- Designate local historic landmarks.
- Provide appropriate tools to review changes that may detract from historic integrity and character.
- Support regulations that promote creation of compact and walkable urban village-style design in new developments.
- Support revitalization of the central area of the city with an integrated approach including mixed-use development, infill housing, infrastructure improvements, interconnections, and placemaking programs

#### **■ Land Use, Zoning, and Urban Design Element**

- Preserve and enhance stable residential neighborhoods.



- Preserve land to achieve an interconnected network of environmentally sensitive areas, parks, multi-use paths, and recreation areas.
- Support high-quality development in design standards and in land use decisions.
- Support zoning changes that promote implementation of the Plan.
- **Conservation, Open Space, Parks and Trails Element**
  - Support tree conservation and planting that enhances shade and drought resistance.
  - Expand Fontana's tree canopy.
- **Downtown Area Plan**
  - Ensure that future street improvements for Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows.
  - In addition to high-quality commercial development, encourage housing in appropriate forms along these corridors.
  - Concentrate higher development intensities within a 1/2 mile of planned transit stops, with shared parking arrangements when feasible.

**Mitigation Measures from the FEIR**

While no significant aesthetics impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?
- d) Result in the loss of forest land or conversion of forest land to non-forest use?
- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

## Summary of Previous Environmental Analysis

Agricultural and Forestry Resources are analyzed in the GP Update EIR under Section 7.5: Effects Not Found to be Significant as follows:

Convert Farmland to Non-Agricultural Use: The GP Update would have a significant impact on agricultural resources if it would convert prime, unique, or statewide important farmland to nonagricultural use, conflict with zoning for agricultural use or with a Williamson Act contract or result in a change to the existing environment which would result in the conversion of farmland to nonagricultural use. A significant impact also would occur if the GP Update results in a loss or conversion of forest land to non-forest use. The City's Resource Area (OS-R) zoning district includes agricultural land, which accounts for approximately 332 acres (less than 2 percent) of the GP Update project area. The GP Update does not propose any changes to this land use or the associated zoning code. Additionally, no portion of the City is designated or zoned (or proposed to be designated or zoned) as forest land or timberland. Given the above, no impact would result from implementation of the GP Update and, as such, further analysis of this issue area is not warranted.

Williamson Act Contract: No portion of the City is under a Williamson Act contract. Therefore, implementation of the GP Update would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impact would occur.

Forest/Timberland: No portion of the City is designated or zoned (or proposed to be designated or zoned) as forest land or timberland. Therefore, with implementation of the GP Update, no impact will occur.

### **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 Housing Element Update to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 Housing Element Update would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of agricultural and forestry resources impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to agricultural or forestry resources.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

No GP policies were identified that pertain to agricultural or forestry resources.

#### **Mitigation Measures from the FEIR**

None identified in the FEIR.

#### **Modified/New Mitigation Measures**

No modified or new mitigation required.

## Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
- c) Expose sensitive receptors to substantial pollutant concentrations?
- d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.2, Air Quality, analyzes impacts concerning air quality, as summarized below:

Conflict with Air Quality Plan: A significant impact could occur if the GP Update conflicts with or obstructs the implementation of the South Coast Air Quality Management Plan (SCAQMP), which could result in decreasing efforts to meet attainment deadlines for criteria pollutants and maintaining existing compliance with applicable air quality standards. As a policy document, no development is authorized or would directly occur from the adoption of the GP Update. The GP Update incorporates policies, which serve to promote mixed use, walkable communities, and promote alternative transportation, and proposes land uses that encourage pedestrian uses through placement and design that that would reduce air pollutant emissions over time. The EIR analyzes the GP Update's potential to conflict with the SCAQMP under a typical and maximum (worst-case) development scenario. Implementation of the GP Update would result in projected population growth that exceeds the population estimates considered in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). A considerable reduction of per capita (25 percent) and total (9 percent) criteria air pollutant emissions would occur compared to existing conditions. These emissions reductions would occur as a result of the proposed land use modifications and policies that would substantially decrease vehicle miles traveled (VMT) within the City. The reduction in emissions from the GP Update implementation would be achieved despite the projected population growth. The population estimates in the RTP/SCS are used in support of estimating baseline emissions inventories for and consistency with South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP). Because the projected population growth would result in considerably fewer emissions than those considered for the City of Fontana population in the SCAQMD's AQMP, implementation of the GP Update would be consistent with the AQMP and impacts would be less than significant.

Violate any Ambient Air Quality Standard: The proposed GP Update includes the following land use designations: residential, commercial, industrial, mixed-use, public, and open space. This GP Update may potentially result in 33,454 acres of land use compared to 33,428 acres of land use from the current 2003 GP. Overall, this represents a negligible difference (0.07 percent). Some building demolition and construction would be expected to occur as a result of land use modifications included in the GP Update. Furthermore, these construction activities would be spread over the GP Update's 20-year buildout schedule (the City would not be built out simultaneously). Once buildout occurs, pursuant to existing

CEQA requirements, short-term, project-specific construction-related emissions will be analyzed as development proposals are submitted. Mitigation will be applied, where necessary, and typically includes requirements for use of low-Volatile Organic Compounds (VOC) paints, installation of diesel particulate filters on older construction equipment, and limitations on hauling distances and or daily trips. To evaluate potential long-term increases in air emissions as a result of the proposed land use modifications associated with the GP Update, land use-specific emissions factors for area, energy, and mobile sources were estimated using the California Emissions Estimator Model 2016.3.1 (CalEEMod) and applied to the land use acreages in the existing GP and GP Update. It was concluded that an estimated reduction in all criteria air pollutants with the exception of PM<sub>2.5</sub>, will occur. However, the estimated increase of 6.28 pounds per day of PM<sub>2.5</sub> emissions are below the applicable SCAQMD threshold of significance of 55 pounds per day. There is also a substantial reduction in emissions associated with the reduction in VMT achieved by the goals and policies of the GP Update. Specifically, the GP Update Goal 1, Policy 3 found in the Building a Healthier Fontana Chapter states that through implementation of the GP Update, Fontana will support local and regional initiatives to improve air quality for the overall improvement of health through the City. Furthermore, the Community Mobility and Circulation Element Goal 7, Policies 1-3 state that the City of Fontana will reduce traffic congestion, pollution and greenhouse gas emissions, by coordinating with regional agencies and Caltrans to participate in regional efforts to maintain efficient transportation infrastructure in Fontana. The City will also lead and participate in initiatives to manage regional traffic and participate in the efforts of SCAG to coordinate transportation planning and services that support greenhouse gas (GHG) reductions and congestion of traffic flow by encouraging alternative routes of transportation. Overall, the GP Update would therefore not violate any air quality standard or contribute substantially to an existing or projected air quality violation. Potential impacts would therefore be less than significant.

Criteria Pollutants: The GP Update land use policies could potentially expose sensitive receptors to temporary, localized pollutant concentrations in excess of air quality standards, even if the broader region is in attainment. Future development associated with GP Update buildout would be required to prepare an air quality impact analysis for individual development projects where possible emissions could impact sensitive receptors. Such analyses would include project-specific mitigation measures, as appropriate. Additionally, the GP Update will align with the Air Quality and Land Use Handbook which recommends that sensitive land uses not be located within 500 feet of highways or major arterials having average annual daily traffic (AADT) that exceeds 100,000 vehicles. There are no new residential or other sensitive uses proposed under the GP Update buildout within 500 feet of a highway. While implementation of the GP Update would result in an increase in population and employment compared to the existing GP, the proposed policies of the GP Update would result in substantial reductions in VMT and associated criteria air pollutant emissions. With the implementation of the GP Update policies, as stated previously for the Community Mobility and Circulation Element, and adherence to existing environmental regulations that require specific analysis of impacts of industrial projects on sensitive receptors, the GP Update would not expose sensitive receptors to substantial criteria air pollutant concentrations and potential impacts would be less than significant.

Sensitive Receptors: The GP Update implementation could expose sensitive receptors to substantial pollutant concentrations. Any future development associated with buildout of the proposed GP Update would be required to prepare an air quality impact analysis for individual development projects where possible emissions could impact sensitive receptors. Such analyses would include project-specific

mitigation measures, as appropriate. Furthermore, future construction activities will be subject to routine control measures as required by SCAQMD (Rules 402, 403, 1108, and 1113). With the implementation of the GP Update policies (such as that stated previously which found, in the Building a Healthier Fontana Chapter, that the City will support local and regional initiatives to improve air quality for the overall improvement of health and exposure to sensitive receptors) and adherence to existing environmental regulations that require specific analysis of impacts of industrial projects on sensitive receptors, the GP Update would not expose sensitive receptors to substantial criteria air pollutant concentrations and potential impacts would be less than significant.

Odors: The GP Update implementation could expose a substantial number of people to objectionable odors. Within the City, the heaviest industrial land uses, which most commonly contribute to odors, are concentrated in the southwest corner in areas designated for industrial development and away from sensitive receptors, such as residential areas. Also, the City has policies in place restricting the location of residences near heavy industrial areas. Through implementation of the GP Update, this may result in an increase in future development. Any future potential sources of odors resulting from that development would have to be considered in light of potential impacts to surrounding land uses. While siting is the primary way to prevent exposure to odors, odors can also be mitigated in similar fashion to air pollutant emissions (i.e., filtering). Therefore, impacts related to odors would be less than significant with implementation of existing development review practices.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of air quality impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units and.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana's residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** - The City will continue to promote, and work with developers and builders for the inclusion of state-of-the-art water and energy conservation practices in existing and new residential projects where proven to be safe and environmentally sound. Promote the use of low water demand fixtures, landscaping, and drought tolerant materials in new and existing residential projects. Continue to provide outreach and marketing materials for public distribution



that describes the benefits of water and energy conservation, resources for implementation and other appropriate information.

- **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** - The City shall continue the Green Fontana volunteer program which incentivizes builders through rebates to construct environmentally efficient homes to facilitate and encourage the use of green building practices. To further promote efficient use of resources, evaluate the potential for offering incentives such as priority processing, or other strategies to further encourage resource conservation. The program will encourage energy and resource conservation in both new construction and remodeling

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- **Land Use, Zoning, and Urban Design Element**
  - Review citywide land use strategies when considering changes in the land use map.
  - Keep zoning and other regulations up to date and consistent with the Future Land Use Map.
  - Locate industrial uses where there is easy access to regional transportation routes.
  - Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses.
  - Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.
  - Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses.
  - Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.
- **Community Mobility and Circulation Element**
  - Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.
  - Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.
  - Balance neighborhood traffic circulation needs with the goal of creating walkable and bike friendly neighborhoods.
  - Lead and participate in initiatives to manage regional traffic.
  - Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
  - Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.

- Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.
- **Green Infrastructure Practices and Benefits Element**
  - Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
  - Promote natural drainage approaches (green infrastructure) and other alternative nonstructural and structural best practices to manage and treat stormwater.

**Mitigation Measures from the FEIR**

While no significant air quality impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Biological Resources

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.3, Biological Resources, analyzes impacts concerning biological resources, as summarized below:

Sensitive Plant and Wildlife Species: GP Update implementation could impact existing sensitive plant and wildlife biological resources through habitat loss and diminished habitat quality. Based on known recent distribution records, two sensitive plant species were discovered within the GP Update Project area, there is moderate potential for an additional three sensitive plant species to occur within City limits, and 13 sensitive wildlife species are known to regularly occur within the City boundaries and are assumed to be present. A potentially significant impact could occur if habitat present in the open spaces of the San Gabriel Mountains or Jurupa Hills were to be degraded by development. The GP Update elements governing Conservation, Open Space, Parks, and Trails will ensure that the City continues to preserve sensitive natural open space in the foothills of the San Gabriel Mountains and Jurupa Hills. Any future development within the GP Update Planning Area that resulted in such adverse effects may be considered in violation of the Migratory Birds Treaty Act, which would be considered a significant impact. Due to this, mitigation measures shall be implemented to reduce the potential impacts to nesting birds to a less than significant level.

Riparian and Other Sensitive Communities: The GP Update implementation could adversely impact a riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service

(USFWS). The California Natural Diversity Database identified five sensitive natural communities within the GP Update Planning Area. These communities and remaining natural riparian habitat all occur within portions of the San Gabriel Mountains foothills and Jurupa Hills to the north and south of the City, respectively. Temporary or permanent impacts to these habitats would be a significant impact. However, Goal 1 of the GP Update element governing Conservation, Open Space, Parks, and Trails will protect these areas; therefore, no impact to these sensitive habitats would occur.

Jurisdictional Waters or Resources: The GP Update implementation could temporarily or permanently impact wetlands or other jurisdictional waters as defined by Section 404 of the Clean Water Act (CWA). However, based on a review of the USFWS' National Wetlands Inventory online mapper and surveys conducted; no wetlands located within the GP Update Planning Area are subject to land use changes. Therefore, Implementation of the proposed GP Update would not impact any wetlands as defined by Section 404 of the CWA.

Wildlife Corridors: GP Update implementation could impact established wildlife corridors. Due to development of the valley floor and surrounding the Jurupa Hills, wildlife movement within the GP Update Planning Area is limited to an east-west orientation along the foothills of the San Gabriel Mountains north of Interstate 15 (I-15). Temporary or permanent impacts to such areas would be a significant impact. However, this area will be protected by goals and policies within the GP Update governing Conservation, Open Space, Parks, and Trails and are not subject to land use changes. Therefore, no impacts would occur.

Tree Ordinance: GP Update implementation could conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Development allowed by the GP Update would be required to comply with GP Update policies, such as those found in the Downtown Area Plan. Specifically, Pedestrian-Oriented Design, Policy 3 states that the City will prioritize available public improvement funds and developer contributions to systematically generate a strong urban tree canopy to ensure shelter and preservation of trees throughout the City. Furthermore, the Conservation, Open Space, Parks, and Trails Element list various goals and policies to ensure the preservation and conservation of trees and other biological resources within the City. Goal 2 from this Element states that large city parks and open spaces include plantings and natural areas attractive to the wildlife throughout the City as well as design and create public spaces and natural areas to create awareness for the environment through the City. These existing City policies related the protection of biological resources from the GP Update would not conflict with any City policies, regulations, or standards designed to protect biological resources.

Conflict with an Adopted Plan: GP Update implementation could potentially conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. No formal Habitat Conservation Plan exists that includes the GP Update Planning Area. However, in 2004, the City commissioned the preparation of a Multiple Species Habitat Conservation Plan (MSHCP) to address potential impacts to sensitive Riversidean Alluvial Fan Sage Scrub (RAFSS) and Riversidean Sage Scrub (RSS) habitats and special status species that may occur within the North Fontana Conservation Program Area in the San Gabriel Mountains foothills. To enforce the intent of the upcoming MSHCP during the period of time required for its preparation and adoption, the City Council approved City Ordinance No. 1464 on December 7, 2004. This ordinance established a tiered mitigation fee program for development within the subject area. The GP Update element governing

Conservation, Open Space, Parks, and Trails will protect the area encompassed within the North Fontana Conservation Program Area. In addition, the ordinance stipulates that the payment of mitigation fees pursuant to the policy shall not apply to the adoption or amendment of the City's GP; therefore, no impact would occur.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of biological resources impacts is necessary.

## **Housing Element Update Goals, Policies, and Actions**

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units and.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana's residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** – See Air Quality for complete text.

## **General Plan Policies and Mitigation Measures**

### **General Plan Policies**

- Conservation, Open Space, Parks, and Trails Element
  - Consider permanent protection for sensitive foothill lands through potential partnership with conservation organizations or acquisition and deed restrictions.
  - Inform the public about the natural ecological character of Fontana.
  - Use public open space to support wildlife habitat where appropriate.
  - Establish legal requirements for replacement, when any city-owned park land listed in the California Protected Lands database is transferred to other uses, with land of equivalent environmental, recreational, or aesthetic value.

**Mitigation Measures from the FEIR**

The following mitigation measures have been identified to reduce potentially significant impacts to biological resources to a less than significant level.

**MM-BIO-1**

1. Prior to initial grading or clearing of areas of suitable habitat within the Planning Area (e.g., a vacant site with a landscape of grassland or low-growing, arid scrub vegetation or agricultural use or vegetation), a qualified biologist shall conduct a pre-construction survey, in accordance with the CDFG Staff Report on Burrowing Owl Mitigation, to determine the presence or absence of burrowing owl within the proposed area of impact.
2. Results of surveys, including mitigation recommendations (i.e., a Burrowing Owl Mitigation and Monitoring Report) shall be incorporated into the project-level CEQA compliance documentation.
3. Construction grading/clearing of areas of suitable habitat should occur between September 1 and January 31 to avoid impacts to breeding owls. If occupied burrows are discovered, they shall not be removed during nesting season (February 1 through August 31), unless a qualified biologist can determine that either the owls have not laid eggs or are incubating eggs, or that any young from the burrows are able to forage independently. If initial grading is scheduled to occur during nesting season, the following measures shall be implemented.
4. If removal of occupied burrows is necessary, passive relocation outside of nesting season shall be implemented under the supervision of the qualified biologist. This shall include covering/excavation of burrows and installation of one-way doors as necessary. One-way doors will allow owls inside the burrow to exit but not allow them to re-enter. The biologist shall wait a minimum of one week before the burrow may be excavated to allow the owls time to leave the area.

