

**MINUTES OF THE CITY OF FONTANA
REGULAR PLANNING COMMISSION MEETING
April 7, 2020
Available Remotely**

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 7, 2020, in the Grover W. Taylor Council Vice Chairperson Fort called the meeting to order at 6:07 p.m.

Present: Chairperson Quiroga, Vice Chairperson Fort, Secretary Garcia, Commissioner Sanchez and Commissioner Sangha

Absent: None

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Planning Technician Alexia De La Torre; Planning Technician Mai Thao; Assistant Planner Cecily Session-Goins; Community Policing Technician Wendy Ratcliffe; and Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Commissioner Fort, the Pledge of Allegiance was led by Commissioner Sangha.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of March 17, 2020.

ACTION: A motion was made by Commissioner Sanchez and seconded by Commissioner Sangha to approve the Minutes of the March 17, 2020, Planning Commission Meeting. Motion passed by a vote of 4-0-1. (AYES: Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: Quiroga)

PUBLIC HEARINGS:

A. Master Case No. 18-054; General Plan Amendment No. 19-008; Zoning Code Amendment No. 19-006; Tentative Tract Map No. 20018 (TTM No. 18-005); Development Agreement No. 20-001 – 30 acre parcel containing 5,000 square foot minimum lots – Frome.

The applicant has requested this item be continued to the next regularly scheduled Planning Commission Meeting for a Public Hearing on April 21, 2020.

ACTION: Motion was made by Commissioner Sanchez and seconded by Commissioner Sangha to continue this item to the April 21, 2020, Planning Commission Meeting. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

B. Master Case No. 12-069R1; Conditional Use Permit No. 95-021R4 - A request to amend the existing Conditional Use Permit to upgrade the existing Type 41 (On-Sale, Beer and Wine) ABC (Department of Alcoholic Beverage Control) license to a Type 47 (On-Sale, General) ABC license for the existing restaurant.

Planning Technician Alexia De La Torre provided the staff report.

Discussion was held on the calls for service.

Discussion was held on the number of licenses allowed in the tract.

Discussion was held on the alcoholic beverages being stored in a controlled area with no access to the general public.

Discussion was held on the hours of operation remaining the same.

The Public Hearing was opened.

Attorney Otto confirmed that the applicant did not have to be present to acknowledge reading, understanding and agreeing to the conditions of approval.

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Sanchez and seconded by Commissioner

Sangha to adopt **Resolution PC No. 2020-014**; 1) Determine that the project is categorically exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 (Class No. 1, Existing Facilities) of the Local 2019 Guidelines for Implementing CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 95-021R4 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

C. Master Case No. 20-020; Conditional Use Permit No. 03-038R2 - Conditional Use Permit for an existing restaurant (Marisco's Jimenez) to upgrade its existing Alcoholic Beverage Control (ABC) Type 41 (On-Sale Beer and Wine-Eating Place) license to an Alcoholic Beverage Control (ABC) Type 47 (On-Sale General-Eating Place) license.

Planning Technician Mai Thao provided the staff report.

Discussion was held on the applicant having a permit to change the color of the building.

Discussion was held on the number of licenses allowed in the tract.

Discussion was held on where the alcohol will be stored.

Discussion was held on the floor plan drawing provided.

Discussion was held on the front entrance not being used.

Manager Hernandez shared an email from Policing Technician Wendy Ratcliffe on the Police Department supporting the project.

The Public Hearing was opened.

The applicant was not available.

No communication was received in favor or opposition.

The Public Hearing was closed.

ACTION: Motion was made by Commissioner Garcia and seconded by Commissioner Quiroga to adopt **Resolution PC No. 2020-015**; 1) Determine that the project is categorically exempt pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 of the Local 2018 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and, 2) Approve Conditional Use Permit No. 03-038R2 subject to the attached Findings and Conditions of Approval. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

D. Master Case No. 20-006; Zoning Code Amendment No. 20-006 - Amend the Zoning and Development Code (Chapter 30) of the City of Fontana Municipal Code, to revise the existing Accessory Dwelling Unit standards in

compliance with State law, amend the truck trailer parking requirements, amend the amenity requirements for Senior Housing projects, and amend Chapter 25 of the Municipal Code to revise the language for required right-of-way and street improvements.

Assistant Planner Cecily Session-Goins provided the staff report.

Discussion was held on why this project was coming forward as one project versus individual projects.

Manager Hernandez spoke on the Planning Commission having the ability to modify any part of staff's recommendation .

Director AbuBakar spoke on the City Council's direction to clean up the Development Code and trying to combine projects together to help the community.

Discussion was held on an HOA's ability to charge additional fees on Accessory Dwelling Units.

Discussion was held on how the structural safety of Accessory Dwelling Units will be ensured.

Discussion was held on applicability of impact fees.

Discussion was held on the definition of an efficiency kitchen and meeting the standard.

Multifamily dwelling structures can convert any unused space as long as they meet Building Code.

Discussion was held on parking requirements still having to be met.

Manager Hernandez spoke on previous code being based on the number of bedrooms; state mandate does not allow requiring more than one space per Accessory Dwelling Units.

Discussion was held on meeting the front setback.

Discussion was held on the definition of "knock out door".

Discussion was held on industrial warehouse developers being aware of the parking ratio.

Discussion was held on an exemption to parking with Accessory Dwelling Units that are close to public transportation.

Discussion was held on Accessory Dwelling Units meeting setback requirements.

