



**SAN BERNARDINO COUNTY**  
**PLANNING COMMISSION MEETING MINUTES**  
County Government Center  
Covington Chambers  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415

**Thursday, May 20, 2021**

**COMMISSIONERS PRESENT**

Jonathan Weldy, Chair, First District  
Ray Allard, Vice Chair, Second District  
Michael Stoffel, Commissioner, Third District  
Tom Haughey, Commissioner, Fourth District  
Kareem Gongora, Commissioner, Fifth District

**STAFF PRESENT**

Heidi Duron, Planning Director, LUSD  
Jason Searles, Deputy County Counsel  
Jim Morrissey, Contract Planner, LUSD  
Lupe Biggs, Administrative Assistant, LUSD

The Planning Commission meeting of May 20, 2021, was called to order at 9:33 a.m. by Chair Weldy. Chair Weldy led the Invocation and Commissioner Stoffel led the Pledge of Allegiance. Due to the guidance from the California Department of Public Health and the Governor's Executive Order to stay home, a limited number of staff was present at the meeting.

Present at the meeting was Planning Director Heidi Duron, Deputy County Counsel Jason Searles, Contract Planner Jim Morrissey, Administrative Assistant Lupe Biggs and Applicant Greg Lord.

The meeting was conducted pursuant to the provisions of the Governor's Executive Order N-29-20 dated March 17, 2020, which suspends certain requirements of the Ralph M. Brown Act.

**ROLL CALL**

Chair Weldy, Commissioner Stoffel and Commissioner Gongora were present at the meeting. Vice Chair Allard and Commissioner Haughey participated remotely.

**1. a. ADVANCE SCHEDULE**

The advanced schedule was presented by Lupe Biggs, Administrative Assistant.

**b. DIRECTOR'S REPORT**

Heidi Duron, Planning Director, reminded the Commissioner of the upcoming workshop on May 27, 2021 at 1:00 p.m. and announced the documents were posted early. She thanked the Commission for their flexibility for an afternoon meeting. Chair Weldy noted there will be a lighting demonstration included in the workshop at the County Government Center in San Bernardino and it may not be clear view via the remote sites. Ms. Duron added that information was noted on the agenda to make the public aware.

**c. COMMISSIONER COMMENTS**

Commissioner Gongora had questions regarding the Advance Schedule. He asked if the project on Cedar Avenue was removed and asked what the protocol is for Commissioner site visits. Ms. Duron clarified the project in Bloomington is not finalized and site visits are done independently. Commissioner Gongora then asked if there are any updates for expanding the project notice distance. Ms. Duron replied that staff continues to work on updating the Development Code. Commissioner Gongora also asked Senate Bill (SB) 330, that notices be made available in Spanish and suggested a workshop for the Indirect Source Rule. Ms. Duron stated staff can look into that and have further discussions. She also stated staff has made advancements in making notices available in Spanish. Chair Weldy summarized Commissioner Gongora's comments and stated the finalized policies will come from the Board of Supervisors.

## LANNING COMMISSION MEETING MINUTES

May 20, 2021

PAGE 2 OF 5

### 2. PUBLIC HEARING

APPLICANT: Lord Constructors, LLC  
COMMUNITY: Fontana / 2nd Supervisorial District  
PROJECT NO: PROJ-2020-00220  
LOCATION: South side of Arrow Route, approximately 350 feet west of Calabash Avenue  
STAFF: Jim Morrissey, Contract Planner  
PROPOSAL: (1) Policy Plan Amendment from MDR (Medium Density Residential) to LI (Limited Industrial);  
(2) Zoning Amendment from RM (Multiple Residential) to IC (Community Industrial), and;  
(3) Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 square-feet and 15,613 square-feet on separate parcels totaling 1.8 acres.  
CEQA RECOMMENDATION: Mitigated Negative Declaration  
EST. TIME: 30 minutes

### **STAFF PRESENTATION:**

Jim Morrissey, Contract Planner, presented the staff report to the Planning Commission, which is on file with the Land Use Services Department.

### **RECOMMENDATION:**

That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration (Exhibit A);
2. **ADOPT** the recommended Findings for approval of the Project (Exhibit B);
3. **ADOPT** a Policy Plan Amendment to change the Land Use Category from Medium Low Density Residential (MDR) to LI (Limited Industrial);
4. **ADOPT** a Zoning Amendment to change the Land Use Zoning District from RM (Multiple Residential) to IC (Community Industrial);
5. **APPROVE** a Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 square-foot and 15,613 square-foot on separate parcels totaling 1.8 acres, subject to the recommended Conditions of Approval (Exhibit C); and
6. **DIRECT** the Clerk of the Board to file the Notice of Determination.