**MM-BIO-2**

To avoid impacts to nesting birds and to comply with the MBTA, clearing of vegetation and removal of trees should occur between non-nesting (or non-breeding) season for birds (generally, September 1 to January 31). If this avoidance schedule is not feasible, the alternative is to carry out such activities under the supervision of a qualified biologist. This shall entail the following:

1. A qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiating ground disturbance activities. The survey will consist of full coverage of the proposed disturbance limits and up to a 500-foot buffer area, determined by the biologist and taking into account the species nesting in the area and the habitat present.
2. If no active nests are found, no additional measures are required.
3. If "occupied" nests are found, their locations shall be mapped, species documented, and, to the degree feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer



around each active nest. The buffer area will be determined by the biologist based on the species present, surrounding habitat, and type of construction activities proposed in the area.

4. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume.

While no additional significant biological resources impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Cultural Resources

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?
- c) Disturb any human remains, including those interred outside of formal cemeteries?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.4, Cultural Resources, analyzes impacts concerning cultural resources, as summarized below:

Historical Resources: GP Update implementation could adversely impact the City's historic resources, including federal, State, and local resources. The GP Update goals, policies, and actions are intended to be consistent with the City's Municipal Code Article XIII, Preservation, of Historic Resources. This article of the City's Municipal Code also provides for the Planning Commission to act as Historic Preservation Commission. Future development projects will be subject to applicable regulations in City Municipal Code dealing with cultural resources as well as federal and state cultural resources laws and regulations. Therefore, the GP Update will result in a less than significant impact to historical resources.

Archaeological Resources: GP Update implementation could adversely impact the City's archeological resources. Any construction-related and earth-disturbing actions could damage archeological resources. The GP Update EIR analysis concludes that impacts would be reduced to less than significant following compliance with applicable regulations, recommended mitigation measures, and GP Update policies found in the Community and Neighborhoods Element; specifically Goal 3 which requires the protection and preservation of cultural and archaeological resources within the City. Further, through collaboration with state agencies to protect cultural and archaeological resources, Goal 3 Actions A and B require the City to continue to ensure that proper protocols are observed in development proposals for sites with potential archaeological significance and include archaeological sites and Native American history and archaeology in programs about Fontana history.

Disturbance of Human Remains: GP Update implementation could adversely impact buried human remains, including those interred outside of formal cemeteries. Consistent with State laws protecting these remains, sites containing human remains must be identified and treated in a sensitive manner. The GP Update EIR analysis concludes that impacts would be reduced to less than significant following compliance with applicable regulations and recommended mitigation measures.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the

growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of cultural resources impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

No HEU Update goals, policies, or actions were identified that pertain to cultural resources.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- **Community and Neighborhoods Element**
  - Coordinate City programs and policies to support preservation goals.
  - Support and promote community-based historic preservation initiatives.
  - Designate local historic landmarks.
  - Provide appropriate tools to review changes that may detract from historic integrity and character.
  - Enhance public awareness of Fontana's unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
  - Support creation of the Fontana Historical Museum.
  - Collaborate with state agencies to protect cultural and archaeological resources.

#### **Mitigation Measures from the FEIR**

While no significant cultural resources impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

The City has implemented a Standard Condition of Approval (SCA), listed below, that is imposed on all development with regard to Cultural Resources and Tribal Cultural Resources, negating the need for mitigation measures.

**SCA CUL-1:** Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal cultural and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation

in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Energy

Would the project:

- a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

### Summary of Previous Environmental Analysis

The GP Update EIR did not analyze impacts concerning Energy, as explained below.

Post GP Update EIR Certification Thresholds: Since GP EIR certification, CEQA Guidelines Appendix G has been revised to include a new Energy threshold.

### Impacts and Mitigation Measures

Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources: CARB's 2017 Scoping Plan identifies strategies to reduce California's GHG emissions, including energy resource consumption, in support of Assembly Bill (AB) 32. Many of the strategies identified in CARB's 2017 Scoping Plan are not applicable to the City's GP Update, such as long-term technological improvements to reduce emissions from vehicles. Some measures are applicable and supported by the GP Update. While some measures are not directly applicable, the GP Update would not conflict with their implementation. Reduction measures are grouped into 18 action categories, one focusing on the efficient use of energy resources. This reduction measures plans to maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms, and pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities). The GP Update's Sustainability and Resilience Element establishes goals and policies in the categories of energy, waste reduction, urban design, and energy efficiency, which aligns with these measures and is consistent with 2011 CALGREEN requirements. Through implementation of the GP Update, the City would also adhere to existing building and other codes regulating minimum energy, water, and waste efficiency.

Conflict with Renewable Energy or Energy Efficiency Plan: According to the GP Update Sustainability and Resilience Element, the City is a regional leader in sustainability and resilience with an effective "Sustainable Fontana" program. The GP Update ensures sustainability and conservation through its goals: City government facilities and operations are models of resource efficiency; provides renewable sources of energy and other energy-conservation strategies to City households and businesses; meets the greenhouse gas reduction goals for 2030 and subsequent goals set by the state; leader in energy-efficient energy development and retrofits; green building techniques are used in new development and retrofits; conservation of water resources with best practices such as drought-tolerant plant species, recycled water, greywater systems, has become a way of life in the City. These goals are achieved through the policies implemented by the GP Update through supporting sustainable practices, incorporating goals for resource efficiency within City code, maximizing energy and resource efficiency and reducing waste, collaboration with the San Bernardino County Transportation Authority (SBCTA) on GHG inventories and climate action planning, meeting state energy-efficiency goals, and the continuation to promote and

implement best practices to conserve water and other renewable resources. These goal and policies listed above comply existing City policies related energy resources. As a result, the GP Update would not conflict with any City policies, regulations, or standards for energy resources. Furthermore, any development with the City, must comply with standards in Title 20, Energy Building Regulation, and Title 24, Energy Conservation Standards of the California Code of Regulations (CCR), including CALGreen standards, resulting in a less than significant impact.

### **Housing Element Update Goals, Policies, and Actions**

#### **Housing Element Goals and Policies**

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units and.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana’s residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** – See Air Quality for complete text.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- Sustainability and Resilience Element
  - Create a Sustainable Fontana program that promotes green practices in government and in the community.
  - Incorporate goals into the City Code for resource efficiency in municipal facilities and operations.
  - Continue organizational and operational improvements to maximize energy and resource efficiency and reduce waste.
  - Promote renewable energy programs for government, Fontana businesses, and Fontana residences.
  - Promote green building through guidelines, awards and nonfinancial incentives.
  - Promote energy-efficient development in Fontana.
  - Meet or exceed state goals for energy-efficient new construction.

#### **Mitigation Measures from the FEIR**

None identified in the FEIR.

#### **Modified/New Mitigation Measures**



No modified or new mitigation required.

## Geology and Soils

Would the project:

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - 2) Strong seismic ground shaking?
  - 3) Seismic-related ground failure, including liquefaction?
  - 4) Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?
- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.5, Geology and Soils, analyzes impacts concerning geology and soils, as summarized below:

Exposure to Adverse Effects of Earthquakes: The GP Update implementation could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction and landslides. The GP Update guides the planning of new walkable mixed-use land categories, which promotes development that may result in potential exposure to geologic hazards greater than current conditions. The GP Update is compliant with federal, state, county, and local regulations relating to the geologic hazards which would reduce the potential risk of potential impacts from geologic hazards to a less than significant level.

Compliance with California Building Standards Code regulations and policies included in the GP Update would ensure that impacts related to strong seismic ground shaking, liquefaction, and landslide hazards are less than significant. The GP Update addresses potential adverse effects caused by seismic and geologic hazards by including policies that limit the GP Update Planning Area's land use densities and

intensity and address safety to minimize risk of injury, loss of life, and property damage. The GP Update Noise and Safety Element Goal 4 discusses the City of Fontana's goal to minimize seismic injury and loss of life, property damage, and other impacts caused by seismic shaking, fault rupture, ground failure, earthquake-induced landslides, and other earthquake-induced ground deformation. To lessen this impact, the City shall monitor development or redevelopment in areas where faults have been mapped through the City, and it shall continue to ensure that current geologic knowledge and peer (third party) review are incorporated into the design, planning, and construction stages of new projects and development and that site-specific data are applied to each project. Lastly, the City shall continue to ensure to the fullest extent possible that, in the event of a major disaster, essential structures (ex: hospitals, police stations, fire stations, emergency operation centers, communication centers, generators and substations, reservoirs, etc.) and facilities remain safe and functional, as required by current law. For further detail on the specific policies implemented through the GP Update, refer to the Noise and Safety Element policies below. Thus, compliance with the California Building Code regulations and applicable GP Update policies would ensure that impacts concerning strong seismic ground shaking would be reduced to less than significant.

Loss of Topsoil: GP Update implementation could result in substantial soil erosion or the loss of topsoil. Adherence to building codes and development that includes site specific geotechnical studies that would be prepared for each specific future project as mandated by the California Building Code would identify and minimize risks from areas of unstable soils by ensuring the incorporation of recommendations from the site-specific geotechnical investigations into design of plan for those future projects. Furthermore, implementation of the Noise and Safety Element goals and policies from the GP Update will ensure geologic hazards are minimized and that the City shall review development or re-development in areas where faults have been mapped through the City, ensure current geologic knowledge is incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each new development, and ensure to the fullest extent possible that, in the event of a major disaster, essential structures and facilities remain safe and functional, as required by current law. For further detail on the specific policies implemented through the GP Update, refer to the Noise and Safety Element policies below. Accordingly, impacts are less than significant.

Unstable Geologic Units: GP Update implementation could accommodate future development proposals located on a geologic unit or soil that is unstable, or that would become unstable as a result of the GP Update, and potentially result in landslide, lateral spreading, subsidence, liquefaction, or collapse. The City requires completed reports of soil conditions, which could identify unsuitable soil conditions including landslides, liquefaction, and subsidence. GP Update policies found in the Noise and Safety Element listed below would ensure maximum practical protection available for building occupants and infrastructure and impacts would be less than significant.

Expansive Soils: GP Update implementation could accommodate future development located on expansive soil, creating substantial risks to life or property. Development under the GP Update would be subject to compliance with the California Building Code concerning soil hazards and expansive soils. The GP Update includes policies which would also minimize potential impacts concerning expansive soils. Following compliance with existing regulatory requirements and as listed above and below, the GP Update policies found in the Noise and Safety Element, this impact would be less than significant.

Septic Systems: The City has limited septic systems and given the relatively stable geology and soils within the City, it is unlikely that there would be a potential risk that represents a significant change or increase from the conditions that are currently present. Overall, the City is served by a sewer system and the use of septic systems or other alternative wastewater disposal systems would be managed on a case-by-case basis. GP Update implementation could accommodate future development located on soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. For any development proposing use of septic systems, compliance with the City's goals and policies from the Infrastructure and Green Systems Element would reduce project impacts to less than significant through ensuring best practices are implemented by collaboration with public and private agencies for an integrated and sustainable water resource management programs, and supporting and participating in Inland Empire Utilities Agency (IEUA) programs that help the City be more resource-efficient through supporting incorporation of greywater systems in new developments.

Paleontological Resources: GP Update implementation could adversely impact a unique paleontological resource or site. Any construction-related and earth-disturbing actions could damage or destroy fossils in rock units. The GP Update goals and policies found in the Community and Neighborhoods Element, ensures the protection of culturally and historically significant discoveries throughout the City, including paleontological resources. Through implementation of Goal 1 through 3 found in the Element, requires that the integrity and character of historic structures, cultural resources sites and overall historic character of the City are maintained and enhanced; residents' and visitors' experience of Fontana is enhanced through the City's history; and cultural and archaeological resources will be protected and preserved. See below for further detail about the Community and Neighborhoods Element. The GP Update EIR analysis concludes that impacts would be reduced to less than significant following compliance with applicable regulations, recommended mitigation, and GP Update policies found in the Community and Neighborhoods Element.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of geology and soils impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to geology and soil resources.

**General Plan Policies and Mitigation Measures****General Plan Policies****General Plan Policies and Actions**

- **Community and Neighborhoods Element**
  - Coordinate City programs and policies to support preservation goals.
  - Support and promote community-based historic preservation initiatives.
  - Designate local historic landmarks.
  - Provide appropriate tools to review changes that may detract from historic integrity and character.
  - Enhance public awareness of Fontana's unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
  - Support creation of the Fontana Historical Museum.
  - Collaborate with state agencies to protect cultural and archaeological resources.
- **Noise and Safety Element**
  - The City shall monitor development or redevelopment in areas where faults have been mapped through the city.
  - The City shall continue to ensure that current geologic knowledge and peer (third party) review are incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each project.
  - The City shall continue to ensure to the fullest extent possible that, in the event of a major disaster, essential structures and facilities remain safe and functional, as required by current law. Essential facilities include hospitals, police stations, fire stations, emergency operation centers, communication centers, generators and substations, and reservoirs.
  - Keep hazard-mitigation and emergency services programs up to date.
  - Continue to provide hazard and risk mitigation and emergency training to public employees and the public at large.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Greenhouse Gas Emissions

Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.6, Greenhouse Gas Emissions, analyzes impacts concerning GHG emissions, as summarized below:

GHG Emissions: Through implementation of the GP Update, it may result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal and state ambient air quality standard. Additionally, the GP Update implementation could result in a cumulatively considerable increase in GHG emissions. According to the GP Update EIR, the City is located in an area designated as non-attainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub> under state standards, and as non-attainment for ozone, CO, and PM<sub>10</sub> and PM<sub>2.5</sub> under federal standards. Short-term emissions such as, demolition, grading, paving, and building construction activities, from all development projects within the basin would be significant and unavoidable. Although completion of these activities for a given project are expected to cease upon operation of the project, operational emissions are continuous, until operation ceases. As such, SCAQMD recommends amortizing construction emissions over a 30-year operational lifetime. This normalizes construction emissions so that they can be grouped with operational emissions to generate a precise project GHG inventory. Long-term emissions from mobile, area, and operational sources result primarily in emissions of CO<sub>2</sub>, with minor emissions of CH<sub>4</sub> and N<sub>2</sub>O. The most significant GHG emission from natural gas usage will be methane. Electricity usage by future development and indirect usage of electricity for water and wastewater conveyance will result primarily in emissions of CO<sub>2</sub>. Disposal of solid waste will result in emissions of methane from the decomposition of waste at landfills coupled with CO<sub>2</sub> emission from the handling and transport of solid waste. These sources combine to define the long-term GHG inventory for typical development projects.

As discussed in Section 5.2 (Air Quality) of the GP Update EIR, according to the SCAG's RTP/SCS, by 2040, the City of Fontana is projected to have a population of 280,900. With implementation of the GP Update, the City of Fontana planning area is estimated to grow to a total population of 315,852. This is an approximately 12 percent increase compared to the population forecast assumed in the RTP/SCS and has the potential to be inconsistent with the RTP/SCS. However, the land use modifications and policies proposed as part of the GP Update would result in an approximately 19 percent reduction in per capita VMT compared to 2040 buildout of the existing GP. Despite the projected population growth (including employment) associated with the GP Update, daily total VMT within the GP Update planning area would be reduced from 12,880,405 to 11,679,397, or an approximately 9 percent reduction. The 9 percent reduction in daily total VMT under buildout for the GP Update would have a substantial reduction in overall GHG emissions. Therefore, impacts would be considered less than significant.



Conflict with Applicable Plan, Policy or Regulation: The GP Update will not conflict with the implementation of regional transportation related GHG targets outlined in SCAG's RTP/SCS because the land use modifications and reduction in VMT result in lower emissions than those forecasted in the RTP/SCS, nor would it conflict with any of the other provisions of the Scoping Plan or applicable regulation related to GHG reductions. The GP Update supports the EIR through energy efficiency, green building, recycling/waste, and water conservation through these proposed goals, objectives, and policies, in addition to those listed in Section 5.2 (Air Quality), of the EIR. Potential impacts would be less than significant. Furthermore, parts of the City of Fontana have been identified as disadvantaged communities. These disadvantaged communities are anticipated to receive funding for air quality improvements from funds collected by the state for the cap-and-trade program (AB 32). This would further reduce air pollution and GHGs in the City, coupled with the GHG reductions associated with the GP Update.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of GHG impacts is necessary.

## **Housing Element Update Goals, Policies, and Actions**

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units and.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana's residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** – See Air Quality for complete text.

## **General Plan Policies and Mitigation Measures**

### **General Plan Policies**

- **Community Mobility and Circulation Element**
  - Lead and participate in initiatives to manage regional traffic.
  - Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.

- Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
- Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.
- **Sustainability and Resilience Element**
  - Continue to collaborate with SBCTA, infrastructure agencies, and utilities on greenhouse gas reduction studies and goals.
  - Promote green building through guidelines, awards and nonfinancial incentives.
  - Promote energy-efficient development in Fontana.
  - Meet or exceed state goals for energy-efficient new construction.
  - Continue to promote and implement best practices to conserve water.

**Mitigation Measures from the FEIR**

While no significant greenhouse gas emissions impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Hazards and Hazardous Materials

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?
- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.7, Hazards and Hazardous Materials, analyzes impacts concerning hazards and hazardous materials, as summarized below:

Hazardous Material Use, Transport and Storage: The GP Update buildout could create or increase a significant hazard to the public or the environment through the routine use, transport, storage, or disposal of hazardous materials. All new developments that handle or use hazardous materials would be required to comply with the U.S. Environmental Protection Agency (U.S. EPA), State, and City regulations, standards, and guidelines concerning storage, use, and disposal of hazardous materials. The GP Update EIR analysis concludes that impacts would be reduced to less than significant following compliance with the GP Update Safety and Noise Element and applicable federal, state, and local regulations.

Accidental Hazardous Material Release: With new industrial and mixed-use development proposed under the GP Update, there is an increased potential for spills and accidents involving hazardous materials to occur where such materials are newly used, handled, transported, and disposed of, thereby causing possible injury or harm to humans and the environment. However, compliance with federal, state, county, and local regulations relating to the use, storage, handling, transport, and disposal of hazardous materials would reduce the potential risk of hazardous materials exposure to a less than significant level. Furthermore, household hazardous materials or wastes, are required to be disposed of at the City's Household Hazardous Waste facility, in accordance with state and local regulations.

Hazardous Materials Near Schools: While hazardous materials and waste generated by future development could pose a health risk to nearby schools, all businesses that handle or transport hazardous materials on-site would be required to comply with federal, state, and local regulations for hazardous wastes. Chapter 6.95 of the California Health and Safety Code requires businesses that handle more than a specified amount of hazardous materials on-site to submit a Hazardous Materials Business Plan to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The business plan must include an inventory of the hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee safety and emergency response training. Furthermore, § 15186 requires the consideration of the location of schools relative to facilities that are reasonably anticipated to be sources of hazardous emissions or that could handle hazardous materials, wastes, and substances. For potential new school sites, § 17210 of the California Education Code defines the requirements of siting school facilities near or on known or suspected hazardous materials sites, or near facilities that emit hazardous air emissions or handle hazardous materials, substances, or waste. Given the above, compliance with federal, state, and local regulations would minimize the risks associated with the exposure of school populations to hazardous materials. Therefore, future development under the GP Update would result in a less than significant impact relative to the emissions or handling of hazardous materials within one-quarter mile of school facilities.

Hazardous Materials Sites: The GP Update could lead to development of sites identified as creating a significant hazard to the public or the environment. Once discovered, these sites would be required to undergo remediation and cleanup under the California Department of Toxic Substance Control (DTSC) and the Santa Ana Regional Water Quality Control Board (RWQCB) before construction activities begin. The GP Update EIR analysis concludes that impacts would be reduced to less than significant following compliance with existing federal, state, and local regulations. Implementation of the GP Update would not result in impacts associated with known and/or suspected hazardous materials. However, there is a potential that previously unknown hazardous material contamination from historical use of a property may be encountered during future development activities. Should such contamination be discovered, existing federal, state, and local regulations would require delineation of properties containing hazardous substances, and remediation of those properties to a level approved by the designated enforcement agency. As such, with compliance with existing regulations pertaining to hazardous materials contamination, impacts associated with hazardous materials would be less than significant.

Public Airport Safety Hazard: As discussed in the LA/Ontario International Airport Land Use Compatibility Plan (Airport Compatibility Plan), CGC § 65302.3 requires that GP's be consistent with the airport compatibility plans, and this consistency requirement pertains only to future land use development. Additionally, GP's can show that land uses are continuing, even though they would be nonconforming with the compatibility plan criteria. As such, these types of conflicts would not constitute an inconsistency between a GP and a compatibility plan. Proposed development under the GP Update within the noise contours of the Airport Compatibility Plan would be substantially similar to existing development (i.e., industrial uses). Furthermore, the noise consistency analysis of the Airport Compatibility Plan concluded that there were no areas identified as having a residential land use designation within the noise impact zones of the City. Therefore, there is no potential for displacement of future residential development and the land uses which fall within the noise impact zone are designated as industrial land uses.

Private Airport Safety Hazard: Refer to discussion above. There are no private airstrips located within or in the vicinity of the City. Therefore, no impact would occur as a result of GP Update implementation with respect to people residing or working in the vicinity of a private airstrip.

Adopted Emergency Response Plan: The GP Update buildout could generate an increase in the residential and employee population in the City of Fontana as a result of the construction of new residential housing and commercial/retail growth. This new development could, in turn, result in an increase in traffic. These new potential sources of congestion on local roads and freeways could increase response times for medical or other emergencies and could delay evacuation of the population in an emergency. According to the City's Local Hazard Mitigation Plan (LHMP), numerous alternative routes, secondary points of access, cul-de-sac turnarounds, and other features that improve traffic circulation are planned into new development and redevelopment during the City's internal review process. These ongoing mitigations are in place so that emergency vehicles may respond quickly. Additionally, installation of security gate override systems and traffic signal pre-emption devices at critical signalized intersections are ongoing mitigations for systems that could otherwise obstruct or impair emergency access. The GP Update does not propose changes to circulation in the City or to physical orientation of the project area that could interfere with the City's emergency response or evacuation procedures. In addition, the GP Update does not propose to change or eliminate existing emergency response facilities such as fire stations. Furthermore, goals, policies, and actions in the Community Mobility and Circulation Element do not involve modifications to roadways in any manner that would impede response to an emergency. The GP Update goals, policies, and actions are consistent with the LHMP and identifies policies and actions to update hazard mitigation and emergency services, and to update the LHMP to continue to meet FEMA requirements. In addition, the goals, policies, and actions identified in the GP Update are proposed to minimize traffic to the extent possible, which potentially would reduce impacts relative to interference with emergency response and evacuation plans. The Community Mobility and Circulation Element also encourages an increase in pedestrian and bicycle (rather than vehicle) connections between and within neighborhoods – thereby potentially further reducing traffic congestion. Given the above, compliance with the mitigation program contained in the City's LHMP, along with implementation of the policies and actions in the Noise and Safety Element and the Community Mobility and Circulation Element from the GP Update, would result in a less than significant impact to the City's emergency response plan or emergency evacuation plan.

Wildland Fires: Historically, most of the wildfires in Fontana have occurred in northwest Fontana, with occasional fires in the Jurupa Hills. Northwest Fontana has high chaparral vegetation, steep slopes, and is subject to hot Santa Ana winds blowing down the Cajon Pass. The Jurupa Hills have high grasses and steep slopes. Due to the wildland/urban interface in the City, residential and other types of development anticipated under the GP Update would result in a greater number of people and structures that could be exposed to wildland fires. Under the GP Update, the master planned communities developed through the specific plan process since the 1980s that are geographically closer to the foothills to the north and south that are more prone to wildland fires, are not anticipated to experience land use changes over the next 20 years. However, there are areas within the northern portion of the City that may be developed for residential and mixed uses, including: approximately 269 acres of currently undeveloped land along the southern edge of I-15, between Duncan Canyon and the northern edge of the City; and approximately 101 acres in the Ventana Specific Plan near the Duncan Canyon interchange. To mitigate risk of wildfires, a Fire Hazard Overlay District (included in the City's Zoning and Development Code) has been

implemented in the northern and southern portions of the City. This overlay district provides requirements for fire resistive construction, fuel modification areas, development property line setbacks, and vegetation clearances from roadways and buildings. Therefore, with compliance with existing state and local regulations, the City's Zoning and Development Code, and mitigation in the LHMP – supported by implementation of the GP Update policies and actions relative to development in fire-prone areas (refer to policies listed below) – impacts to the public and environment related to risk of hazards due to wildland fire would be less than significant.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of hazards and hazardous materials impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana's residents.
    - **Housing Policy Action 2B: Code Enforcement for Residential properties** – See Aesthetics for complete text.
    - **Housing Policy Action 2C: Multi-Family Revitalization Program** – See Aesthetics for complete text.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- **Land Use, Zoning, and Urban Design Element**
  - Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.
  - Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses.
  - Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.
- **Infrastructure and Green Systems Element**
  - Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.

- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.
- **Noise and Safety Element**
  - The City shall strive to reduce the potential for residents, workers, and visitors to Fontana being exposed to hazardous materials and wastes.
  - Keep hazard mitigation and emergency services programs up to date.
  - Continue to provide hazard and risk mitigation and emergency training to public employees and the public at large.
  - New sensitive land uses shall be prohibited in incompatible areas.
  - Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
  - Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
  - Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses
  - The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
  - The City shall continue to ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the city.
  - The City shall monitor development or redevelopment in areas where fire zones have been mapped through the city.
- **Public and Community Services Department Element**
  - Continue the City's successful partnership with the San Bernardino County Fire Department.

### **Mitigation Measures from the FEIR**

While no significant hazards and hazardous materials impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

### **Modified/New Mitigation Measures**

No modified or new mitigation required.

## Hydrology and Water Quality

Would the project:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - 1) result in substantial erosion or siltation on- or off-site;
  - 2) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;
  - 3) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
  - 4) impede or redirect flood flows?
- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

### Summary of Previous Environmental Analysis

GP Update EIR Section 5.8, Hydrology and Water Quality, analyzes impacts concerning hydrology and water quality, as summarized below:

Violate Water Quality Standards: The GP Update implementation could violate water quality standards or waste discharge requirements or otherwise substantially degrade water quality. The City must comply with the CWA and is subject to the National Pollutant Discharge Elimination System (NPDES) permitting process under its Municipal Separate Storm Sewer System (MS4) codified as Title 14 (Storm Drains and Floodplain Management) of the Municipal Code. Individual projects implemented under the GP Update would be subject to compliance with applicable federal, state, and local water quality regulations. However, all sources of runoff could potentially carry pollutants, thus, could degrade water quality and not meet standards. Through implementation of the requirements of the MS4 permit and other regulations, this would ensure that the volume and rate of stormwater runoff from future development would not exceed local drainage volume and flow requirements and would prevent downstream flooding, thus reducing impacts to water quality standards. This would reduce potential stormwater runoff and drainage impacts to less-than-significant levels. Therefore, impacts concerning potential exceedances of water quality standards would be significant and unavoidable.

Groundwater Supplies: The GP Update buildout could impact groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a



lowering of the local groundwater table level. The Santa Ana River Watershed, including the Santa Ana Groundwater Basin, are managed by an adjudication and subject to the terms of the 1969 Stipulated Agreement managed by the Santa Ana River Watermaster. The Santa Ana River Watershed includes programs for the long-term management of area groundwater basins. The primary means of ensuring long-term groundwater level maintenance includes careful monitoring to ensure groundwater levels are managed within a safe basin operating range and implementation of water conservation programs. The GP Update supports water conservation through use of natural and drought-tolerant vegetation and through water recycling. Additionally, water conservation programs of the GP Update are designed to ensure groundwater resources are recharged both through natural and assisted means. Water conservation helps to maintain groundwater levels by reducing the need to extract from them. As a result, the potential for impacts to groundwater levels within the region is less than significant.

Alter Drainage Patterns: Future projects undertaken over the planning horizon of the GP Update may cause changes in drainage patterns, increased imperviousness, and other effects that could potentially alter local hydrology that could cause or contribute to local flooding and exceedance of local drainage system capacity. However, the City of Fontana is subject to the NPDES permitting process under its MS4 codified as Title 14 (Storm Drains and Flood Management) of the Municipal Code. Implementation of the requirements of the MS4 permit and other regulations mentioned in this section would ensure that the volume and rate of stormwater runoff from future development would not exceed local drainage volume and flow requirements and would prevent downstream flooding. This would reduce potential stormwater runoff and drainage impacts to less than significant levels.

Create or Contribute Runoff Water: GP Update implementation could create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems, provide substantial additional sources or polluted runoff, or otherwise substantially degrade water quality. All future individual construction projects would be subject to compliance with the State's General Permit for Construction Activities and BMPs. Although the stormwater management measures would reduce impacts of stormwater pollutants and discharges, the NPDES permit and Water Quality Management Plan (WQMP) would not prevent all discharges of storm and non-storm waters. With implementation of the requirements of the MS4 permit and other regulations, this would ensure that the volume and rate of stormwater runoff from future development would not exceed local drainage volume and flow requirements and would prevent downstream flooding. Therefore, impacts concerning the creation and contribution to runoff would be less than significant.

Impede or Redirect Flood Flows: As stated previously, the City of Fontana implements NPDES provisions through the requirements of its MS4 permit, which is applicable to all portions of the City. All future individual construction projects would be subject to compliance with the State's General Permit for Construction Activities and BMPs which address residential pollutant sources. Implementation of the requirements of the MS4 permit and other regulations would ensure that the volume and rate of stormwater runoff from future development would not exceed local drainage volume and flow requirements and would prevent downstream flooding. This would not alter drainage patterns. Furthermore, the GP Update Noise and Safety Element goals state that flooding injury, loss of life, property damage, and economic and social disruption caused by flood and inundation hazards are minimized in the City by discouraging new development in flood hazard areas and implement mitigation measures to reduce the hazard to existing developments that are located within 100- and 500-year flood

zones. Lastly, the GP Update would be subject to comply with applicable federal, state, and local water quality regulations, further reducing impacts to drainage patterns. This would reduce impacts from flood flows to less-than-significant levels.

Flood Hazard, Tsunami, or Seiche Zones: The GP Update implementation could subject people or structures to inundation of flood hazards. Tsunamis are tidal waves that occur in coastal areas. Since the GP Update project area is not located in a coastal area, no impact would occur concerning tsunamis. Seiches are large waves generated in enclosed bodies of water in response to ground shaking. No major water-retaining structures are located immediately up gradient from the project area. Flooding from a seismically-induced seiche is considered unlikely. Flooding is a temporary overflow of water onto land that is normally dry. The City Municipal Code Chapter 12 states the City adopts floodplain management regulations to ensure the safety of the City and its citizens. Through this floodplain management plan, the City implements regulations and policies in which the GP Update aligns with, to reduce flood hazard risks.

Conflict or Obstruct WQMP or SGMP: The City of Fontana and the County of San Bernardino have a number of regulatory requirements and documents that address planning for drought. This includes WQMPs for the City of Fontana. The City of Fontana implemented a WQMP Handbook that provides guidance and direction for project proponents on the regulatory requirements applicable to a private or public development activity, including public works transportation projects, from project conception to completion. The GP Update will not conflict or obstruct a WQMP and will support initiatives to provide a long-term supply of the water for the right use throughout the City.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of hydrology and water quality impacts is necessary.

### Housing Element Update Goals, Policies, and Actions

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana's residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** – See Air Quality for complete text.

## **General Plan Policies and Mitigation Measures**

### **General Plan Policies**

- Infrastructure and Green Systems Element
  - Support initiatives to provide a long-term supply of the right water for the right use by working with regional providers and the One Water One Watershed Plan.
  - Continue to implement the Water Quality Management Plan for stormwater management that incorporates.
  - Low-impact and green-infrastructure standards.
  - Promote natural drainage approaches (green infrastructure) and other alternative nonstructural and structural best practices to manage and treat stormwater.

### **Mitigation Measures from the FEIR**

None identified in the FEIR.

### **Modified/New Mitigation Measures**

No modified or new mitigation required.

## Land Use and Planning

Would the project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.9, Land Use, analyzes impacts concerning land use and planning, as summarized below:

Physically Divide an Established Community: The GP Update implementation could physically divide an established community. The City has many long-established residential neighborhoods as well as newer developments. The GP Update Land Use Map would retain the City's commercial, industrial, and residential character by providing flexibility in zoning and development of downtown's vacant and underutilized lots. In addition, the mixed-use land uses implemented by the GP Update allows for safe and convenient walking to nearby shopping and maintenance of established neighborhoods through the below policies in the GP Update. Therefore, potential impacts would be less than significant.

Conflict with Land Use Plans, Policies, or Regulations: With regard to state policy frameworks, the goals, policies, and actions of the GP Update are consistent with State of California climate-change policy framework. The vision of the California Climate Strategy is to reduce GHG emissions to 40 percent below 1990 levels by 2030. This is consistent with the City's GP Update goals and policies. With regards to the San Bernardino County GP, the goals, policies, and actions of the City's GP Update are consistent with the adopted San Bernardino Countywide Vision. The Countywide Plan is intended to "go well beyond" a traditional GP to become a comprehensive Countywide Plan that complements and informs the Countywide Vision by considering all services, not just land-use planning, provided by the County Government.

No conflicts between the specific resources and a policy or regulation of another agency would occur as a result of the GP Update. Therefore, impacts would be less than significant. None of the land use changes proposed in the GP Update would conflict with the North Fontana MSHCP, since no land use changes are proposed in affected areas. Therefore, impacts would be less than significant.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of land use and planning impacts is necessary.

