



**City of Fontana
Planning Commission
Minutes**

Cathline Fort, Chair
Raj Sangha, Vice Chair
Idilio Sanchez, Secretary
Matthew Gordon, Commissioner
Ralph Thrasher, Commissioner

Tuesday, May 17, 2022 6:00 P.M. 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, May 17, 2022. Chair Fort called the meeting to order at 6:03 p.m.

Present: Chair Fort, Secretary Sanchez, and Commissioners Thrasher and Gordon

Absent: Vice Chair Sangha

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

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

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of May 3, 2022.

ACTION: A Motion was made by Secretary Sanchez, seconded by Commissioner Thrasher, and passed unanimously by a vote of 3-0-1 to approve the Consent Calendar.

The motion carried by the following vote:

Aye: Chair Fort, Secretary Sanchez, and Commissioner Thrasher

Absent: Vice Chair Sangha

Abstain: Commissioner Gordon

PUBLIC HEARINGS:

PH – A Master Case No. 22-034; Conditional Use Permit No. 22-011 - A request to operate a smoke, tobacco and vape shop in an approximate 1,500 square foot tenant space in the South Sierra shopping center.

Chair Fort opened Public Hearing.

This item was continued to a date uncertain.

ACTION: Motion was made by Commissioner Gordon, seconded by Commissioner Thrasher, and passed unanimously by a vote of 4-0 to continue this item to a date uncertain. The motion carried by the following vote:

The motion carried by the following vote:

Aye: Chair Fort, Secretary Sanchez, and Commissioners Thrasher and Gordon

Absent: Vice Chair Sangha

PH - B Master Case No. 22-050, Zoning Code Amendment No. 22-003; a resolution of the Planning Commission of the City of Fontana, California, recommending that the City Council adopt an ordinance approving Zoning Code Amendment (ZCA) No. 22-003 amending Chapter 30 of the Fontana Municipal Code Article X, General Landscape Requirements.

Chair Fort opened Public Hearing.

Shannon Casey, Senior Engineer presented the staff report. Staff also mentioned that comments were received from the Building Industry Association (BIA), which were listed on the memo presented to the commission on the dais.

The commission and staff discussed canopy landscape, coverage, and percentage, as it pertains to the General Plan Goals. In addition, a brief discussion took place regarding Crime Prevention through Environmental Design being incorporated into the code.

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information contained in this staff report, staff recommends that the Planning Commission adopt Resolution PC No. 2022-013 and forward a recommendation to the City Council to:

1. Determine that the project is categorically exempt, respectively from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15061(B)(3) (the common-sense exemption) and, alternatively, pursuant to CEQA Guidelines Section 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for Protection of the Environment), and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA; and,
2. Adopt an Ordinance approving Zoning Code Amendment (ZCA) No. 22-003 to amend Chapter 30, Article X (General Landscape Requirements) of the Municipal Code to update the citywide landscape as shown in the Attachment No. 1 as referenced herein.

ACTION: Motion was made by Commissioner Thrasher, seconded by Commissioner Gordon, and passed unanimously by a vote of 4-0 to adopt the Resolution presented. The motion carried by the following vote:

The motion carried by the following vote:

Aye: Chair Fort, Secretary Sanchez, and Commissioners Thrasher and Gordon

Absent: Vice Chair Sangha

PH-C Master Case No. 21-104, Conditional Use Permit No. 22-004, Administrative Site Plan No. 21-051 - a request to establish a Dutch Bros drive-through coffee shop of approximately 871 square feet with two (2) drive-through lanes at the South Highland Village shopping center.

Chair Fort opened Public Hearing.

Alexia De La Torre, Assistant Planner presented the staff report.

The commission and staff discussed parking, foot traffic, and the flow of traffic for this project site. In addition, a brief discussion took place regarding temporary signage, traffic flow staff on site, and a total number of vehicles that would fit on site. Furthermore, a discussion took place regarding the drive-thru exit and the temporary traffic flow.

The applicant, Kimberly Radan, stated that she read and agreed to the Conditions of Approval. In addition, she discussed the traffic exiting strategy that they have in place for this project. She also mentioned that they will be opening two other locations soon. The commission commented on the limited parking in front of the shop and the pedestrian traffic. Ms. Radan further explained that due to the high volume of customers, they have staff that are called drink runners, whose job is to delivery orders to the vehicles waiting in line, which keeps the line moving and traffic flowing.

The commission thanked the applicant for bringing this business to the city.

