

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
April 18, 2017
Grover W. Taylor Council Chambers**

CALL TO ORDER/ROLL CALL:

A. Call To Order/Roll Call:

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, April 18, 2017, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Vice-Chair Quiroga called the meeting to order at 6:04 p.m.

Present: Vice Chairperson Quiroga, Secretary Sanchez, Commissioner Vasquez, and Commissioner Fort

Absent: Chairperson Meyer

Also Present: Attorney Victor Ponto; Director of Community Development Zai AbuBakar; Senior Planner Orlando Hernandez; Assistant Planner Brett Hamilton; Associate Planner Rina Leung; Planning Secretary Jenny Espinoza; and City Clerk Tonia Lewis.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Secretary Sanchez, the Pledge of Allegiance was led by Commissioner Vasquez.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of April 4, 2017.

Fran Givens requested information on Public Hearing Item A. Attorney Ponto notified her that Public Hearing Item A was being withdrawn.

A motion was made by Secretary Sanchez and seconded by Commissioner Fort to approve the Minutes of the April 4, 2017, Planning Commission Meeting. Motion passed by a vote of 4-0.

PUBLIC HEARINGS:

A. Master Case No. 16-011; Minor Use Permit No. 16-003; Administrative Site No. 16-007; Tentative Parcel Map No. 16-005 - Applicant requested withdrawal of the project.

Applicant requested withdrawal of the project.

B. Master Case No. 16-057; Conditional Use Permit No. 16-030 - Review and approve a Conditional Use Permit to establish a day care facility.

Director AbuBakar introduced Brett Hamilton to the Planning Commission.

Assistant Planner Brett Hamilton provided the staff report.

Staff did not receive any communication in favor or opposition.

Discussion was held on the parking availability.

Attorney Ponto stated that the requirement is four parking spaces; the applicant is providing six. The applicant provided information regarding staggered drop off times.

Planner Hamilton stated that to meet the requirement, they can use the garage spaces.

Vice Chairperson Quiroga asked if the applicant could be home and off the clock during the hours of operation; she could.

The Public Hearing was opened.

The applicant, Atika Hamwi, provided history of her experience in child care; she provided information on parking and drop off times. She provided information on her certified assistants. She and her assistants have taken safety and nutrition classes.

Commissioner Fort requested information on the ages of the children cared for by the applicant; the children are 3 months to 12 years.

Commissioner Fort requested information on other vehicles on the property; there are only 2 cars in the home and there is plenty of room.

Commissioner Vasquez requested information on the latest pick up of children; the latest is 5:30 p.m.

Secretary Sanchez spoke on any students being dropped off before 7:00 a.m.

Secretary Sanchez asked if the applicant would be willing to widen the driveway; the applicant responded that she is a renter and would have to check with the owner.

Secretary Sanchez asked if the house is being rented, is it properly insured to have the daycare.

Attorney Ponto stated that the applicant has met the requirement that the City Code has set for parking and the applicant is not the property owner so she cannot commit to extending the driveway.

Discussion was held on the hours of operation. The applicant would be fine with extending the hours from 6:00 a.m. to 7:00 p.m.

Applicant has read, understood and agreed to the conditions of approval.

No member of the audience spoke in favor or opposition to this item.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Vasquez and seconded by Commissioner Fort to adopt Resolution PC No. 2017-006 and 1) Determine that the project is statutorily and categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section No. 15274 (Family Day Care Homes), and Section No. 15301 (Class No. 1, Existing Facilities), and direct staff to file a Notice of Exemption; and 2) Approve Conditional Use Permit No. 16-030 subject to the attached Findings and Conditions of Approval; with a change to the hours of operation. Motion passed by a vote of 4-0.

C. Master Case No. 15-051; Administrative Site Plan No. 15-028; Conditional Use Permit No. 15-012 - Conditional Use Permit is a request to allow the operation of a wireless telecommunications facility at Dickey Mortuary. Administrative Site Plan is a request for the installation of a new 62-foot tall monopine cell tower.

Associate Planner Rina Leung provided the staff report.

Staff noted a typo in the documents regarding the height of the monopine, it is 65-feet tall, not 62-feet tall.

Commissioner Fort asked if the environmental study included taking a look at EMF and proximity to residential areas. Director AbuBakar stated that the Federal Communications Commission prohibits cities for taking those factors into consideration.

Commissioner Vasquez asked if “ongoing” could be added to the condition regarding repairs to the cell tower and property in five days.

Discussion was held on the duration on the lease of the cell tower.

Discussion was held on how common it was to have antennas like this near homes and apartments. There is language in City Code that establishes the distance of a cell tower from residential areas.

The Public Hearing was opened.

Speaking for the applicant, James Rogers spoke on EMF emissions, maintenance of the towers, the length of the lease, and the location of towers.

Discussion was held on distance of the effect of the EMF emissions on the body.

Vice Chairperson Quiroga confirmed with Attorney Ponto that the applicant meets all of the local and federal requirements to process this application.

Ryan Trousdale is the owner of the property and spoke on EMF emissions and not having any concerns; he also spoke that it is a 25-year lease.

Applicant has read, understood and agreed to the conditions of approval.

Director AbuBakar updated Condition No. 8 that will now read as follows: "The facility tower and the site on which it is located shall be maintained in good repairs at all times".

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Vasquez and seconded by Commissioner Fort to adopt Resolution No.2017-007 and 1) Determine that the project is Categorically Exempt pursuant to Section No.15332, Class 32, (In-Fill Development) of the California Environmental Quality Act, direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 15-012 and Administrative Site Plan No. 15-028 with a correction to the height of the cell tower and revision to Condition No. 8. Motion passed by a vote of 3-1 with Commissioner Sanchez opposing.

NEW BUSINESS:

A. None

None.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for April 25, 2017, May 9, 2017, and May 23, 2017, meetings for the Planning Commission's information; and an update of future Planning Commission items for the May 2, 2017 and May 16, 2017, regular meetings for the Planning Commission's information.

Director AbuBakar shared information on a training and conference for the Commissioners with a memo at the dais.

Director AbuBakar shared information on a "Respectful Workplace" training on May 13, 2017, from 9:00 to 11:30 a.m. at the Jessie Turner Community Center.

Director AbuBakar reminded the Commissioners to complete the online AB1234 Ethics Training as soon as possible.

Director AbuBakar shared that the next General Plan Advisory Committee Meeting is scheduled for Thursday, April 20, 2017.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission adjourned in memory of the North Park Elementary victims at 7:16 p.m. to the Regular Planning Commission Meeting on Tuesday, May 2, 2017, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

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Ysela Aguirre
Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 2ND DAY OF MAY, 2017.**

DocuSigned by:

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Daniel Quiroga
Vice Chairperson

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

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