## **Housing Element Update Goals, Policies, and Actions**

- **Goal 1: Adequate housing to meet the needs of all residents in Fontana.**
  - **Housing Policy 1.1:** Establish a range of rental and for sale housing opportunities in the city.
  - **Housing Policy 1.2:** Maintain an adequate land inventory to accommodate the City's Regional Housing Needs allocation for the years 2021 to 2029.
    - **Housing Policy Action 1A: Provision of Adequate Sites to Meet RHNA Goals** - To ensure adequate sites are available throughout the planning period to meet the City's RHNA, the City will continue to update and revise the General Plan and Zoning Ordinance to establish and codify land use designations that will provide adequate sites to meet the City's RHNA allocation. The City will initiate and adopt General Plan Land Use and Zoning Code Amendments that will provide adequate sites to meet Regional Housing Needs Assessment goals for Extremely Low-, Very Low-, Moderate- and Above Moderate-Income rental and for-sale housing units.
    - **Housing Policy Action 1B: Rezone Parcels to R-4/R-4 Overlay to Accommodate RHNA Growth Need for Low and Very Low-Income Households** - The City of Fontana shall amend the Fontana Zoning Code to establish and codify the rezone of the parcels identified in HEU Table B-14 from the existing zone to R4. The rezone program will provide for appropriate allowable use types, development standards and densities that could accommodate housing affordable to persons with lower incomes.
 

Policy Action 1B shall rezone sites listed in HEU Table B-14 to R4, totaling 126 acres of land to allow a minimum of 24.1 dwelling units per acre and a maximum density of 39 dwelling units per acre. Policy Action 1B shall rezone sites listed in HEU Table B-14 to R4-Overlay, totaling 42 acres of land to allow a minimum of 24.1 dwelling units per acre and a maximum density of 39 dwelling units per acre. In total, the sites for rezone to R4 and R-4 Overlay can accommodate at least 5,138 dwelling units, 3,053 of which are estimated to be affordable to lower income households. The sites will be rezoned to Permit owner occupied and rental multifamily uses by right<sup>2</sup> for developments in which 20 percent or more of the units are affordable to lower income households.
    - **Housing Policy Action 1C: Rezone Parcels to R5 to Accommodate RHNA Growth Need for Low and Very Low-Income Households** - The City of Fontana shall amend the Fontana Zoning Code to establish and codify the rezone of the parcels identified in HEU Table B-14 from the existing zone to R5. The rezone program will provide for appropriate allowable use types, development standards and densities that could accommodate housing affordable to persons with lower incomes.
 

Policy Action 1C shall rezone sites listed in HEU Table B-14 to R5, totaling 44.3 acres of land to allow a minimum of 39.1 dwelling units per acre and a maximum density of 50 dwelling units per acre. In total, the sites for rezone to R5 can accommodate at least 2,203 dwelling units, 1,245 of which are estimated to be affordable to lower income

<sup>2</sup> By right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval.

households. The sites will be rezoned to Permit owner-occupied and rental multifamily uses by right<sup>3</sup> for developments in which 20 percent or more of the units are affordable to lower income households.

- **Housing Policy Action 1N: Amend Fontana Zoning Code for a Variety of Housing Types -** The City will review and revise the Fontana Zoning Code as needed to permit a variety housing types compliant with state law. The amendments include the following:

*Low Barrier Navigation Centers*

To comply with State law, the City of Fontana will adopt policies, procedures, and regulations for processing this type of use as to establish a non-discretionary local permit approval process must be provided to accommodate supportive housing and lower barrier navigation centers per State law. In the interim, any submitted application for this use type will be processed in accordance with State law.

The City will provide for annual monitoring of the effectiveness and appropriateness of existing adopted policies. Should any amendments be warranted to existing policies pursuant to State law, the City will modify its existing policies, as appropriate.

*Transitional and Supportive Housing*

Pursuant to state law, transitional and supportive housing must be permitted as a residential use in all zones and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The City will review and revise the Fontana zoning to include provisions for both transitional and supportive housing in compliance with state regulation (SB 48). In the interim, any submitted application for this use type will be processed in accordance with State law.

*Single Room Occupancy*

A single-room occupancy (SRO) unit is generally between 200 to 350 square feet, as defined by HCD. These units provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for people who previously experienced homelessness. The City will review and revise the Fontana Zoning Code to permit SROs pursuant to state law requirements. Additionally, the City will explore incentives to promote conversion and/or development of SROs affordable to lower income households.

*Accessory Dwelling Units (ADUs)*

Pursuant to state law, ADUs are required to be permitted by right on all zones that permit residential as a use (Government Code Section 65852.2 subdivision (e)). The City will review and revise the Fontana Zoning Code as appropriate to create provisions for ADUs which are compliant with the requirements outlined in Government Code Section 65852.2

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<sup>3</sup> By right means local government review must not require a conditional use permit, planned unit development permit, or other discretionary review or approval.

*Group Homes for 7 more persons*

Currently, the City permits large group homes (7+ persons) as a conditional use in the RE, R1, R2, R3 and R-PC zones. However, the use is not permitted in higher density residential zones. This may pose a constraint to the development of adequate housing; therefore, the City will review and analyze the Zoning Code and make appropriate adjustments. Additionally, the findings for the CUP may not be universally or objectively applied to all projects, specifically the finding that states, “Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.” The City will review and revise the CUP findings to promote approval certainty and objectivity for housing for persons with disabilities.

- **Housing Policy Action 10: Minimum Lot Sizes in Multifamily Zones** - Section 3 of this document finds that the minimum lot size requirements for developments in multi-family zones may create a constraint to the development of housing, specifically for lower income housing opportunities. Additionally, the City is utilizing the R4 and R5 zones to accommodate a portion of the RHNA allocation, and some of the identified parcels are smaller than the minimum lot size required. Therefore, the City will review and revise, as appropriate, the minimum lot sizes in the R4 and R5 zones for consistency and to reduce existing constraints to multi-family housing development and affordable housing development.
- **Housing Policy Action 1P: Replacement Housing for Non-vacant Sites.** Pursuant to Government Code, § 65583.2, subdivision (g)(3), 57 sites identified in HEU Table B-14 of HEU Appendix B will require replacement housing units subject to the requirements of Government Code, § 65915, subdivision (c)(3) on sites identified in the site inventory when any new development (residential, mixed-use, or non-residential) occurs on a site that has been occupied by or restricted for the use of lower-income households at any time during the previous five years.

This requirement applies to:

- Non-vacant sites
- Vacant sites with previous residential uses that have been vacated or demolished

**General Plan Policies and Mitigation Measures****General Plan Policies**

- **Land Use, Zoning, and Urban Design Element**
  - Preserve, protect, and connect existing master-planned neighborhoods.
  - Recognize and respect that the established design patterns of many of Fontana’s existing neighborhoods are unique and different from policies for new and future neighborhoods.

- Create “Connected Neighborhood” planning districts that link established master planned neighborhoods to each other and to nearby school, park, and shopping destinations with walking and biking routes.
- Ensure that existing and future employment districts have appropriate land use, zoning, and urban design transitions to nearby neighborhoods.
- As a top-level priority, undertake complete streets improvements along Sierra and Arrow to rebrand Downtown businesses, customers, and infill development.
- Support partnerships between major employers, educational institutions, and for-profit and non-profit housing developers.
- Collaborate with educational institutions and arts organizations to develop education and arts centers along Sierra Avenue.
- Collaborate with public transportation agencies to coordinate the location and design of new centers with existing and planned transit stops.
- Work collaboratively with existing property owners and businesses to develop a vision plan and development standards and guidelines for the Valley Boulevard Corridor.
- Consolidate parcels along Valley Boulevard to promote redevelopment for valuable and job-producing uses.
- Ensure that existing and new businesses along the north side of Valley Boulevard are appropriately buffered from existing and future neighborhood development to the north.
- Conservation, Open Space, Parks, and Trails Element
- Evaluate the potential costs and benefits of permanent protection of sensitive foothill lands.
- Work with regional conservation organizations, such as the Inland Empire Resource Conservation District and regional conservation land trusts, to conserve sensitive foothill lands.
- Design parks and landscaped public spaces to include plantings attractive to birds and other regional wildlife.
- In large parks, create natural areas with educational information to raise public awareness about local environments.
- Consider wildlife value when landscaping public spaces.
- Develop the legal framework and language to pass a no-net-loss ordinance for city-owned park land listed in the California Protected Lands database.
- Research and write an ordinance to require that City-owned public park land (as defined in the ordinance) cannot be transferred or converted to another use without an analysis of alternatives, public hearings, and substitute land of equal value (as defined) received by the City.

### **Mitigation Measures from the FEIR**

None identified in the FEIR.



**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Mineral Resources

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

## Summary of Previous Environmental Analysis

Mineral Resources are analyzed in the GP Update EIR under Section 7.5: Effects Not Found to be Significant as follows:

The proposed GP Update does not contain policies that conflict with the recovery of future mineral resources. Therefore, significant mineral resource deposits, should they be unearthed in the future, would continue to be protected over the long term. Overall, the GP Update would not contribute to a loss of mineral resources.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of mineral resources impacts is necessary.

## Housing Element Update Goals, Policies, and Actions

No HEU goals, policies, or actions were identified that pertain to mineral resources.

## General Plan Policies and Mitigation Measures

### General Plan Policies

No GP Update policies were identified that pertain to mineral resources.

### Mitigation Measures from the FEIR

None identified in the FEIR.

### Modified/New Mitigation Measures

No modified or new mitigation required.

## Noise

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive groundborne vibration or groundborne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.10, Noise, analyzes impacts concerning noise, as summarized below:

Noise Exposure in Excess of Established Standards: The GP Update implementation could result in the exposure of persons to or generation of noise levels in excess of standards in the local general plan or noise ordinance, or applicable standards of other agencies. With respect to construction impacts, construction or repairing of buildings or structures under the GP Update would be restricted by City ordinance to 7:00 am to 6:00 pm on weekdays and between 8:00 am and 5:00 pm on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector (Municipal Code of Ordinances, Chapter 18, City of Fontana).

With respect to operations impacts, while future development under the GP Update could result in the exposure to persons to or generate noise levels in excess of City standards, potential increases in noise levels would be assessed in conjunction with the City's review of site specific noise impact analysis. In accordance with the City's Municipal Code of Ordinances (Chapter 18), standards for exterior and interior noise levels have also been established to protect residents from noise levels in excess of acceptable levels. In the event significant impacts are anticipated, appropriate mitigation would be developed at that time.

In addition, the GP Update Noise and Safety Element includes goals, policies, and actions that pertain to protecting new development from noise impacts through compatible use with surrounding areas, road maintenance standards, and setbacks, as listed below. Through implementation of the GP Update Noise and Safety Element Goals 1 through 3, the City will protect its sensitive land uses from excessive noise through diligent planning, providing a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on its residents, and continue to protect from the negative effects of "spill over" noise.

Temporary Increase in Ambient Noise Levels: The GP Update provides a development framework for development of projects at numerous locations throughout the City. Temporary increases in noise levels near active construction sites could adversely affect neighboring land uses, particularly where sensitive receptors are located. All construction will follow the City's Municipal Code, reducing impacts to less than significant. Future construction projects within the City will also be subject to the measures outlined in

the City's Municipal Code of Ordinances and assessed in conjunction with the City's review of site-specific noise impact analyses. Noise levels at sensitive receptors would be analyzed on a case-by-case basis and appropriate mitigation applied to restrict noise levels to acceptable levels. In the event significant impacts are anticipated, appropriate mitigation would be developed at that time. In addition, the GP Update Noise and Safety Element contains several goals, policies, and actions to minimize noise impacts to people and the environment in the vicinity of sources of noise as illustrated above. Actions included in this Element ensure that excessive noise levels will be monitored and controlled by discouraging noise in areas in excess of 65 dBA CNEL (Community Noise Equivalent Level): Residential Uses; Hospitals; Rest Homes; Long Term Care Facilities; and Mental Care Facilities and noise in areas in excess of 65 Leq (Equivalent Continuous Sound Level): Schools; Libraries; Places of worship; and Passive Recreation Uses. Furthermore, through implementation of noise mitigation practices, this will reduce impacts to less than significant.

Permanent Increase in Ambient Noise Levels: The GP Update implementation could result in a substantial permanent increase in ambient noise levels in the GP Update area above existing conditions. Each future project would be evaluated on a case-by-case basis pursuant to CEQA, and appropriate noise thresholds established. In the event significant impacts are anticipated, appropriate mitigation would be developed at that time. In addition, the GP Update's Noise and Safety Element contains several goals, policies, and actions, as stated above and listed below, which will require proper mitigation measures to be in place, to minimize noise impacts to people and the environment in the vicinity of sources of noise as illustrated above. Noise mitigation practices shall be employed when designing all future streets and highways, and when improvements occur along existing highway segments. These mitigation measures will emphasize the establishment of natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.

Exposure or Generation of Excessive Groundborne Vibration: The GP Update implementation could expose persons to excessive groundborne vibration. Construction under the GP Update is not anticipated to require blasting activities, but pile driving could occur and produce vibration that could impact nearby land uses. Future construction activities would be assessed in conjunction with the City's routine review of site-specific geotechnical studies and the recommended grading and foundation design measures. For projects subject to review under CEQA, measures to mitigate potentially significant vibration impacts must be considered in the project planning process, prior to project approvals. By complying with the City Noise Ordinance, California Building Code standards, and applicable regulations, potential vibration impacts from future development would be less than significant.

Exposure to Excessive Public Airport Noise Levels: The GP Update implementation could expose people residing or working in the project area to excessive noise levels within an airport land use plan. In accordance with the GP Update, no changes will occur to land uses in areas that are susceptible to a 65 dBA CNEL or greater. This includes preventing new residents or workers from being exposed to excessive noise levels associated with air traffic (Ontario International Airport). Therefore, impacts associated with aircraft noise would be less than significant.

Exposure to Excessive Private Airport Noise Levels: There are no private airstrips in the City. The GP Update EIR concludes that the project would not expose people residing or working in the Project area to excessive noise levels concerning a private airstrip, and thus GP Update implementation would have no impact.

## **Impact and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of noise impacts is necessary.

### **Housing Element Update Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to noise.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

##### **▪ Noise and Safety Element**

- New sensitive land uses shall be prohibited in incompatible areas.
- Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
- Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with State mandated noise levels.
- Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.
- All noise sections of the State Motor Vehicle Code shall be enforced.
- Roads shall be maintained such that the paving is in good condition and free of cracks, bumps, and potholes.
- Noise mitigation measures shall be included in the design of new roadway projects in the City.
- Residential land uses and areas identified as noise sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.

#### **Mitigation Measures from the FEIR**

While no significant noise impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Population and Housing

Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

### Summary of Previous Environmental Analysis

GP Update EIR Section 5.11, Population and Housing, analyzes impacts concerning population and housing, as summarized below:

Substantial Population Growth: The GP Update implementation could induce substantial population growth in the area, either directly (by proposing new homes and businesses) or indirectly (through extension of roads or other infrastructure). Implementation of the GP Update could result in an additional 23,492 households and an additional 40,599 employees within the planning area. The focus for growth in the GP Update is in the Downtown Core of the City and “Livable Corridors.” The GP Update would not designate formerly undeveloped lands needing major infrastructure expansions (e.g., water, sewer, wastewater) for development. Instead, the GP Update has been developed to 1) accommodate anticipated growth in existing developed areas that are adequately served by infrastructure, 2) revive underutilized parcels and uses, and 3) preserve and enhance residential opportunities and options within the City. Due to the focused nature of the GP Update on the Downtown Core and Livable Corridors and the fact that no infrastructure improvements are proposed for the areas where new residential development would occur, the GP Update is predicted to accommodate anticipated population growth within the City in an orderly manner. The Housing Element establishes an overall development capacity for the City and serves as a policy guide for determining the appropriate physical development and character of the City. In addition, the following goals and policies related to population and housing in the GP Update were developed to be consistent with and complement the strategies, principles, goals, and policies contained in the 2014 – 2021 Housing Element. Therefore, potential impacts would be less than significant.

Displace Substantial Numbers of People: The GP Update would not result in any direct displacement of substantial numbers of people because it does not authorize any construction or redevelopment activity that would displace people. As such, there would be no significant impact related to the reduction of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

Displace Existing Housing: The GP Update buildout could displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Development under the GP Update would not result in the direct displacement or demolition of residential structures because it does not authorize specific construction projects, development plans, or other land-altering activity. The General Plan Update could result in indirect impacts by establishing land use policies that provide incentives for private redevelopment initiatives in the Downtown Core and Livable Corridors. The Downtown Area Plan

designates land for the development of high-density, transit-oriented housing that accommodates and encourages development of housing under the State Housing Element Law. As such, there would be no significant impact related to the reduction of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of population and housing impacts is necessary.

