

## **RESOLUTION NO. 2012-031**

### **A RESOLUTION AMENDING RESOLUTION NO 2012-15 SETTING IMPACT AND IN-LIEU FEES IN CONNECTION WITH ORDINANCE NO. 1649 "INCLUSIONARY ZONING ORDINANCE" AND TO EXTEND THE EFFECTIVE DATE FOR THE FEE ADOPTION BY 15 DAYS FROM MAY 9, 2012 TO MAY 24, 2012.**

**WHEREAS**, on December 13, 2011, the City Council approved Ordinance No. 1649 which added Article IV to Chapter 14 of the Fontana Municipal Code relating to inclusionary housing and affordable housing impact fee requirements; and

**WHEREAS**, on December 13, 2011, the City Council also approved Resolution No. 2011-109 which set impact and in-lieu fees related to inclusionary housing to be effective on February 9, 2012; and

**WHEREAS**, on February 14, 2012, the City Council approved Resolution 2012-15 extending the effective date of the resolution 90 days from February 9, 2012 to May 9, 2012; and,

**WHEREAS**, the City Council has determined that Resolution No. 2012-15 shall be amended by extending the effective date of the fee adoption for 15 days from May 9, 2012 to May 24, 2012; and

**WHEREAS**, the City Council further has determined to reduce the Manufacturing/Industrial and Warehouse/Distribution impact fees as shown in attached Exhibit "A," and,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fontana orders as follows:

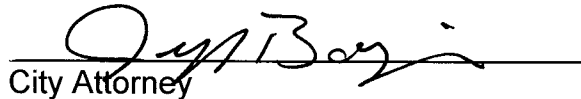
**SECTION 1.** The City Council hereby approves the affordable housing impact and in-lieu fees shown in the attached Exhibit "A" effective May 24, 2012.

**SECTION 2.** An approved tentative tract map that also has a complete design review application submitted to the City prior to May 24, 2012 is exempt from this resolution. If such design review application is disapproved by the Planning Commission, or expires after approval by the Planning Commission but before a building permit has been issued for the project, any new application of the project will be subject to this resolution.

**SECTION 3.** The City Clerk shall certify as to the adoption of this resolution.

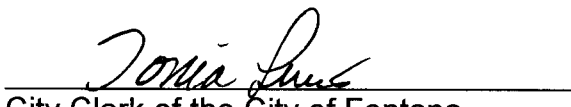
**APPROVED and ADOPTED** by the City Council of the City of Fontana on the 24<sup>th</sup> day of April, 2012.

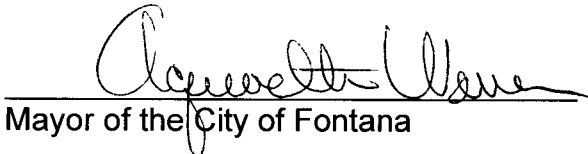
**READ AND APPROVED AS TO LEGAL FORM:**

  
City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council of the City of Fontana, hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council at a regular meeting on the 24<sup>th</sup> day of April 2012, by the following vote to wit:

**AYES:** Mayor Warren and Council Members Roberts, Tahan, Slowik and Wibert.  
**NOES:** None.  
**ABSENT:** None.  
**ABSTAIN:** None.

  
City Clerk of the City of Fontana

  
Mayor of the City of Fontana

**ATTEST:**

  
City Clerk of the City of Fontana

**EXHIBIT A**

Impact Fees

Multifamily Rental Apartment Impact Fee                      \$658    per unit

Non-Residential Impact Fees

Office	\$1.12	per building square foot
Hospital/Medical	\$1.38	per building square foot
Hotel/Motel (Hospitality)	\$0.69	per building square foot
Retail/Entertainment	\$1.61	per building square foot
Manufacturing/Industrial	<del>\$0.64</del> <b>\$0.12</b>	per building square foot
Warehouse/Distribution	<del>\$0.67</del> <b>\$0.13</b>	per building square foot

In-Lieu Fees (when applicable)

Residential Ownership In-Lieu Fee                                      \$1,350 per unit