

# City of Fontana

8353 Sierra Avenue  
Fontana, CA 92335



## Regular Agenda

Resolution PC No. 2022-013

Tuesday, May 17, 2022

6:00 PM

Grover W. Taylor Council Chambers

## Planning Commission

*Cathline Fort, Chair*

*Raj Sangha, Vice Chair*

*Idilio Sanchez, Secretary*

*Matthew Gordon, Commissioner*

*Ralph Thrasher, Commissioner*

**Welcome to a meeting of the Fontana Planning Commission.**

Welcome to a meeting of the Fontana Planning Commission. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335. To address the Planning Commission, please fill out a card located at the entrance to the right indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the City Clerk. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act of 1990 (42 USC § 12132), the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335 is wheelchair accessible, and a portable microphone is available. Upon request, this agenda will be made available in appropriate alternative forms to persons with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such a request to the City Clerk's Office at (909) 350-7602 at least 48 hours before the meeting, if possible. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection in the Grover W. Taylor Council Chambers 8353 Sierra Avenue Fontana, CA 92335.

Traducción en Español disponible a petición. Favor de notificar al Departamento "City Clerk". Para mayor información, favor de marcar el número (909) 350-7602.

**CALL TO ORDER/ROLL CALL:**

- A. Call To Order/Roll Call:

**INVOCATION/PLEDGE OF ALLEGIANCE:**

- A. Invocation/Pledge of Allegiance:

**PUBLIC COMMUNICATIONS:**

This is an opportunity for citizens to speak to the Planning Commission for up to three minutes on items not on the Agenda, but within the Planning Commission's jurisdiction. The Planning Commission is prohibited by law from discussing or taking immediate action on non-agendized items.

- A. Public Communications:

**CONSENT CALENDAR:**

All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time Planning Commission votes on them, unless a member of the Planning Commission requests a specific item be removed from the Consent Calendar for discussion. Does any member of the public wish to address the Planning Commission regarding any item on the Consent Calendar before the vote is taken?

- A. Approval of Minutes

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

**Approve Consent Calendar Item as recommended by staff.**

**CC-A Approval of Minutes of May 3, 2022.**

[21-1390](#)

**Attachments:** [Draft Planning Commission Minutes of May 3, 2022](#)

**PUBLIC HEARINGS:**

To comment on Public Hearing Items, you may submit comments via e-mail at [planning@fontana.org](mailto:planning@fontana.org). In the subject of your e-mail please indicate whether you are in favor or opposition of the item. Comments must be received no later than 5:00 p.m. on the day of the meeting. You may also fill out a card at the meeting and give it to the City Clerk. Public Comments should be no longer than three (3) minutes. If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

**All Public Hearings will be conducted following this format:**

- (a) hearing opened
- (b) written communication
- (c) council/staff comments
- (d) applicant comments
- (e) oral - favor
- (f) oral - opposition
- (g) hearing closed

**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.**

[21-1392](#)

**RECOMMENDATION:**

Staff is requesting this item to be continued to a date uncertain.

**APPLICANT:**

Farid Elias  
1513 Massaro Lane  
San Bernardino, CA 92411

**LOCATION:**

10650 Sierra Avenue, Suite A (APN: 0255-191-35).

**PROJECT PLANNER:**

George Velarde, Assistant Planner

**Attachments:** [Memorandum to the Planning Commission](#)

**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.

[21-1368](#)

**RECOMMENDATION:**

Based on the information contained in this staff report, staff recommends that the Planning Commission adopt Resolution PC No. 2022-\_\_\_ 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.

**APPLICANT:**

City of Fontana  
8353 Sierra Avenue  
Fontana, California 92335

**LOCATION:**

City Wide

**PROJECT PLANNER:**

Shannon J. Casey, AICP, Senior Engineer

**Attachments:** [Attachment No. 1 - Planning Commission Resolution](#)  
[Attachment No. 2 - Planning Commission Ordinance](#)  
[Attachment No. 3 - Public Hearing Notice](#)

**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.**

[21-1331](#)

**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-\_\_\_; 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

**APPLICANT:**

Kimberly Raden  
Armet Davis Newlove & Associates  
1330 Olympic Blvd.  
Santa Monica, CA 90404

**LOCATION:**

17010 South Highland Avenue (APN: 0240-121-37).

**PROJECT PLANNER:**

Alexia De La Torre, Assistant Planner

**Attachments:** [Attachment No. 1 - Vicinity Map](#)

[Attachment No. 2 - Site Plan](#)

[Attachment No. 3 - Elevations](#)

[Attachment No. 4 - Renderings](#)

[Attachment No. 5 - Planning Commission Resolution, Findings and Conditions of Approval](#)

[Attachment No. 6 - Notice of Determination](#)

[Attachment No. 7 - Notice of Public Hearing](#)

**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.**

[21-1388](#)

**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-\_\_\_; 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.**

**APPLICANT:**

**City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335**

**LOCATION:**  
Citywide

**PROJECT PLANNER:**  
George Velarde, Assistant Planner

**Attachments:** [Attachment No. 1 - Planning Commission Resolution and Exhibit A](#)  
[Attachment No. 2 - Notice of Exemption](#)  
[Attachment No. 3 - Notice of Public Hearing](#)

**UNFINISHED BUSINESS:**

- A. None

**NEW BUSINESS:**

- A. None

**DIRECTOR COMMUNICATIONS:**

- A. Director Communications:

DC-A Upcoming cases scheduled for City Council and Planning Commission. [21-1391](#)

An update of future City Council agenda items for May 24, 2022, June 14, 2022, and June 28, 2022 for the Planning Commission's information.

An update of future Planning Commission agenda items for June 7, 2022 and June 21, 2022 for the Planning Commission's information.

**Attachments:** [Upcoming City Council Items Memo](#)  
[Upcoming Planning Commission Items Memo](#)

**COMMISSION COMMENTS:**

- A. Planning Commission Remarks:

**WORKSHOP:**

- A. None

**ADJOURNMENT:**

**A. Adjournment**

Adjourn 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.