### Housing Element Update Goals, Policies, and Actions

- **Goal 1: Adequate housing to meet the needs of all residents in Fontana.**
  - **Housing Policy 1.1:** Establish a range of rental and for sale housing opportunities in the city.
  - **Housing Policy 1.2:** Maintain an adequate land inventory to accommodate the City's Regional Housing Needs allocation for the years 2021 to 2029.
  - **Housing Policy 1.3:** Promote the development and access to housing affordable to all income levels in Fontana.
  - **Housing Policy 1.4:** Maintain open discussion and coordination with stakeholders, residents and interested parties regarding housing opportunity in the City.
    - **Housing Policy Action 1D: Proactively Coordinate with Property Owners to Encourage the Development of Affordable Housing in Fontana** - The City will proactively contact property owners of sites identified to accommodate the RHNA allocation for the 2021-2029 Cycle. The City will send letters to properties owners requesting coordination regarding opportunities for residential development, specifically development to meet the assumed affordability of 70 percent on identified sites. The City currently enforces an inclusionary requirement of 10 percent affordable units on residential developments of five or more parcels or dwelling units or a required inclusionary fee. The City will work with property owners and developers to bridge the gap between assumed affordability and existing incliner requirements. The City will continue to work with property owners to encourage the development of housing, affordable to Low and Very Low-income households in Fontana
    - **Housing Policy Action 1E: Encourage the Development of Housing Units for a Low, Very Low, and Extremely Low Income Levels** - The City of Fontana recognizes the importance of providing housing types that accommodate the diverse needs of the Community. The City will promote the development of large single-family units or multigenerational units,



condos and townhomes and multifamily housing opportunities at a mix of income levels, with specific focus of units affordable to Low and Very Low-income households. The City will encourage developers and builders to integrate market-rate and affordable units within development projects through the establishment of incentives or other regulatory concessions in order to meet the assumed 70 percent affordability on identified sites. The City will also implement the following:

- Utilize existing incentives and waivers to make feasible the development of a range of affordable housing types for different income levels. Encourage affordable housing developments to be distributed throughout the City in an equitable manner so that lower income households are not concentrated in any single area of the City.
  - Provide technical assistance to nonprofit organizations and housing developers on zoning and density bonus incentives.
  - Conduct annual outreach to non-profit organizations and housing developers to identify potential partnerships and opportunities.
  - Implement the City's streamlined review for projects with proposed low and extremely low-income housing.
  - Support applications for affordable housing funds for projects or programs that are consistent with the goals of the Housing Elements.
  - Annually research and review available funding and grant opportunities to support the development of housing for low and extremely households.
- **Housing Policy Action 1F: Annual Monitoring of Housing Production** - The City submit annual progress reports (APRs) for review by the state department of Housing and Community Development (HCD) to provide an annual evaluation of progress in meeting Housing production goals to accommodate the 2021-2029 RHNA growth need.
  - **Housing Policy Action 1G: Compliance with State Density Bonus Law** - Chapter 30 Article II Division 25 Density Bonus of the Municipal Code implements Density Bonus regulations which are consistent with Government Code Section 65915, as amended. Additionally, the City shall either grant additional density bonuses above what is required by state law or provide other appropriate incentives when a residential developer agrees to construct housing for persons and families of very low, low, and moderate income above mandated requirements. The City will continue to implement provisions of Article II Division 25 (Density Bonus) of the Development Code as housing projects are submitted to the City during the 6th Cycle.

The City will further encourage affordable housing and the potential use of density bonus statutes to accommodate additional affordable units. The City will continue to provide information about such incentives at City Hall, on the City's website and in other public places to increase awareness within the 6<sup>th</sup> Cycle. In the interim, the City will process any density bonus applications consistent with applicable state law.

- **Housing Policy Action 1H: Manufactured and Modular Housing** - The City initiated this program to educate the public and developers on the advantages of manufactured and modular housing and to encourage its inclusion in the infill housing program. The City will

continue to meet with manufactured housing builders and developers and distributing information to the general public and continue to promote the development of Manufactured housing at an affordable rate.

- **Housing Policy Action 1I: Infill Housing Program** - The City designed this program in the 5th cycle to develop quality single-family and multi-family housing on in-fill parcels located within targeted areas in Fontana. Through this program, the City has reduced most development fees by half for projects located within the central third of the City. Fees reduced include those for storm drains, park development, fire, police, library facilities, landscaping, circulation, public facilities, and municipal services impacts. Additionally, to assist residential builders with the identification of potential infill development sites, the City prepared a vacant Residential Properties Resource Guide.

The City will promote development on in-fill parcels located within targeted areas in Fontana, as outline in Appendix B of this Housing Element. Actions include the following:

- The City will continue to reduce most development fees by half for projects located within the central third of the City.
- The City will work with private industry to expand housing opportunities through new construction.
- Developers will be afforded the opportunity to use incentives, such as density bonuses, to provide affordable housing.
- **Housing Policy Action 1J: Accessory Dwelling Unit Construction** - The City of Fontana believes Accessory Dwelling Units (ADUs) are a demonstrated method to provide affordable housing in the City. Due to recently adopted legislation, the ability to entitle and construct ADUs has increased significantly. The City recognizes the significance of this legislation as evidenced by a marked increase in ADU permit applications. Due to this legislation, the City supports ADU construction which will result in increased opportunities for housing including affordable units. Additionally, the City has seen increase application and approval of ADU permits from 2017 to 2020 and believes, accompanied by legislation, these trends will continue.

The City supports and accommodate the construction of at least 656 ADUs by a variety of methods that may include but not limited to:

- Developing a implementing a public awareness campaign for construction of ADUs with a systematic approach utilizing all forms of media and outreach distribution
- Preparing and maintaining a user-friendly website committed to information related to codes, processes, and incentives pertaining to the development of ADUs and JADUs in the City.
- Evaluating and assessing the appropriateness of additional incentives to support ADU development within 12 months of determination.
- **Housing Policy Action 1K: Accessory Dwelling Units Monitoring Program** - The City will establish an ADU Monitoring Program during the 2021-2029 Housing Element Planning Period to formally track ADU development annually. The analysis will track applications

for ADUs, location, and other important features such as affordability. The intent of the Monitoring Program is to track progress in meeting 2021-2029 ADU construction goals and to evaluate the need to adjust or supplement programs and policies if the pace of ADU construction is less than anticipated

The City believes that recent legislation, combined with growing interest will increase total ADUs in the City, however, increased may not begin immediately. Therefore, by 2024, should the tracking program find that ADUs are not being permitted as anticipated, the City will explore establishing additional incentives, including but not limited to the following:

- Create an ADU factsheet outline the steps for application through approval.
  - Providing the factsheet online and at the public counter to ensure adequate access and dissemination of educational materials.
- Annual research and identify supplementary funding sources to subsidize ADU development.
  - For example, the City may utilize Housing Department funds or other grant funding sources to support the establishment affordable ADUs.
- Implement feasibility study to develop by-right permit- ready ADU plans.
  - Develop permit ready ADU plans pending the results of the study
- Implement additional streamlining of permit processing and/or reduction or subsidizing development and impact fees
- Increase awareness of the City's ADU conversion program (Housing Policy Action 1L) through facts sheets, memos in utility bills, information at the City's counter and through code enforcement.
- **Housing Policy Action 1L: Conversion of Existing, Non-Permitted Accessory Dwelling Units** - The City will establish a program to allow for the conversion of non-permitted accessory dwelling units to legally conforming units. This program will allow homeowners with existing illegally established accessory dwelling units to achieve legal, permitted status. The intent of the Program is to permit, inspect, and legalize existing unpermitted ADUs of any size. Actions include:
  - Implement the City's existing processes for converting non-permitted ADUS.
  - Meeting with property owners to review and discuss options for conversion
  - Develop an outreach program to disseminate the opportunities and increase awareness of property owners.
- **Housing Policy Action 1M: Farmworker and Employee Housing Act Compliance** - The City of Fontana will update Chapter 30 Article V of the Fontana Development Code to comply with provisions for farmworker housing in compliance with the Employee Housing Act (Sections 17000-17062.5 of the California Health and Safety Code), which states the following:

- Any employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use.
  - Any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use.
  - Additionally, no conditional use permit, zoning variance, or other zoning clearance shall be required of employee housing that serves six or fewer employees and employee housing developments which are located on land classified as agricultural may be subject to a streamlined, ministerial approval process, and is not subject to a conditional use permit.
  - Employee housing that serves six or fewer employees or is deemed an agricultural land use shall not be subject to any business taxes, local registration fees, use permit fees, or other fees to which other family dwellings of the same type in the same zone are not likewise subject.
- **Goal 2: A high standard of quality in existing affordable housing stock.**
- **Housing Policy 2.1:** Conserve the existing housing stock and preserve housing opportunities for Fontana’s residents.
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units and.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana’s residents.
  - **Housing Policy Action 2A: Monitoring of "At-Risk" Housing Units** - The City of Fontana currently has eight (8) affordable housing complexes. These projects contain 456 deed restricted units that are not set to expire during the next ten years from the beginning of the Housing Element Planning period. The City will monitor these affordable units to ensure that housing costs are consistent with levels appropriate for the identified income category. Additionally, the City will annually monitor deed-restricted units that have the potential of converting to market-rate during the planning period. The City will continue to seek funding and opportunities for owners of these units to extend and/or renew deed restrictions and/or covenants. The City will continue to partner with non-profit housing developers and a strategy to preserve the units and address the conversion of affordable units to market-rate units. Actions for this program include:
    - The City will schedule up to three (3) meetings with property owners to inform them of the opportunities to extend deed restrictions.
    - The City will schedule up to two (2) meetings with qualified entities to potentially assist in preserving or replacing at-risk units. Qualified entities included, but are not limited to, the following:

○ Century Housing	○ Coachella Valley Housing Coalition
○ Southern California Housing Development Corporation	○ Community Partnership Development Corporation

○ Foundation for Quality Housing Opportunities Inc.	○ Housing Corporation of America
○ Jamboree Housing Corporation	○ Neighborhood Housing Services of the Inland Empire (NHSIE)
○ Nexus for Affordable Housing, Inc.	○ American Family Housing
○ Coalition for Economic Survival	

- The City will assist with funding when it is available and will provide support for funding applications.
- The City will provide information and education of resources for tenants upon any notification of potential conversion. Additionally, the city will provide assistance to residents by providing information about available affordable housing in the City and available resources and funding to support lower income households.
- **Housing Policy Action 2B: Code Enforcement for Residential Properties** - See Aesthetics for complete text.
- **Housing Policy Action 2C: Housing Unit Revitalization Program** - See Aesthetics for complete text.
- **Goal 3: Housing development that is not affected by governmental constraints.**
  - **Housing Policy 3.1:** Encourage incentivizing, development of housing affordable to all income levels in Fontana.
  - **Housing Policy 3.2:** Facilitate the development of quality housing that is affordable to all income levels and residents of Fontana through flexible development standards.
  - **Housing Policy 3.3:** Look for innovative solutions to reduce governmental constraints to facilitate the provision of housing, specifically affordable housing.
    - **Housing Policy Action 3A: Expedited Permit Processing** - The City allows priority development review processing for low- and moderate-income housing applications, as well as housing for the elderly. The City also assigns eligibility for expedited permit processing to developments that incorporate multi-family units for large families. Large-family projects are developments that construct at least 40% of the total number of multi-family units as three- or four-bedroom units. A mixture of affordable, senior, and large family units may also be eligible for expedited permit processing. This expedited processing saves the project applicant approximately 2 weeks in the entitlement review and approval process
    - **Housing Policy Action 3C: Monitoring Development Fees** - To contribute to the feasibility of affordable housing development, the City will monitor existing development fees to ensure in-lieu fees, development impact fees and processing fees are not considered an undue constraint on residential development. The City shall seek the assistance of affordable housing developers and other stakeholders in the review of fees.
    - **Housing Policy Action 3D: SB 35 Streamline Procedures** - The City will review the appropriate requirements pursuant to SB 35 and adopt a formal guideline for permit processing through SB 35. The City will develop an outreach strategy targeted toward

developers to utilize the SB 35 streamlining procedures as well as make the guidelines available on the City's webpage and at the planning counter.

▪ **Goal 4: Affirmatively further fair housing in Fontana.**

- **Housing Policy 4.1:** Enhance opportunities for affordable housing for all segments of Fontana's population.
- **Housing Policy 4.2:** Enforce fair housing laws prohibiting discrimination in the building, financing, selling, or renting of housing on the basis of race, ethnicity, ancestry, national origin, religion, sex, disability, age, marital status, familial status, source of income, sexual orientation, or any other arbitrary factor.
- **Housing Policy 4.3:** Partner with local organizations, to increase and promote fair housing outreach and education in Fontana.
- **Housing Policy 4.4:** Partner with the County of San Bernardino to increase information of and promote support services.
  - **Housing Policy Action 4A: Affordable Housing Online Resource Website** - The City provides an online affordable housing resource Website with the intent of providing dissemination of information regarding funding/financing options available at the Federal, State, and local level, incentives, partnership opportunities and other resources. The goal of the website is to promote a well-informed citizenry to ensure that the development community is aware of the availability of State, Federal and local funds as well as local in-kind assistance. The City provides annual monitoring information online with listings of all affordable units. The City will continue ongoing updates to the data base and ensure that all information is up to date with current legislation, opportunities, and City efforts.
  - **Housing Policy Action 4B: Participation and Support of Regional Fair Housing Efforts** - Currently, Fontana contracts with the Inland Fire Housing and Mediation Board (IFHMB) for the provision of fair housing services. The IFHMB provides educational and technical assistance as well as outreach activities, including informational materials, referrals, and workshops, within the City. The bilingual staff of IFHMB presents community service programs in cooperation with local Spanish radio and television stations to inform the audience of the variety of programs offered. Additionally, an IFHMB Newsletter, the Fair Housing Quarterly, is distributed to property owners/management and gives current news and court decisions affecting the rental business. The IFHMB will continue to provide educational and technical assistance as well as outreach activities, including informational materials, referrals, and workshops, within the City. The City will coordinate with IFHMP to host up to two (2) community outreach workshops focused on support fair housing awareness efforts.
  - **Housing Policy Action 4C: Family Self-Sufficiency Program** - The City will continue to support this program provided by the County of San Bernardino. The program provides an opportunity for Section 8 participants to move to financial independence and eventually, into homeownership. The program involves individualized counseling, career planning, education, and work experience. In order to efficiently and effectively

implement this program, the City will meet with partners at the County to identify strategies to increase awareness of the program and expand its services to all residents in Fontana.

- **Housing Policy Action 4D: Mental Health Services Program** - The City will continue to support this program provided by the County of San Bernardino. The program provides the basic needs of food, clothing, and shelter to mentally ill homeless adults in San Bernardino County. The program utilizes intensive case management and assists clients in obtaining Social Security Supplement (SSI), permanent housing, and employment. All of the mental health services are provided with state, local, and private donations to homeless and non-homeless mentally ill throughout the County. The City continues to refer inquiries and coordinate with the County Housing Authority. In order to efficiently and effectively implement this program, the City will meet with partners at the County to identify strategies to increase awareness of the program and expand its services to all residents in Fontana.
- **Housing Policy Action 4E: Supportive/Transitional Housing Facilitation** - San Bernardino County Community Services Department receives funding from public, private, federal, and state sources to address the most serious needs of low-income residents of San Bernardino County. The County currently operates several programs at no cost to the participant so that they can more easily make the transition to permanent housing. These programs are targeted for homeless, low income, or special needs populations.
  - The Family Development Program provides holistic case management to homeless facilities, a transitional housing program, rental security deposit program, and direct services such as rent assistance, food vouchers, gasoline vouchers, bus tickets, etc., to low-income persons.
  - The Food Bank program provides food for low-income residents throughout San Bernardino County through governmental surplus commodity distributions and salvage food agencies.
  - The Senior Nutrition program provides low-cost or no-cost nutritionally sound meals for residents age 60 and over, in community centers, or by home delivery.
  - The Transitional Housing program provides homeless families with a temporary home while helping them get back on their feet through case management.
  - The San Bernardino County Community Services Department leases the homes through HUD and, in turn, rents it to homeless families at a very low cost.

The City continues to refer inquiries and coordinate with the County Housing Authority. In order to efficiently and effectively implement this program, the City will meet with partners at the County to identify strategies to increase awareness of the program and expand its services to all residents in Fontana.

- **Housing Policy Action 4F: Domestic Violence Services Program** - The City, in conjunction with the Fontana Police Department, the Fontana Housing Department, House of Ruth (a nonprofit service provider), operate the Fontana Domestic Violence Facility and has

designed a three-tiered program consisting of emergency, temporary, and transitional housing for victims of domestic violence and will continue to support this program.

This tiered program utilizes ten units in the following manner: one, one-bedroom unit is designated for emergency drop-off purposes, where House of Ruth Option House staff can perform individual needs assessments; two 2-bedroom units are reserved for temporary shelter units with a maximum length of stay of up to 60 days; and six 2-bedroom units reserved for transitional housing with a maximum length of stay of up to 18 months.

The City will continue to support House of Ruth by providing assistance utilizing HUD funding through the Fontana Housing Department and by providing law enforcement support and coordination with the City Police Department.

