



City of Fontana
Planning Commission
Minutes

Cathline Fort, Chair
Idilio Sanchez, Vice Chair
Ricardo Quintana, Secretary
Raj Sangha, Commissioner
Ralph Thrasher, Commissioner

Tuesday, November 19, 2024 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, November 19th, 2024. Chair Fort called the meeting to order at 6:03 p.m.

Present: Chair Fort, Secretary Quintana, Commissioners Sangha, and Thrasher

Absent: Vice Chair Sanchez

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation by Fontana Police Department Chaplain Bianca Pescina, the Pledge of Allegiance was led by Secretary Quintana.

PUBLIC COMMUNICATIONS:

A. Public Communications:

None.

CONSENT CALENDAR:

A. Approval of Minutes:

Approve the Regular Planning Commission Meeting Minutes of October 15th, 2024.

ACTION: A Motion was made by Commissioner Thrasher and seconded by Commissioner Sangha and passed by a vote of 4-0 to approve the Consent Calendar.

The motion carried by the following vote:

Aye: Chair Fort, Vice Chair Sanchez, Secretary Quintana, Commissioners Sangha and Thrasher.

Absent: Vice Chair Sanchez

Abstain: None

PH-A Master Case No. 24-0031: Design Review No. 06-00045 (R2) – A request to revise the previously approved Design Review to make modifications to the existing Rock Honda Auto Dealership building facade on an approximately 10.4-acre, pursuant to a Categorical Exemption in accordance with CEQA Guidelines Section 15301.

Chair Fort opened Public Hearing.

Angelica Martinez, Assistant Planner, presented the staff report.

The Commission and staff briefly discussed the intended start date of the project and its original approval date.

Zachary Walrod on behalf of, Lithia Real Estate Inc. stated that he read and agreed to the Conditions of Approval and provided the commission with a start date of the project.

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. 2024-055, and,

1. Determine that the project is categorically exempt pursuant to Section No. 15301 (Class No. 1) of the California Environmental Quality Act, and Section No. 3.22 (Categorical Exemption) of the Local 2019 Guidelines for Implementing the CEQA, and direct staff to file a Notice of Exemption; and,
2. Approve Design Review No. 06-00045-R2.

ACTION: Motion was made by Commissioner Sangha and seconded by Commissioner Thrasher and passed by a vote of 4-0 to approve Public Hearing Item "A"; adopt Resolution PC No. 2024-055 and approve Design Review No. 06-00045-R2.

The motion carried by the following vote:

AYES: Chair Fort, Secretary Quintana, Commissioners Sangha and Trasher;
NOES: None; **ABSTAIN:** None.

ABSENT: Vice Chair Sanchez

PH-B Adopt Resolution No. PC 2024-056: A Resolution of the Planning Commission of the City of Fontana, California, Recommending, Pursuant to an Exemption from the California Environmental Quality Act, that the City Council Approve a Development Agreement with Catalyst - Fontana LLC, concerning a retail cannabis business and Direct Staff to File a Notice of Exemption.

Chair Fort opened Public Hearing.

Deputy City Manager, Philip Burum, presented the staff report and answered questions of the commission.

The commission and staff discussed a list of non-profit organizations included in the Development Agreement.

Secretary Quintana expressed his concerns regarding managing the project area and the presence of loitering.

Deputy City Manager, Philip Burum provided information on the city ordinance that was adopted by City Council specifically regulating potential sales of retail cannabis and provided details on the application period and the review process.

Deputy City Manager Burum also commented on the operating agreement requirements such as strict adherence to state standards, local ordinances regarding aroma, security, and inventory controls. Additionally, Deputy City Manager Burum spoke about the steps that the city is taking to maintain compliance.

Another discussion ensued between the commission and staff regarding how non-profit organizations were selected and if the organizations would remain in place throughout

the tenure of the business. Deputy City Manager Burum explained the process on how the organization were selected and mentioned that the applicant would establish a committee for reviewing and determining any changes.

Chair Fort and Deputy City Manager Burum also discussed the number of operating retail cannabis locations and specifically where they would be located throughout the city.

The applicant, Damien Martin, on behalf of Catalyst, Fontana LLC., stated that he read and agreed to the Conditions of Approval and spoke about his commitment and engagement in the City of Fontana.

Applicant, Damien Martin also answered questions regarding the process of selecting the non-profit organizations, spoke about the possibility of expanding and adding additional groups and the process of negotiating the development agreement. Mr. Martin also spoke about his community engagement and noted 72 letter of support that he received on behalf of the local neighborhood adjacent to the project site.