No one spoke in favor or opposition of this item.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-014; and,

1. **Find that the previously adopted Initial Study/Mitigated Negative Declaration for Master Case No. 15-018 approved by the Planning Commission October 6, 2015, has adequately identified the impacts associated with the project. No further review is required pursuant to Section No. 15162 of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA, and direct staff to file a Notice of Determination; and,**
2. **Approve Conditional Use Permit No. 22-004 and Administrative Site Plan No. 21-051.**

ACTION: Motion was made by Secretary Sanchez, seconded by Commissioner Gordon, and passed unanimously by a vote of 4-0 to adopt the Resolution presented. The motion carried by the following vote:

The motion carried by the following vote:

Aye: Chair Fort, Secretary Sanchez, and Commissioners Thrasher and Gordon

Absent: Vice Chair Sangha

PH-D Master Case No. 22-049 and Municipal Code Amendment No. 22-004 - amendments to Chapter 26 (Subdivisions) and Chapter 30 (Zoning and Development Code) of the Municipal Code to establish standards and administrative procedures for conveyance maps, add language for density/replacement units to address Senate Bill 330, modify the land use table in the General Commercial (C-2) zoning district to allow truck sales with approval of a Conditional Use Permit (CUP), reduce required setbacks for residential accessory structures in the Single Family Residential (R-1) zoning district, extend the length of time for entitlement projects by providing a two-year time extension, and identifying inconsistencies and outdated language in the Zoning and Development Code.

Chair Fort opened Public Hearing.

George Velarde, Assistant Planner presented the staff report.

The commission and staff discussed time extensions, as it relates to entitlements, and if these extensions would be granted automatically or by request. A brief discussion also took place regarding when an extension should be requested. In addition, a discussion ensued regarding the setbacks for the R1 zoned areas, listed as less intensive structures and the other listed as open space/patio/structures. The commission and staff further discussed the proposed setbacks changes related to the R1 zoned areas.

The commission and staff discussed the reasoning behind the time extensions and the process that these will follow once they are granted. The commission once again, further discussed the proposed R1 zoned area setbacks changes. In addition, the commission discussed height requirements for the setbacks.

No one spoke in favor or opposition of this item.

The commission mentioned that before them on the dais was a memo requesting a modification to Section 30-967 – Requirements related to the number of No Net Loss/Density Bonus Units approved. Staff also mentioned that a comment letter via email was received, which was sent to the commission prior to the meeting, and that the comment letter addressed one portion of the memo on the dais.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2022-015; and,

1. Determine that this Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act (“CEQA”) Guidelines, Section No. 3.22 and 3.07 of the 2019 Local Guidelines for Implementing CEQA, because it has not potential for resulting in physical change in the environment, directly or indirectly. The Planning Commission further finds, under Title 14 of the California Code of Regulations, Section 15061(b)(3), Section No. 3.22 and 3.07 of the 2019 Local Guidelines for Implementing CEQA, that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.; and,
2. Approve a resolution recommending that the City Council adopt an Ordinance for Municipal Code Amendment (MCA) No. 22-004 to amend Chapter 26 and Chapter 30 of the Municipal Code.

ACTION: Motion was made by Secretary Sanchez, seconded by Commissioner Gordon, and passed by a vote of 3-1 to adopt the Resolution presented, with a modification to deny the extension of the 10-foot setbacks to 3-foot setbacks and leave it at 10 feet, as currently listed on the code.

The motion carried by the following vote:

Aye: Chair Fort, Secretary Sanchez, and Commissioner Gordon

Nay: Commissioner Thrasher

Absent: Vice Chair Sangha

UNFINISHED BUSINESS:

- A. None

DIRECTOR COMMUNICATIONS:

- A. Director Communications:

No further communications were received.

COMMISSION COMMENTS:

A. Public Communication Remarks:

Commissioner Thrasher thanked staff for the projects presented. In addition, he commented that Fontana has an amazing Information Technology Department and that he was impressed to see how all the technology is ran by one department.

Commissioner Gordon thanked the staff and Director of Planning, Mrs. Nevins for her knowledge and all the information that she brings forward. He also congratulated the new City Clerk, since this is the first time, they have sat together at a Planning Commission meeting; however, he did state that he had the pleasure of serving with her in another commission, so he congratulated her on her appointment. He also requested for those watching at home and those present in the audience to thank and appreciate law enforcement officers during National Police Week. He thanked the police officers present at the meeting and wanted to remind everyone that law enforcement officers go through a lot out in the field, and do their best to keep us all safe, so if you have an opportunity, thank an officer for all that they do.

Secretary Sanchez shared Commissioner Gordon's sentiments, as a father of law enforcement, and appreciates those that keep us safe, and thanked them. He thanked everyone for being present at the meeting tonight and wished everyone a good night.

Chair Fort mentioned that Fontana is a great place to live, work, and play, but its because of law enforcement, and all those that serve the city. She thanked the law enforcement officer at the dais and those seating out in the public, and those on duty. Furthermore, she stated that we feel safe, and the city is a safer place because of them.

WORKSHOP:**A. None****ADJOURNMENT:**

By consensus, the meeting adjourned at 7:11 p.m., in respect and honor of those who lost their lives in Buffalo due to gun violence, to the next Regular Planning Commission Meeting on Tuesday, June 7, 2022 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Maria Torres

Maria Torres
Administrative Secretary

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 7TH DAY OF JUNE 2022.**



Cathline Fort
Chairperson

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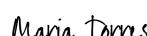
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Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/16/2022 11:31 AM
Certified Delivered	Security Checked	6/18/2022 11:23 PM
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Browsers (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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