Discussion was held on not having any say on the architectural aspect of an Accessory Dwelling Unit project.

Discussion was held on the definition of shared vehicles near Accessory Dwelling Units.

Discussion was held on no parking requirements in Historic Districts.

Discussion was held on Senior Housing amenities.

Discussion was held on Fontana not having a "Historical District" although it does have historical buildings.

The Public Hearing was opened.

No communication was received in favor or opposition.

The Public Hearing was closed.

Discussion was held on allowing modular homes as Accessory Dwelling Units.

Discussion was held on Accessory Dwelling Units being built without a permit.

Discussion was held on the Architectural Design requirement.

ACTION: Motion was made by Commissioner Garcia and seconded by Commissioner Sanchez to adopt **Resolution PC No. 2020-016**, and; forward a recommendation to the City Council to 1) Determine that the project is exempt pursuant to Section 15061 (b) (3) (General Rule Exemption), of the California Environmental Quality Act and Section No. 3.07 of the 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Exemption, and; 2) Approve Zoning Code Amendment (AMD) 20-006 to amend the Zoning and Development Code (Chapter 30 of the Fontana Municipal Code) as shown in Exhibit A as referenced herein. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

UNFINISHED BUSINESS:

A. None.

NEW BUSINESS:

A. None.

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Planning Commission reviewed an update of future City Council Agenda items for April 14, 2020, April 28, 2020, and May 12, 2020, meetings for the Planning Commission's

information; and an update of future Planning Commission items for the April 21, 2020 and May 5, 2020, regular meetings for the Planning Commission's information.

Director AbuBakar thanked the Planning Commission for their patience in dealing with conducting this meeting virtually and thanked staff for all of their work in making this possible.

Director AbuBakar commended Planning Technician Mai Thao on her first presentation this evening.

COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Sangha thanked staff for their reports and the IT team for their work.

Commissioner Sangha reminded everyone to take precautions and stay safe.

Commissioner Sangha expressed prayers and support for the business community and thanked everyone for their support.

Vice Chairperson Fort spoke on possibly meeting virtually again at the next meeting and providing necessary information.

Vice Chairperson Fort spoke on our country being resilient and a lot of good happening and people coming together.

Vice Chairperson Fort encouraged everyone to stay positive.

Commissioner Sanchez spoke on being vested with all stakeholders in the city.

Commissioner Sanchez spoke on the good coming out in this bad time.

Commissioner Sanchez spoke on the Chamber coming together to help each other.

Commissioner Sanchez offered himself to help out any businesses that may need help.

Commissioner Sanchez thanked his wife and his daughter for helping him be connected this evening and city staff for all they did to make tonight's meeting.

Secretary Garcia reminded everyone to stay home and to order food for your family and your neighbors.

Chairperson Quiroga loves being part of the Commission.

Chairperson Quiroga thanked staff for setting up the meeting tonight to be able to keep Fontana moving forward and keeping everyone safe.

Chairperson Quiroga spoke on the challenges of teaching virtually.

Chairperson Quiroga reminded everyone to stay home and take care of their elderly family members.

Chairperson Quiroga spoke on being blessed to live in this country and the City of Fontana.

Chairperson Quiroga encouraged everyone to keep their heads up.

Commissioner Sanchez notified everyone that masks are now required in San Bernardino County when going out in public.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, at 8:17 p.m. to the next Regular Planning Commission Meeting on Tuesday, April 21, 2020, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

DocuSigned by:

Ysela Aguirre

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Ysela Aguirre

Commission Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 21ST DAY OF APRIL 2020.**

DocuSigned by:

Daniel Quiroga

C81A84FF45B54C9

Daniel Quiroga

Chairperson

Certificate Of Completion

Envelope Id: DA2FCB42FC4649269941D72BD8F31993
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 Document Pages: 7
 Certificate Pages: 5
 AutoNav: Enabled
 Envelopeld Stamping: Enabled
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Signatures: 2
 Initials: 0

Status: Completed
 Envelope Originator:
 City Clerk
 8353 Sierra Avenue
 Fontana, CA 92335
 clerks@fontana.org
 IP Address: 192.146.186.96

Record Tracking

Status: Original
 7/28/2020 10:01:14 AM

Holder: City Clerk
 clerks@fontana.org

Location: DocuSign

Signer Events

Ysela Aguirre
 yselac13@aol.com
 Security Level: Email, Account Authentication
 (None)

Signature

DocuSigned by:

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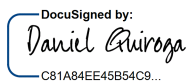
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Timestamp

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Electronic Record and Signature Disclosure:
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Daniel Quiroga
 elpacol@hotmail.com
 Security Level: Email, Account Authentication
 (None)

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Signature Adoption: Pre-selected Style
 Using IP Address: 108.184.119.124

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Evelyn Ssenkoloto
 essenkol@fontana.org
 Security Level: Email, Account Authentication
 (None)

COPIED

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 Viewed: 8/3/2020 5:17:39 PM

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Records Coordinator Security Level: Email, Account Authentication (None)	COPIED	Sent: 8/3/2020 10:22:03 AM Viewed: 8/3/2020 4:44:58 PM
Electronic Record and Signature Disclosure: Not Offered via DocuSign		

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	8/3/2020 10:22:03 AM
Signing Complete	Security Checked	8/3/2020 10:22:03 AM
Completed	Security Checked	8/3/2020 10:22:03 AM

Payment Events	Status	Timestamps
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Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•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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