Community Relations Liaison, Violeta Aguilar spoke about public outreach, community engagement and the community benefit agreement.

Lastly, the applicant and commission spoke about the application process and the selection for being identified on the nonprofit organization list.

The City Clerk's Department received one (1) written correspondence in opposition of this item.

The following individuals spoke in opposition:

- Flavio Nunez
- Nicolas Cisneros
- Juan Diaz
- Edgar Ceja
- Sebastian Castaneda
- Jose A. Caballero
- Michelle Bagi
- Olga Macial
- Brandon Krueger

Chair Fort requested clarification on the location and land use of the project site and Deputy City Manager, Burum, provided zoning information for the property and addressed concerns regarding loitering.

City Attorney Stephen Deitsch suggested adding additional language to "Section 5.2, to read as follows: " The inclusion of additional community benefit partners shall be subject to an open application process, with approval of additional partners to be approved at the sole discretion of the city".

Chair Fort requested that the Applicant confirm the additional language.

Applicant Martin approved the amended language that was recommended by City Attorney Deitsch.

The Public Hearing was closed.

RECOMMENDATION:

Based on the information in the staff report and subject to the findings, conclusions, and information in the staff report, resolution and presented in the public hearing, staff recommends that the Planning Commission adopt Resolution No. PC 2024-056; and recommend that the City Council:

- 1. Find, after review of this Development Agreement, that the Project is EXEMPT from the California Environmental Quality Act (“CEQA”), pursuant to State CEQA Guidelines Section 15301 (Class No. 1 - Existing Facilities) and direct staff to file a Notice of Exemption; and,**
- 2. Approve a Development Agreement with Catalyst – Fontana LLC, based upon the findings in the staff report and resolution, pending final adoption of the Development Agreement ordinance by the City Council and an Operating Agreement with Catalyst - Fontana LLC.**

ACTION: Motion was made by Commissioner Thrasher and seconded by Commissioner Quintana and passed by a vote of 4-0 to approve Public Hearing Item “B” and adopt Resolution PC No. 2024-056 with amended language.

The motion carried by the following vote:

**AYES: Chair Fort, Secretary Quintana, Commissioners Sangha and Trasher;
NOES: None; ABSTAIN: None.**

ABSENT: Vice Chair Sanchez

Chair Fort and staff discussed the criteria for the posting of public hearing notices.

PH-C Master Case No. 24-069: Specific Plan Amendment No. 24-002, a request to modify Chapter 5.6 of the Southwest Industrial Park Specific Plan to allow legal nonconforming “Pallet Yards” to expand operations within the Southwest Industrial Park Specific Plan, pursuant to a categorical exemption in accordance with CEQA Guidelines sections 15162 through 15164, and Section 15183.

Chair Fort opened Public Hearing.

Alejandro Rico, Associate Planner, presented the staff report.

The commission requested clarification on the allowance of 50% of expansion of existing pallet yards and buildings and the types of canopies over storage areas.

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. 2024-057; and recommends that the City Council:

- 1. Determine that this Ordinance is categorically exempt pursuant to Sections 15162 through 15164, and Section 15183 of the California Environmental Quality Act (CEQA) and Section 8.10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA, it has been determined that the previously certified Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (State Clearinghouse [SCH] No. 2009091089) has adequately identified the impacts associated with the Specific Plan Amendment ("proposed project") and direct staff to File a Notice of Exemption;**
- 2. Adopt an Ordinance for Specific Plan Amendment (SPA) No. 24-002 to modify text within Chapter 5.6 of the Southwest Industrial Park (SWIP) Specific Plan to allow expansions to legally established pallet yards within an existing site.**

ACTION: Motion was made by Secretary Quintana and seconded by Commissioner Thrasher and passed by a vote of 4-0 to approve Public Hearing Item "C" and adopt Resolution PC No. 2024-057.

The motion carried by the following vote:

AYES: Chair Fort, Secretary Quintana, Commissioners Sangha and Trasher;

NOES: None; ABSTAIN: None

ABSENT: Vice Chair Sanchez

PH-D Master Case No. 24-067 and Municipal Code Amendment No. 24-005: Fontana Municipal Code amendments to Chapter 30 (Zoning and Development Code) including modifications to density bonuses, entitlement extension approvals and minor administrative cleanup items, restrictions on single-serving alcohol sales, premise-to-premise transfer of conditional use permits for alcohol sales, food truck standards, minor planned unit development standards, temporary use permits, in-

home childcare facilities, permitted land uses in the Downtown Core, and Form-Based Code zoning district development standards, pursuant to a categorical exemption in accordance with CEQA Guidelines section 15060(c) and 15061(B)(3).