- **Housing Policy Action 4G: Community Assistance Program** - The CAPS program is a technical assistance program that aids homeless individuals and families who want to get off the streets. The program helps in getting cleaned-up physically and free from dependencies, job training, how to look for a job and how to find and apply for housing. The program is operated by a nonprofit organization and is partially funded through grants from the Fontana Police Department.

The City will refer inquiries and coordinate with the County Housing Authority. In support of safe and quality housing efforts the City will work with the Police Department and Housing Authority to identify an appropriate outreach strategy in order increase awareness of the program and proved services to residents in need.

- **Housing Policy Action 4H: Anti-Poverty Program** - During the 5th cycle. the City of Fontana's Housing Department ran the Anti-Poverty Program utilizing Grant funding. This program addresses the priority needs of low-income residents associated with affordable housing: employment, income management, housing, emergency services, nutrition, and family self-sufficiency. Specifically, the program aims to provide on-the-job training for low-income summer youth and CalWorks recipients to gain marketable employment skills. Additionally, it aims to provide short-term emergency assistance and services to low-income families including temporary shelter, household counseling and conservation-weatherization assistance, emergency crisis to prevent utility service shutoff, gas and food vouchers, and limited medical assistance. During the 5<sup>th</sup> cycle, the City lost funding to implement this program. However, the City recognize the benefits this program can provide to an array of residents and therefore will pursue a new funding source for reimplementation.

Upon identification of funds, the City will support low and extremely low-income households in Fontana. The City will provide contact information and educational resources regarding the program online

- **Housing Policy Action 4I: Housing Referral and Information Services** - The County of San Bernardino Housing Authority provides rental subsidies and property improvements to County-owned rental units to assist eligible low- and moderate-income Fontana residents through the Section 8 programs. Housing referral and information services will continue



to be provided through a contract with the County of San Bernardino Housing Authority. The City will continue to refer inquiries and coordinate with the County Housing Authority.

- **Housing Policy Action 4J: Housing for Persons with Developmental Disabilities** - The City recognizes the importance of housing opportunity and accessibility for persons with developmental disabilities or households supporting a person(s) with developmental disabilities. The City of Fontana will continue to support the ability of persons with developmental disabilities to live in integrated community settings. The City will continue to work with the Inland Regional Center and other appropriate non-profit organizations and service agencies to identify the housing needs of Fontana residents with developmental disabilities, remove barriers to housing for persons with developmental disabilities.
- **Housing Policy Action 4K: Affirmatively Further Fair Housing** - Pursuant to AB 686, the City will affirmatively further fair housing by taking meaningful actions in addition to resisting discrimination, that overcomes patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristic, as defined by California law.

The Housing Element contains analysis of contributing factors to fair housing issues within Fontana and determined the following factors were applicable:

- **Lending Discrimination:** Home Mortgage Disclosure Act (HMDA) data from 2008 showed that Hispanic and African American individuals or families experienced lower loan approval rates than other groups when purchasing or refinancing a home in the City. African Americans continue to have the lowest approval rates for home purchase loans and Hispanics have the lowest approval rate for refinance loans. Additionally, data from the Consumer Financial Protection Bureau 2019 report shows that persons who identified as Native Hawaiian or Pacific Islander experienced the lowest loan approval rates and the highest denial rates, specifically for applicants of low and very low income. The data also shows that applicants of color in all income categories experienced lower rates of loan approval and higher rates of denial than the white contemporaries.
- **Discrimination based on Disability:** Complaints received by the City's contracted fair housing service provider based on disability continue to be the leading basis of all discrimination complaints. This demonstrates a lack of understanding and sensitivity of the fair housing rights of the disabled by the housing industry.
- **Transit Access:** The 2020-2024 Analysis of Impediments found that Omnitrans does not have a bus route connecting the public transit system to the Falcon Ridge and Summit shopping centers located on either side of Summit Avenue off of the 1-15 freeway in North Fontana. This is a major new employment center that includes shops, restaurants, and stores such as Target, Kohls, Staples, and Stater Brothers. Additionally, bus route 82 is the southwestern-most as well as the northernmost bus route in the City, running east-west in the south for miles along Jurupa Avenue, and north along Sierra Avenue from Jurupa up to the 210 freeway. An extension of this

line or another route along Slover Avenue just south of the 10 freeway would connect residents to two of the top 10 employers in Fontana that are not located within one-half mile of a bus stop. Additionally, AllTransit shows that there are currently no low-income households that live near transit and that just under two percent of all residents use public transit. a combined lack of proximity and access to transit with low rates of usage may also indicate a lack of awareness of availability of transit.

- **Fair Housing Education, Outreach and Enforcement:** This finding is informed by outreach done during the update of the Fontana Analysis of Impediments. The increasing number of fair housing complaint intakes performed by the City's contracted fair housing service provider and their interaction with housing providers and housing seekers during workshops demonstrated a lack of understanding of both Federal and State fair housing laws. The data indicates that the number of fair housing complaints in Fontana is somewhat higher than those of neighboring Cities in the housing market area.
- **Public Investment in Specific Neighborhoods:** The City of Fontana is considered a low resource region, as illustrated in HEU Figure 3-9. The majority of the City is measured at the lowest opportunity levels, with few moderate to high opportunity census tracts in the northern region of the City. The TCAC/HCD Opportunity Area Maps (HEU Figure 3-11) also reports tracts with high segregation and poverty surrounded by others with low resources at the center of the City. When compared to the AllTransit performance mapping in HEU Figure 3-12, the City has poor access to transit in the southern and northern regions of the City. A lack of transportation options throughout the City may restrict residents from accessing resources and opportunities not within their immediate neighborhoods. Furthermore, when compared to the CalEnviroScreen in HEU Figure 3-13, the center of the City with the lowest levels of resources also experiences the highest levels of pollution burdens. The City must focus on investing in central neighborhoods to provide those most directly impacted by pollution and poor mobility with additional resources.
- **Availability of Affordable Housing:** HEU Section 2.C.3 provides details on household income throughout Fontana. HEU Table 2-12 states there are a total of 10,330 households in Fontana which earn 50 percent or below the HUD Area Median Income (HAMI) and 7,905 households which earn between 51 and 80 percent of the HAMI. These are considered extremely low-/very low-income households and low-income households. In comparison, the City currently has 1,898 affordable units with covenants protecting the affordability. The policies and programs established in HEU Section 4: Housing Plan allow for the addition of 5,109 units affordable to very low-income households and 2,950 units affordable to low-income households to meet the RHNA allocation. In addition to allowing for the development of additional affordable housing units for current lower income residents, the City must provide additional resources and outreach to organizations and residents regarding aid available for those in need.
- **Access to Proficient Education:** HEU Section 3.B.3 analyses various opportunity measurements of the City and of residents. The UC Davis Center for Regional Change

and Rabobank identifies low educational achievements for Fontana residents. HEU Table 3-21 shows English and math proficiency levels lower in Fontana than for the State, as well as low percentages of college educated adults and UC/CSU eligibility. HEU Table 3-22 also provides school proficiency indexes by race and ethnicity; all racial and ethnic groups scored less than 50 out of 100 total points, with the total population scoring from low 20s to mid-40s. Each racial and ethnic group scored about 10 points less when identified as living below the federal poverty line – resulting in scores ranging from 16 to 36. Lastly, HEU Figure 3-9 illustrates most of the City is categorized as the lowest opportunity measurement based on assets in education, the economy, housing, mobility/transportation, health/environment, and civic life. These scores and measurements point towards low opportunities and poor access to proficient education for children and young adults in the City.

The City is committed to taking meaningful actions to mitigate or remove fair housing issues within Fontana and will take the following actions for each of the contributing factors identified:

- **Lending Discrimination:** Monitor HMDA data and affirmatively market the availability of first-time homebuyer assistance programs that provide down payment assistance to low- and moderate-income homebuyers. The City will provide written outreach to lending institutions regarding the City's commitment to eliminate racial discrimination in lending patterns; to encourage attendance of all staff at IFHMB workshops; and to provide flyers regarding FTHB education, including IFHMB's FAQ on the City's website.
- **Discrimination based on Disability:** Collaborate and meet annually with the City's contracted fair housing service provider to provide recommendations of properties believed to be discriminatory in their practices as information is received; the City will facilitate accessibility reviews of multi-family properties; and distribute design and construction information related to accessibility to all who inquire about building permits. The City will also increase housing rights awareness in the community through fact sheets, annual meetings with local non-profits and community-based organizations and information on the City's webpage.
- **Fair Housing Education, Outreach and Enforcement:** Coordinate with Inland Fair Housing and Mediation Board (IFHMB) to conduct a minimum of two (2), no-cost, Fair Housing workshops in the City. Provide IFHMB outreach materials as a part the City's newsletter and utility bill mailings. Host a minimum of one (1) stakeholder meeting to collaborate with local realtors about lending, home buying and fair housing practices. Provide education materials to members of the Inland Valleys Association of Realtors and develop a fair housing FAQ for the City's website. Additionally, The City will provide resources and information on fair housing online and at City hall and Community Centers, as well as target areas with higher rates of complaints and low resources.
- **Transit Access:** Encourage development near transit through a minimum of two stakeholder meetings with developers and METRO to understand the best

approaches to housing near transit. The City will also review opportunities to expand public transportation opportunities servicing the Falcon Ridge / Summit Avenue Job Center and the Southwest Industrial / Jurupa Hills Job Centers, when and where funding is available. The City will collaborate with local organization and nonprofits to research and understand key barriers which result in a lack of transit usage.

In response to the low percentage of lower income households near transit, the City has identified 107 sites with opportunity for lower income housing in high quality transit areas (as defined by SCAG), total about 40% of the sites identified to accommodate lower income housing. The City will work with developers to increase affordable housing opportunities in these areas.

- **Public Investment in Specific Neighborhoods:** The City of Fontana has identified a total of 8 sites to accommodate future housing in a R/ECAP area. The 8 sites estimate a total of 216 potential units, 151 of which are estimated to be affordable to lower income households. The City recognizes the unique needs of R/ECAP areas will schedule at least two targeted outreach meetings in the designated R/ECAP area to better understand community needs as they are related to housing. The City will work with interested developers to support affordable housing options in the R/ECAP area with a focus on quality design and access to economic and educational resources.
- **Availability of Affordable Housing:** The goal of the 6<sup>th</sup> Cycle Housing Element is increase affordable housing options for lower income residents across the City. The City's sites strategy will take an aggressive approach to promote affordable housing in higher resource areas and will meeting with local and regional stakeholders to increase the feasibility and development of affordable housing. The City will streamline affordable housing projects, and provide additional incentives when funding is available. Additionally, the City will work with developer to utilize the existing Inclusionary Ordinance.
- **Access to Proficient Education:** As a part of the adequate sites analysis and strategy the City has identified parcels adjacent to local schools for housing opportunities. Additionally, with the Fontana Unified School Districts support, parcels owned by FUSD have been identified near schools for rezone to increase density. The City will support housing opportunities adjacent to educational institutions and schools in order to decrease challenges related to access and commuting. The City will partner with FUSD annually to gather insight via community outreach about key housing and economic needs of FUSD families and students.

## **General Plan Policies and Mitigation Measures**

### **General Plan Policies**

- **Economy, Education, and Workforce Development Element**
  - Strengthen community institutions and development patterns that provide a high quality of life and that correspond to the values of the millennial generation—the majority of workers starting in 2016.

- Promote initiatives to attract housing in and around downtown for households of all types as a way to support new retail, restaurant, and entertainment options in downtown.
- Downtown Area Plan
- Encourage mixed-use development within downtown and along major corridors.
- Encourage new medium-density housing on vacant and underutilized parcels within the neighborhoods of the downtown area.
- Ensure that new infill development is compatible in scale and character with the existing neighborhoods.
- Ensure that transportation and utility infrastructure keeps pace with infill development so that the neighborhood character and quality steadily improves over time.
- Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans.
- In addition to high-quality commercial development, encourage housing in appropriate forms along these corridors [Foothill and Arrow Boulevards and Sierra Avenue].
- Encourage higher-density housing on appropriate sites that is targeted to student, faculty and staff.
- Land Use, Zoning, and Urban Design Element
- Review citywide land use strategies when considering changes in the land use map.
- Keep zoning and other regulations up to date and consistent with the Future Land Use Map.
- Preserve and enhance stable residential neighborhoods.
- Locate multifamily development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses.
- Promote a land use pattern that provides connections among land uses and a mixture of land uses.
- Support high-quality development in design standards and in land use decisions.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Public Services

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- 1) Fire protection?
- 2) Police protection?
- 3) Schools?
- 4) Parks?
- 5) Other public facilities?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.12, Public Services, Utilities & Recreation analyzes impacts concerning public services, as summarized below:

Fire Protection: The GP Update buildout could result in substantial adverse physical impacts associated with the provision of new or physically altered fire facilities, or need for new or physically altered fire facilities, the construction of which could cause significant environmental impacts. The GP Update implementation would increase the City's population. This population increase would require new and expanded facilities to ensure acceptable service levels. Areas designated for development within the GP Update are already within the service area of the City's Fire Protections District which covers the City limits and the SOI. The City's Fire Protection District collects development mitigation fees for fire facilities which would be available to fund additional fire protections facilities as needed. Therefore, impacts would be reduced to less than significant following compliance with GP Update policies found within the Noise and Safety Element (see below), concerning fire protection and emergency services.

Police Protection: The GP Update buildout could result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities, or need for new or physically altered police facilities, the construction of which could cause significant environmental impacts. The GP Update implementation would increase the City's population. This population increase would require new and expanded facilities to ensure acceptable service levels. If a police protection facility is to be expanded or constructed, the police facility would be subject to a development and environmental review process according to City and CEQA guidelines. The City collects Development Impact Fees for Police services with all new developments. These fees help offset the cost of providing police services on a project by project basis. That process would identify potential impacts (such as potential short-term construction impacts) and whether mitigation was required to reduce impacts to a less than significant level. The GP Update Public and Community Services Department includes goals and policies pertaining to police protection. Goal 1 of the GP Update states that through implementation, Fontana's crime rate continues to be below state and county rates by continuing to comply with the policing programs, and actions against crime. Therefore, with implementation of the GP Update goals, policies, and actions impacts related to police protection and functions would be less than significant.

Schools: The GP Update buildout could result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, or need for new or physically altered school facilities, the construction of which could cause significant environmental impacts. GP Update implementation would increase the City's population. This increase in population would require new and expanded facilities to ensure acceptable service levels. In order to help finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Fontana Unified School District Governing Board may establish, levy and collect developer fees on residential, commercial and industrial construction within the district, subject to restrictions specified by law and administrative regulation. This would further reduce impacts related to schools. It is concluded that impacts would be reduced to less than significant following compliance with GP Update policies concerning educational facilities. Specifically, as stated in Goal 2 found within the Economy, Education, and Workforce Development, the GP Update will ensure to support education and workforce development programs in Fontana to foster education achievement and skill development that prepares students and workers for the higher-paying jobs of the future by making school completion and educational achievement a high civic priority with broad community support. Through this, the expansion of existing and new educational institutions in Fontana will be encouraged.

Parks: The City population in 2035 is expected to be 269,066. With a standard of 5 acres per 1,000 residents, the City would need 1,345 acres of park land. The City currently has approximately 1,621 acres total in parks and land for public use, enough to meet this performance standard, therefore based on future populations projections associated with the planning horizon of the GP Update there would not be a need for new or altered parks. Park and recreational facility use over time is anticipated to increase as the population increases through 2035. The City has included in the GP Update, a goal of keeping all public parks designed and maintained to a high standard, with a policy to provide sufficient funding to support adequate park maintenance. In addition, the GP Update includes a policy to create a Fontana Parks Foundation to support park system improvements and activities. With implementation of the GP Update policies found in the Conservation, Habitat and Urban Forest Element, Open Space for Outdoor Recreation, Public Health and Safety, and Health & Wellness Goal listed below, including the maintenance and funding policies, parks and recreational facilities are not anticipated to incur substantial physical deterioration, therefore the GP Update would have a less than significant impact to parks.

Libraries: The GP Update implementation could result in substantial adverse physical impacts associated with the provision of new or physically altered library facilities, or need for new or physically altered library facilities, the construction of which could cause significant environmental impacts. GP Update implementation would increase the City's existing population. This increase in population would require new and expanded facilities to ensure acceptable service levels. It is concluded that impacts would be reduced to less than significant following compliance with GP Update policies concerning public facilities. Specifically, found within the Economy, Education, and Workforce Development Element where through the GP Update, educational facilities and institutions will be encouraged to expand and the making of educational achievement a high civic priority with broad community support.

Impacts to Other Public Facilities: The GP Update implementation could result in substantial adverse physical impacts associated with the provisions of new or physically altered public facilities or need for new or physically altered public facilities. The GP Update implementation would increase the City's population. This population increase would require new and expanded public facilities to ensure

acceptable service levels. Following adherence to GP Update goals, policies, and actions, as stated above and listed below in the Economy, Education, and Workforce Development Element, impacts would be less than significant.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana’s RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of public services impacts is necessary.