Chair Fort opened Public Hearing.

Cecily Session-Goins, Associate Planner, presented the staff report.

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. 2024-058, and,

1. Determine that this Ordinance is categorically exempted pursuant to the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c), 15061(B)(3) (the common-sense exemption), and 15378 and Sections No. 3.01, 3.22, and 10.59 of the 2019 Local Guidelines for Implementing 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. 24-005 to amend Chapter 30 of the Municipal Code,

ACTION: Motion was made by Commissioner Thrasher and seconded by Commissioner Sangha and passed by a vote of 4-0 to approve Public Hearing Item "D" and adopt Resolution PC No. 2024-058.

The motion carried by the following vote:

AYES: Chair Fort, Secretary Quintana, Commissioners Sangha and Trasher;
NOES: None; **ABSTAIN:** None

ABSENT: Vice Chair Sanchez

DIRECTOR COMMUNICATIONS:**A. Director Communications:**

Director Patty Nevins provided the commission criteria and city process on public hearing noticing for Administrative Site Plans.

COMMENTS:**A. Public Communication Commission Comments:**

Commissioner Sangha thanked Planning staff for their staff reports and the public for the opportunity to serve; closed his comments by wishing everyone a happy Thanksgiving.

Commissioner Thrasher echoed fellow commissioner Sangha's comments and thanked the public for the opportunity to serve.

Secretary Quintana commented on the importance of having good dialogue; thanked all city residents who came out to tonight's meeting and expressed his appreciation on all the public comments received.

Chair Fort thanked the community for coming out to tonight's meeting and thanked the public for expressing their concerns and adjourned the meeting by wishing everyone a happy Thanksgiving.

ADJOURNMENT:

Chair Fort adjourned the meeting at 7:41 p.m. to the next Regular Planning Commission Meeting on Tuesday, December 3, 2024, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

Susana Gallardo

Susana Gallardo
Specialist to the Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE PLANNING COMMISSION
ON THE 3rd DAY OF DECEMBER 2024.**

Cathline Fort

Cathline Fort
Chairperson

Certificate Of Completion

Envelope Id: 812D9FEA-568F-4678-8A52-D78CBACF4C39
Subject: Complete with Docusign: PC Minutes of 11-19-2024.docx
Source Envelope:
Document Pages: 8 Signatures: 2
Certificate Pages: 5 Initials: 0
AutoNav: Enabled
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Time Zone: (UTC-08:00) Pacific Time (US & Canada)

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Envelope Originator:
Maria Torres
8353 Sierra Avenue
Fontana, CA 92335
mtorres@fontanaca.gov
IP Address: 192.146.186.123

Record Tracking

Status: Original
12/4/2024 | 07:34 AM

Holder: Maria Torres
mtorres@fontanaca.gov

Location: DocuSign

Signer Events

Susana Gallardo
sgallardo@fontana.org
Security Level: Email, Account Authentication
(None)

Signature

Signature Adoption: Pre-selected Style
Using IP Address: 192.146.186.96

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Viewed: 12/4/2024 | 08:43 AM
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Electronic Record and Signature Disclosure:
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Cathline Fort
cathlinefort@verizon.net
Security Level: Email, Account Authentication
(None)

Signature Adoption: Drawn on Device
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Signed using mobile

Sent: 12/4/2024 | 08:50 AM
Viewed: 12/28/2024 | 06:19 PM
Signed: 12/28/2024 | 06:20 PM

Electronic Record and Signature Disclosure:
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In Person Signer Events

Signature

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Editor Delivery Events

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Status

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Intermediary Delivery Events

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Timestamp

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Status

Timestamp

Maria Torres
mtorres@fontanaca.gov
Security Level: Email, Account Authentication
(None)

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Sent: 12/28/2024 | 06:20 PM
Resent: 12/28/2024 | 06:20 PM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

Kathy Kasinger
Kkasinger@fontana.org
Records Coordinator
Security Level: Email, Account Authentication
(None)

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Sent: 12/28/2024 | 06:20 PM
Viewed: 2/12/2025 | 09:25 AM

Electronic Record and Signature Disclosure:

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Witness Events

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Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent
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Completed

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Security Checked
Security Checked

12/4/2024 | 07:36 AM
12/28/2024 | 06:19 PM
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12/28/2024 | 06:20 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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