### **Housing Element Goals, Policies, and Actions**

- **Housing Goal 4:** Affirmatively further fair housing in Fontana.
  - **Housing Policy 4.4:** Partner with the County of San Bernardino to increase information of and promote support services.
    - **Housing Policy Action 4F:** Domestic Violence Services Program – See Population and Housing for complete text.
    - **Housing Policy Action 4G:** Community Assistance Program – See Population and Housing for complete text.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- **Conservation, Habitat and Urban Forest**
  - Consider permanent protection for all these lands through acquisition and deed restrictions.
  - Use public open space to support wildlife habitat as appropriate.
  - Support tree conservation and planting that enhances shade and drought resistance.
- **Open Space for Outdoor Recreation, Public Health and Safety**
  - Establish legal requirements for replacement, when any city-owned park land listed in the California Protected Lands database is transferred to other uses, with land of equivalent environmental, recreational, or aesthetic value.
  - Establish park access by walking and biking as a criterion for park location and for design of active transportation networks.
  - Continue to use a minimum standard of 5 acres of public parkland per 1,000 persons.
  - Pursue park development where parkland is insufficient.



- Promote park designs that can serve multiple constituencies and provide aesthetic benefits.
- Provide sufficient funding to support adequate park maintenance.
- Promote creation of a Fontana Parks Foundation, a nonprofit to support park system improvements and activities.
- Support a Parks, Recreation, and Trails Master Plan update consistent with the General Plan in 2018 and every 10 years thereafter.
- **Trails**
  - Seek funding sources to implement the San Sevaine Trail, and design and implement an “Eastside Trail” linking the City from north to south in the eastern part of the city.
  - Advocate with other municipal partners to state lawmakers for opportunities to use utility easement land as trails and parks.
  - Support trail creation and maintenance in natural areas
- **Health and Wellness Goal**
  - The average lifespan in Fontana is consistently within the top ten of all Southern California cities.
- **Public and Community Services Element**
  - Continue the Police Department’s successful community policing programs.
  - Provide appropriate security for new amenities, such as trails and parks.
  - Support Police Department needs for staff and technology to keep up with population growth and contemporary policing methods.
  - Promote and enhance use of anti-crime design strategies and programs.
  - Continue the City’s successful partnership with the San Bernardino County Fire Department.
- **Noise and Safety Element**
  - The City shall require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
  - The City shall ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times are adequate for all sections of the city.
  - The potential for hazardous contamination is reduced in the City of Fontana.
  - The City shall strive to reduce the potential for residents, workers, and visitors to Fontana from being exposed to hazardous materials and wastes.
  - The City maintains regulations, plans, protocols and emergency training to reduce hazards and risks, and meet State and Federal requirements for emergency assistance.
  - The City shall keep hazard mitigation and emergency services programs up to date.

- The City shall continue to provide hazard and risk mitigation and emergency training to public employees and the public at large.
  - The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
  - The City shall continue to ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the city.
  - The City shall monitor development or redevelopment in areas where fire zones have been mapped through the city.
  - The City shall strive to reduce the potential for residents, workers, and visitors to Fontana being exposed to hazardous materials and wastes.
  - Keep hazard mitigation and emergency services programs up to date.
  - Continue to provide hazard and risk mitigation and emergency training to public employees and the public at large.
- **Economy, Education, and Workforce Development Element**
    - Make school completion and educational achievement a high civic priority with broad community support.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Recreation

- a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.12, Public Services, Utilities & Recreation analyzes impacts concerning recreation, as summarized below:

Impacts to Existing Parks and Recreational Facilities: The City currently collects 3 acres of parkland or in-lieu fees from new residential subdivisions for every 1,000 residents in accordance with CGC § 66477 (Quimby Act). Additional sources for the City to obtain parkland include general fund revenues, developer impact fees, state and federal grants, user group contributions, school district joint use contributions, and concessions. Other methods that the City pursues to supplement parkland include encouraging the development of private open space and recreational amenities, in addition to required parks, in large residential projects. The GP Update includes a number of goals and policies for encouraging and increasing active and passive recreational opportunities as the City grows. Furthermore, the GP Update identifies goals, policies and actions in the Conservation, Open Space, Parks and Trails Element, along with several actions in the Health and Wellness Element are related to parks and trails. Park and recreational facility use over time is anticipated to increase as the population increases through 2035. The City has accounted for this increase in population within the GP Update; a goal of keeping all public parks designed and maintained to a high standard, with a policy to provide sufficient funding to support adequate park maintenance. In addition, the GP Update includes a policy to create a Fontana Parks Foundation to support park system improvements and activities. With implementation of the GP Update policies, including the maintenance and funding policies, parks and recreational facility are not anticipated to incur substantial physical deterioration, therefore the GP Update would have a less than significant impact to recreation.

Impacts to Construction or Expansion of Recreational Facilities: The GP Update includes a policy to find funding to implement the San Sevaine Trail, and design and implement an “Eastside Trail.” The potential impacts related to trail construction will be analyzed as part of that project. At such time as funding becomes available and prior to construction of such facilities, project specific analysis for consistency with codes and ordinances, along with environmental review, would be conducted. Since the GP Update does not specifically propose construction of new facilities, and the build out under the GP Update will not exceed the performance standard set for parks, the goals, policies, and actions associated with the GP Update are considered to have a less than significant impact on parks. As stated above, planned growth for the City will result in an increase in the demand for recreational facilities. The GP Update implementation would entail maintenance, enhancement, and continued funding for existing open space and recreational facilities to suit the needs of current and future City residents. The GP Update recommends and proposes future parks for development, but the GP Update does not directly approve their development or construction. Therefore, the impact would be less than significant.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana’s RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of recreation impacts is necessary.

### **Housing Element Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to recreation.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- Conservation, Open Space, Parks and Trails Element
  - Consider permanent protection for all these lands through acquisition and deed restrictions.
  - Use public open space to support wildlife habitat as appropriate.
  - Support tree conservation and planting that enhances shade and drought resistance.
  - Establish legal requirements for replacement, when any city-owned park land listed in the California Protected Lands database is transferred to other uses, with land of equivalent environmental, recreational, or aesthetic value.
  - Establish park access by walking and biking as a criterion for park location and for design of active transportation networks.
  - Continue to use a minimum standard of 5 acres of public parkland per 1,000 persons.
  - Promote park designs that can serve multiple constituencies and provide aesthetic benefits.
  - Provide sufficient funding to support adequate park maintenance.
  - Promote creation of a Fontana Parks Foundation, a nonprofit to support park system improvements and activities.
  - Support a Parks, Recreation, and Trails Master Plan update consistent with the General Plan in 2018 and every 10 years thereafter.
  - Seek funding sources to implement the San Sevaine Trail, and design and implement an “Eastside Trail” linking the City from north to south in the eastern part of the city.
  - Advocate with other municipal partners to state lawmakers for opportunities to use utility easement land as trails and parks.
  - Support trail creation and maintenance in natural areas.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Transportation

Would the project:

- a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- d) Result in inadequate emergency access?

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.13, Transportation, analyzes impacts concerning transportation, as summarized below:

Conflict with Adopted Policies: The City Active Transportation Program (ATP) was approved in 2017. This plan details the existing active transportation (bicycle and pedestrian) network and also offers many future improvements which will enhance this network while simultaneously supporting the GP Update goals and policies. Through the City ATP, provision of services through Omnitrans and the Southern California Regional Rail Authority (SCRRA) regional Metrolink, impacts due to conflicts with adopted policies will remain less than significant. Many of the improvements from the GP Update will close gaps in the current network. The goals, policies, and actions of the GP Update have been formulated to supports the City's vision to take advantage of more transportation choices, to walk and bike to nearby parks, schools, and stores, use transit and ride-sharing, and drive longer distances as needed. The GP Update does not include policies that would reduce access to transit, pedestrian, or bicycle facilities, nor would it interfere with ATP policy implementation. The GP and its relevant policies would therefore support, rather than conflict with, policies, plans, and programs concerning alternative transportation. The GP Update concludes that impacts would be less than significant.

Conflict or Inconsistent with CEQA Guidelines Section 15064.3, subdivision (b): The City's current GP states that LOS "C" is desirable wherever feasible. In many cases achieving LOS "C" in a built environment would require extensive roadway widening that affects existing development, worsens conditions for pedestrians and bicyclists, and includes substantial cost. In those cases, the City recognizes that a worse LOS is acceptable. CEQA analysis is in a transition period where the state is transitioning from LOS to VMT as the metric used for assessing significant impacts. Cities will be able to use LOS for planning purposes, but LOS will not be a significant impact under CEQA after new guidelines are adopted. The GP Update EIR uses LOS as the criteria for significance and presents VMT information for informational purposes. For example, the City is an automobile dependent bedroom community. The City has high average daily VMT of—115.3 miles per day, ranked 4<sup>th</sup> highest of 24 cities in San Bernardino County. Through implementation of the GP Update Goal 7 of the Community Mobility and Circulation Element, the City will participate in shaping regional transportation policies to reduce traffic congestion and GHG emissions through the reduction of VMT and per-mile emissions through use of vehicle technologies to meet the City's goals for GHG reductions by 2035. The reduction in emissions would be achieved through proposed land use

modifications and policies that would result in a 19 percent reduction in per capita VMT, compared to the 2040 buildout of the existing GP, and a 9 percent reduction in daily total VMT. With this reduction, the GP Update is determined to be consistent with the CEQA Guidelines and SCAQMD 2016 Air Quality Management Plan based on the 9 percent reduction in daily total VMT under buildout of the GP Update, which would result in a substantial reduction in mobile source vehicle emissions. Thus, impacts would be less than significant. Furthermore, the threshold of significance applied for this analysis is consistent with the City's current GP, which recognizes that LOS "C" is desirable but not always feasible and is also consistent with the GP Update which includes goals, policies and actions establishing a balanced approach to maintaining vehicular LOS, but not at the expense of other travel modes such as walking and biking. The threshold of significance used to evaluate vehicular traffic conditions under the GP Update is based on maintaining LOS "C," "D," or better when deemed appropriate, and maintaining LOS "E" or better in all cases.

Design Hazards or Incompatible Uses: There are no components of the GP Update that directly apply to hazards due to design features or incompatible uses. Impacts from design features or incompatible uses will be controlled by compliance with applicable federal, state, and local regulations. The GP Update will result in a less than significant impact due to traffic hazards from a design feature or incompatible uses from implementation of the GP Update.

Emergency Access: Future development will be subject to the provisions of the City's Fire Code with regard to providing adequate emergency access. The GP Update does not include policies that would change standards related to emergency access, nor would it interfere with policy implementation. The GP Update will result in a less than significant impact to emergency access due to implementation of the GP Update.

## **Impacts and Mitigation Measures**

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana's RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of agricultural and forestry resources impacts is necessary.

## **Housing Element Goals, Policies, and Actions**

- **Goal 3:** Housing development that is not affected by governmental constraints.
  - **Housing Policy 3.3:** Look for innovative solutions to reduce governmental constraints to facilitate the provision of housing, specifically affordable housing.
    - **Housing Policy Action 3B: Review Parking Requirements** - In October of 2014, the City adopted alternative development, design and parking standards for the R-4 and R-5 zones. In addition, the City's Planning Department continuously reviews and revise its parking requirements for housing as appropriate.

To ensure that existing parking requirements will not pose future constraints on the development of housing, the City will review the requirements and revise, as appropriate. Prior to any amendments to existing parking requirements, the City shall coordinate with local developers, housing providers and other interested parties to review existing parking standards and provide recommendations on potential adjustments. In particular, the City shall review and revise requirements for enclosed garage parking and studio apartment parking standards should the analysis indicate the need for policy changes.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

##### **▪ Community Mobility and Circulation Element**

- Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.
- Apply the six “E’s” of the Safe Routes to School program to transportation planning and implementation—Encouragement, Education, Engineering, Enforcement, Evaluation, and Equity.
- Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016-2040 RTP-SCS.
- Monitor the development of autonomous vehicle systems and potential benefits and impacts on Fontana.
- Design roadway space for all users, including motor vehicles, buses, bicyclists, mobility devices (such as senior scooters), and pedestrians, as feasible and appropriate for the context.
- Support designated truck routes that avoid negative impacts on residential and commercial areas while accommodating the efficient movement of trucks.
- Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.
- Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.
- Balance neighborhood traffic circulation needs with the goal of creating walkable and bike-friendly neighborhoods.
- Develop and implement Best Practice Street Design standards for new residential street development projects.
- Provide a transportation network that is compatible with the needs of commerce and those who live, work, and shop in mixed-use areas.
- Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.
- Provide sufficient motor vehicle and secure bicycle parking in commercial and employment centers to support vibrant economic activity.



- Encourage approaches that reduce the overall number of new parking spaces that must be provided on-site for new development.
- Lead and participate in initiatives to manage regional traffic.
- Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
- Participate in the efforts of the SCAG to coordinate transportation planning and services that support GHG reductions.
- Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.

**Mitigation Measures from the FEIR**

The following roadway improvements have been identified in the GP Update EIR to reduce potentially significant impacts to traffic and the transportation network to a less than significant level. The location with recommended future improvements could be monitored over time, with improvements implemented when the LOS exceeds the performance standard

**MM-TRA-1** To mitigate the impact of additional traffic volumes on the segment of Citrus Avenue between Foothill Boulevard and Arrow Boulevard, roadway modifications to provide sidewalks where currently missing, the addition of Class II bicycle lanes in accordance with the City's ATP, and additional traffic calming measures as necessary to reduce traffic volumes to a level appropriate for the roadway's designation as a Secondary Highway will be constructed. Additionally, the roadway could be modified by removing on-street parking and constructing raised medians to increase the roadway's vehicular capacity.

The City utilizes a DIF, paid by new development as it occurs in the City, to fund projects such as the above mitigation measure.

While no additional significant transportation impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

## Summary of Previous Environmental Analysis

GP Update EIR Section 5.4, Cultural Resources, analyzes impacts concerning tribal cultural resources, as summarized below:

Tribal Cultural Resources: As discussed in the GP Update EIR, the City was compelled to comply with AB 52 and SB 18 dealing with Tribal Cultural Resources. AB 52 and SB 18 require the City to consult with Native American Tribes to determine their interest in future projects located within Fontana. GP Update goals, policies, and actions are consistent with the requirements of AB 52 and SB 18 and GP Update Goal 3: *Cultural and archaeological resources are protected and preserved* reinforces the City's commitment to the preservation of cultural and archaeological resources, including Tribal Cultural Resources. Therefore, the GP Update would not cause significant impacts to Tribal Cultural Resources.

## Tribal Consultation

Senate Bill 18 letters were sent out on May 25, 2021, to the following tribes:

- Agua Caliente Band of Cahuilla Indians, Patricia Garcia-Plotkin, Director
- Agua Caliente Band of Cahuilla Indians, Jeff Grubbe, Chairperson
- Gabrieleno Band of Mission Indians - Kizh Nation, Andrew Salas, Chairperson
- Gabrieleno/Tongva San Gabriel Band of Mission Indians, Anthony Morales, Chairperson
- Gabrielino /Tongva Nation, Sandonne Goad, Chairperson
- Gabrielino Tongva Indians of California Tribal Council, Robert Dorame, Chairperson
- Gabrielino-Tongva Tribe, Charles Alvarez
- Morongo Band of Mission Indians, Ann Brierty, THPO
- Morongo Band of Mission Indians, Robert Martin, Chairperson
- Quechan Tribe of the Fort Yuma Reservation, Jill McCormick, Historic
- San Manuel Band of Mission Indians, Jessica Mauck, Director of Cultural Resources
- Santa Rosa Band of Cahuilla Indians, Lovina Redner, Tribal Chair
- Serrano Nation of Mission Indians, Mark Cochrane, Co-Chairperson
- Serrano Nation of Mission Indians, Wayne Walker, Co-Chairperson

- Soboba Band of Luiseno Indians, Isaiah Vivanco, Chairperson

Assembly Bill 52 letters were sent out on May 25, 2021 to the following tribes:

- Soboba Band of Luiseno Indians, Joseph Ontiveros, Cultural Resource Director
- Gabrieleno Band of Mission Indians-Kizh Nation, Andrew Salas, Chairman
- San Manuel Band of Mission Indians, Lee Clauss, Director of Cultural Resources
- San Manuel Band of Mission Indians, Jessica Mauck, Director of Cultural Resources Management
- Torres Martinez Desert Cahuilla Indians, Michael Mirelez, Cultural Resource Coordinator
- San Gabriel Band of Mission Indians, Anthony Morales, Chief

A response was received on June 4, 2021, from the Agua Caliente Band of Cahuilla Indians, stating that a records check of the Tribal Historic preservation office's cultural registry revealed that this project is not located within the Tribe's Traditional Use Area. Therefore, the Agua Caliente Band of Cahuilla Indians defer to the other tribes in the area. This concludes tribal consultation the Agua Caliente Band of Cahuilla Indians. Additionally, a response was received on Thursday, June 10, 2021, from the San Manuel Band of Mission Indians (SMBMI) requesting that future cultural reports, geotechnical reports, and project plans for future projects be sent to SMBMI. No other responses have been received to date.

## **Impacts and Mitigation Measures**

**Impact Analysis:** As noted above, consultation with California Native American tribes is not required, given this environmental document is an Addendum EIR. However, it is noted, the City of Fontana, acting as the Lead Agency, initiated consultation for the GP Update EIR, in accordance with SB 18 and AB 52 requirements on November 22, 2016. Moreover, the Project involves a comprehensive update to the Housing Element to comply with State housing law and reflect the current 6<sup>th</sup> Cycle RHNA Allocation. The proposed changes would be minor and policy-related, and would not result in physical impacts since they do not involve a new land use or density/intensity beyond what was considered under the GP Update EIR. Therefore, the proposed changes would not affect tribal cultural resources. Thus, Project implementation would not result in environmental impacts concerning tribal cultural resources, and no mitigation is required. Note that while no significant tribal cultural resource impacts have been identified that require mitigation to less than significant levels, the below referenced mitigation measures are considered as best practices to be applied to future projects, as necessary.

### **Housing Element Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to tribal cultural resources.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- **Community and Neighborhoods Element**
  - Coordinate City programs and policies to support preservation goals.
  - Collaborate with the Native American Heritage Commission (NAHC) and local tribal organizations about land development that may affect Native American cultural resources and artifacts.

- Enhance public awareness of Fontana’s unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
- Collaborate with state agencies to protect cultural and archaeological resources.

### **Mitigation Measures from the FEIR**

While no significant tribal cultural resources impacts have been identified that require mitigation to less than significant levels, guidance and performance standards considered as a best practice to be applied to future projects can be viewed in Table 2-2 of the GP Update FEIR (<https://www.fontana.org/DocumentCenter/View/29525/Final-Environmental-Impact-Report-for-the-General-Plan-Update>).

The City has implemented a SCA, listed below, that is imposed on all development with regard to Cultural Resources and Tribal Cultural Resources, negating the need for mitigation measures.

**SCA CUL-1:** Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal cultural and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years’ experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

### **Modified/New Mitigation Measures**

No modified or new mitigation required.

## Utilities and Service Systems

Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?
- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

### Summary of Previous Environmental Analysis

GP Update EIR Section 5.12, Public Services, Utilities & Recreation analyzes impacts concerning utilities and service systems, as summarized below:

Construction of New Water Facilities: The GP Update does not include construction or expansion of any specific water facilities projects, nor does the City own or maintain the water supply infrastructure. Much of the anticipated growth is directed to areas in and around the urban core of the City where water delivery infrastructure already exists. Construction of new or improvements to existing water facilities depends upon the rate and locations of growth, along with deterioration of aging facilities. Thus, identifying the specific location(s) or timing of new or expanded facilities is speculative. As stated previously, the GP Update is intended to guide orderly planned and sustainable growth through the goals, policies, and actions embodied in the GP Update. Through any new development, the effects of these projects will be evaluated at the time they are proposed, environmental impacts are analyzed, and significant impacts mitigated as necessary. Therefore, no significant impacts are known at this time to occur from the construction of new water treatment facilities or expansion of existing facilities.

Construction of New Wastewater Treatment Facilities: The GP Update calls for all new developments to meet current building codes, and each new development will be subject to fees. The City collects development impact fees for sewer expansion to help mitigate impacts to sewer and treatment facilities. All future projects would be consistent with the GP Update and would comply with the GP policies found in the Infrastructure and Green Systems Element. This Element list several goals and corresponding policies to minimize impacts that new wastewater treatment facilities may have. Specifically, Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program which will support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan. Fontana promotes use of non-potable water for uses where drinking water is not needed. The City continues to

have an effective water conservation program and the City consistently seeks reasonable rates from the City's drinking water providers. Conservation of water resources with best practices such as drought tolerant plant species, recycled water, greywater systems, has become a way of life in Fontana. Therefore, impacts from the construction or expansion of wastewater facilities would be less than significant.

Stormwater Drainage Facilities: The GP Update buildout could require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects. The City and the San Bernardino Flood Control District (SBCFCD) share responsibility of the stormwater system in the City. Through this responsibility and collaboration with surrounding agencies, the San Bernardino Areawide Stormwater Program was formed to reduce pollution of urban runoff throughout the City. The GP Update includes several goals, policies, and actions toward responsible stormwater management, that will align with the San Bernardino Areawide Stormwater Program's goals. The GP buildout does not propose to change drainage patterns within the Project area. Instead, it will adopt policies and actions to limit the additional amount of stormwater from new development and protect water quality throughout the City and SOI. Impacts from the installation or expansion of storm drain facilities would be addressed on a per project basis for compliance with City ordinances including proper NPDES permitting, the Municipal Stormwater Management Plan (MSWMP), and CEQA. Therefore, no significant impacts are known at this time to occur from the construction of new stormwater conveyance facilities or expansion of existing facilities.

Dry Utilities Capacity: The GP Update buildout could create an additional demand for new power or supplies, or substantial alterations to existing systems. New development within the GP Update Planning Area would result in additional demands for fuel and energy. With adherence to the City Municipal Code, environmental review procedures, and the GP Update policies, impacts would be less than significant.

Natural Gas Capacity: The GP Update implementation could result in a need for natural gas systems or supplies, or substantial alterations to existing systems. According to the GP Update EIR, the Southern California Gas Company (SoCal Gas) continuously expands its network of gas pipelines to meet the needs of new commercial and residential development. Thus, SoCal Gas would have an adequate supply of natural gas available to serve the additional development, and the natural gas service provided to the City would not be impaired by GP Update buildout. Impacts would be less than significant.

Communication Systems Capacity: The GP Update implementation could result in a need for new communication systems or substantial alterations to existing systems. The GP Update Infrastructure and Green Systems Element policies listed below, includes policies and actions that would minimize the environmental effects of development of such facilities. Therefore, impacts would be less than significant.

Groundwater Supplies: Future development can potentially impact groundwater recharge if existing spreading grounds are altered (e.g., developed upon) without construction of replacement facilities. Impacts associated with depleted groundwater supplies included increased demand on out-of-region water resources and the energy and cost associated with the importing of other resources. The lowering of aquifer and groundwater levels in an area can cause existing wells and pumps to become non-functional if they are not designed to extract water below certain depths. As stated previously, the Santa Ana River Watershed includes programs for the long-term management of area groundwater basins. The primary means of ensuring long-term groundwater level maintenance includes careful monitoring to ensure groundwater levels are managed within a safe basin operating range and implementation of water

conservation programs. The GP Update supports water conservation through the use of natural and drought-tolerant vegetation and through water recycling. Additionally, water conservation programs of the GP Update are designed to ensure groundwater resources are recharged both through natural and assisted means. Water conservation helps to maintain groundwater levels by reducing the need to extract from them. As a result, the potential for impacts to groundwater levels within the region is less than significant. As noted above, the GP Update includes goals, policies, and actions, as stated previously and listed below, that would further reduce impacts to hydrologic resources.

Exceed Wastewater Treatment Facilities: Wastewater treatment is handled by the IEUA. The IEUA will be responsible for ensuring their facilities meet the requirements of the Regional Water Quality Control Boards (RWQCB). The GP Update calls for all new developments to meet current building codes. Additionally, all new developments will be subject to development fees, a portion of which would go toward sewer improvements. The City collects development impact fees for sewer expansion to help mitigate impacts to sewer. The GP Update also aims to promote innovative and resource-efficient systems and reduce sewer fees. It does not include any goals, policies or actions that would promote exceedances to wastewater requirements. Therefore, no significant impacts are known at this time to occur due to the requirements of the RWQCB.

Inadequate Wastewater Treatment Facilities: The GP Update does not consider or analyze specific development projects; therefore, the actual potential for future construction sites or developments associated with the GP Update are unknown. The City has limited septic systems and given the relatively stable geology and soils within the City, it is unlikely that there would be a potential risk that represents a significant change or increase from the conditions that are currently present. Overall, the City is served by a sewer system and the use of septic systems or other alternative wastewater disposal systems would be managed on a case-by-case basis.

Solid Waste Capacity: The GP Update includes policies to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost. These types of policies and diversion laws have the potential to offset the increase in waste generated by population growth. The GP Update would not have a significant impact to solid waste service or facilities because no specific land development activity is proposed. Specifically, the GP Update Infrastructure and Green Systems Element Goal 8 ensures all residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste. This will be achieved by the continuation to use best practices for environmentally safe collection, transport and disposal of hazardous wastes as well as the continuing to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost. The increase in population and potential for increase in solid waste would be analyzed on a per project basis. With adherence to the City Municipal Code, environmental review procedures, and the GP Update policies as found in the Infrastructure and Green Systems Element, to minimize impacts to landfill capacity, impacts would be less than significant.

Solid Waste Regulations: General Plan buildout could create significant impacts if the project does not comply with federal, state, and local statutes and regulations concerning solid waste. However, GP Update implementation would not conflict with any federal, state, or local regulations concerning solid waste, as the City furthers its commitment to existing waste reduction and minimization measures. Therefore, no impacts are anticipated.

## Impacts and Mitigation Measures

The draft 2021 HEU updates goals and policies, contains analysis of demographics through a community profile, identifies constraints and resources, and provides for the implementation of actions that will accomplish the goals and policies of the Housing Element in accordance with CGC § 65583. The housing units proposed under the draft 2021 HEU to satisfy the City of Fontana’s RHNA obligation are within the growth envisioned and assessed in the 2018 GP Update EIR and, therefore, the draft 2021 HEU would not result in new or more severe direct or indirect impacts than were analyzed in the 2018 GP Update EIR. Nor does the draft 2021 HEU present new information that identifies new or more severe impacts than those described in the GP Update EIR. Therefore, the draft 2021 HEU is within the scope of the 2018 GP Update EIR and no additional assessment of utilities and service systems impacts is necessary.

### Housing Element Goals, Policies, and Actions

- **Goal 2: A high standard of quality in existing affordable housing stock.**
  - **Housing Policy 2.2:** Encourage and promote sustainable, energy efficient design in existing and future residential units.
  - **Housing Policy 2.3:** Establish high-quality, environmentally responsible, well designed living environments for Fontana’s residents.
    - **Housing Policy Action 2D: Resources Conservation Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2E: Promotion of Green/Sustainable Development Practices** – See Air Quality for complete text.
    - **Housing Policy Action 2F: Water and Sewer Service Purveyors** - Pursuant to SB 1087, Chapter 727, Statutes of 2005, the City of Fontana will transmit its adopted Housing Element and any future amendments to local water and sewer service providers. This legislation enables the coordination between the City and water and sewer purveyors when considering future housing development. Additionally, the City encourages that priority for water and sewer service is granted to projects that include units affordable to lower-income households. The City will submit the adopted Housing Element to local water and sewer purveyors for their review and input.

### General Plan Policies and Mitigation Measures

#### General Plan Policies

- Infrastructure and Green Systems Element
  - Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.
  - Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.
  - Promote laundry-to-landscape greywater systems for single-family housing units.
  - Support landscaping in public and private spaces with drought-resistant plants.



- Continue successful city water conservation programs and partnerships.
- Support City negotiations to keep drinking water rates reasonable for residents and other users.
- Continue to promote and implement best practices to conserve water.
- Support and participate in IEUA programs that help Fontana be more resource-efficient.
- Support incorporation of greywater systems in new developments.
- Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.
- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.
- Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
- Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

## Summary of Previous Environmental Analysis

The GP Update EIR did not analyze impacts concerning Wildfire, as explained below.

Post GP Update EIR Certification Thresholds: Since GP EIR certification, CEQA Guidelines Appendix G has been revised to include a new Wildfire threshold.

## Impacts and Mitigation Measures

In February 2019, the CEQA Appendix G Checklist was updated to include a separate section with impact statements related to wildfire impacts for projects located in or near state responsibility areas or lands classified as very high Fire Hazard Severity Zones (FHSZ). Fire hazard significance thresholds were not included in the City of Fontana's CEQA analysis in the 2018 GP Update EIR, because the updated CEQA Guidelines that include the separate wildfire thresholds were implemented after the adoption of the GP Update. Nonetheless, wildfire hazards were evaluated in this section that considers hazards more generally for Fontana.

The California Department of Forestry and Fire Protection (CalFire) identifies and maps areas of fire risk in the state. FHSZs designate the range of fire hazard, based on three key factors: fuel, slope, and weather. FHSZs have varying degrees of fire hazard: moderate, high, and very high. FHSZ maps evaluate wildfire hazards, which are physical conditions that create a likelihood that an area will burn over a 30- to 50-year period. In Fontana, very high FHSZs are located in the northern and southern parts of the City.<sup>4</sup> Candidate housing sites are proposed with the very high FHSZ located in the northern part of the City at the base of the San Gabriel Mountains. Fontana anticipates the type of development that will be developed in the FHSZ is predominately residential, both single family dwellings (tract houses) and multi-family dwellings. This creates a greater potential impact because these structures are the least fire resistive in their construction and the population groups that inhabit them are the least prepared to evacuate in a large-

<sup>4</sup> Cal Fire. ND. Cal Fire FRAP FHSZ Viewer. <https://egis.fire.ca.gov/FHSZ/>. Accessed May 2021.

scale wildfire event. Any residential projects proposed in very high FHSZs would be required to meet state and City safety standards and pertinent building code regulations for houses in fire risk areas.

Additionally, the Fire Marshall reviews plans for structures and buildings citywide, including fire prone areas. Checklists are used to address fire code requirements, including but not limited to:

- Street and building signage, water supply, water infrastructure, sprinkler requirements, building requirements (sprinklers, smoke detectors, roofing, etc.), access roads, and vegetation management, among others.

In the areas identified as susceptible to wildland fire, the City has made requirements as follows:

- Roadway Design: Access roads and public and private streets shall not exceed a 12 percent grade, shall be capable of supporting 75,000 pounds, and shall be built with all-weather driving capabilities.
- Subdivision Access: Subdivisions must have two points of vehicular ingress and egress from streets, one of which may be used for emergency purposes only.
- Road Widths: Roads shall be at least 26 feet wide citywide and allow for two-way traffic; emergency vehicle access only is required to have a 20-foot minimum width.
- Bridge Design: Per the California Fire Code, access bridges must meet nationally recognized design standards, including a capability of supporting 75,000 pounds.
- Project Perimeter: Projects must provide adequate vehicular access for firefighting vehicles to the perimeter of a project that is adjacent to a fuel modified area or fire hazard area.

Overall, with implementation of Fire Marshall review, adherence to state and City fire standards, and compliance with the City's GP Update goals, policies, and actions, as they pertain to wildfire hazards, impacts related to wildfire would be less than significant.

### **Housing Element Goals, Policies, and Actions**

No HEU goals, policies, or actions were identified that pertain to wildfire.

### **General Plan Policies and Mitigation Measures**

#### **General Plan Policies**

- Noise and Safety Element
  - Maintain and continuously update the City's fire hazard overlay map for changes in fire hazard severity overlay district consistent with changes in hazard designations by CAL Fire.
  - Require residential, commercial, and industrial structures to adhere to applicable fire codes for buildings and structures, fire access, and other standards in accordance with Fire Hazard Overlay District, California Fire Code, and City of Fontana Municipal Code, encourage of retrofit of non-conforming land uses.
  - Continue to provide weed abatement services city-wide in order to curb potential fire hazards.

- Require adherence to fuel modification and defensible space requirements to reduce wildfire hazards; work with CAL FIRE to coordinate fuel breaks in very high fire severity zones.
- Ensure compliance with the Subdivision Map Act requirements for structural fire protection and suppression services, subdivision requirements for on/off-site improvements, ingress and egress, street standards, and other concerns.
- Continue to work with public and private water distribution and supply facilities to ensure adequate water capacity and system redundancy to supply emergency firefighting needs.
- Educate the community about fire prevention and suppression; work with other agencies and private interests to educate private landowners on fire-safe measures to achieve low risk conditions.
- Work with CAL FIRE, USFS, USGS, and applicable nongovernmental agencies to create a plan to address post-fire recovery activities and projects that allow burned areas to fully recover and minimize repetitive losses and further damage.

**Mitigation Measures from the FEIR**

None identified in the FEIR.

**Modified/New Mitigation Measures**

No modified or new mitigation required.

## **7 DOCUMENT PREPARERS**

### **Lead Agency**

**City of Fontana**  
Planning Department  
8353 Sierra Avenue  
Fontana, CA 92335  
909-350-6678

Personnel

DiTanyon Johnson, Principal Planner

### **Preparers of the Addendum Environmental Impact Report**

**Kimley-Horn and Associates, Inc.**  
3880 Lemon Street, Suite 420  
Riverside, CA 92501  
951-543-9868

Personnel

Kari Cano, Project Manager  
Meghan Karadimos, Analyst  
Sabrina Wallace, Analyst  
Amanda McCallum, Document Production