### **COMMISSION COMMENTS:**

Chair Weldy asked if the item is recommended for approval as a package and not separate. Mr. Morrissey confirmed yes.

Commissioner Gongora began to discuss SB 330 and asked about up-zoning for the Project. Mr. Morrissey stated there are portions of the General Plan that has staff go through the SB 330 process, which applies to the Bloomington area and not applicable for this Project site. Ms. Duron added there is criteria for SB 330 to define affected County areas, which considers urban areas and census data. Mr. Searles stated that the California Department of Housing and Community Development (HCD) has identified which areas are affected and the Commissioners are able to review that information. Commissioner Gongora asked for more information

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## **LANNING COMMISSION MEETING MINUTES**

**May 20, 2021**

**PAGE 3 OF 5**

regarding the Vehicles Miles of Travel (VMT) data, such as what type of vehicles will be entering the site. Mr. Morrissey responded that the VMT Assessment is determined by the Traffic Division in Public Works and there is a guideline document that lists various thresholds. He continued to explain that the Project would not generate many tractor trailers type operations, and the Traffic Division gathers the data for the number of trips in various ways. Commissioner Gongora listed some of the environmental data related to air quality he had looked up for the Project area and asked for the process of how it was determined that there is no significant impact to result in a Mitigated Negative Declaration (MND). Mr. Morrissey explained the use of the California Emissions Estimator Model (CalEEMod) and how the Project's environmental impact does not exceed CalEEMod's thresholds. Commissioner Gongora asked for clarification regarding the Project's emissions data. Mr. Morrissey described the Level of Significance regarding grading, dust and other factors for the Project site. He continued to explain the modeling helps to determine the effect on the properties in the area. Mr. Morrissey further explained the construction process includes grading, which causes loose soils in the area. He described various methods to control the loose soils, which are all required during construction to minimize effects on the adjoining properties.

### **APPLICANT COMMENTS:**

Greg Lord, the Applicant, stated he is available for questions.

Commissioner Stoffel asked for clarification regarding the two final design concepts. Mr. Lord replied the designs for the east and west slightly vary because of the elevation. Commissioner Stoffel asked if the design looks similar to what is in the area. Mr. Lord replied yes and described previous structures like this Project. Ms. Duron noted the structure for this Project is consistent with others in the area.

Vice Chair Allard asked for clarification about the material used on the exterior of the building. Mr. Lord replied there is an architectural metal skin on the structure and powder coated for longevity.

Chair Weldy described some of his concerns regarding the subdivision for the Project. He asked if there will be a private association to manage the maintenance. Mr. Lord stated they own the property and explained both buildings will be sold to the same company. Chair Weldy asked if outside storage will be allowed. Mr. Lord replied no.

Commissioner Gongora stated he is very familiar with the area. He asked what will be the usage of the structure and what type of trucks will be coming to the site. Mr. Lord replied it will be used for fabrication and assembly of parts with an office area. He continued to explain that truck docks are not needed and there are no trailer stations. He stated the description of the structure as a warehouse can be misleading and explained it is more of a parts storage. Mr. Lord went on to state truck use will be minimal, smaller trucks will be used, along with 19 employees plus their personal vehicles. Commissioner Gongora asked if any of the Applicant's nearby facilities utilize solar. Mr. Lord replied some do and described the set up for future solar use. Commissioner Gongora asked if the renderings are just elevations. Mr. Lord replied yes. Commissioner Gongora also asked what the appearance of the windows will be on the side of Arrow Route. Mr. Lord responded the windows will be tinted with aluminum frames and described other features.

### **PUBLIC COMMENTS:**

Ana Gonzalez, resident of Rialto, registered in opposition of the Project, stated she is representing the Center for Community Action and Environmental Justice. She suggested the County should consider expanding the project notice distance to include more homes. Ms. Gonzalez asked if it can be extended based on Senate Bill (SB) 1000, so that the community can express their concerns. She asked what type of products will be stored in the facility and if there are any polyfluoroalkyl substances (PFAS) contaminants that could enter the water runoff in the community.

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## **LANNING COMMISSION MEETING MINUTES**

**May 20, 2021**

**PAGE 4 OF 5**

Chair Weldy asked Ms. Gonzalez for clarification regarding her comment about project notices. Ms. Gonzalez stated the Planning Commission can recommend to the Board of Supervisors to expand the project notice distance. Chair Weldy asked Ms. Gonzalez what a fair distance is. She replied a mile radius.

### **ADDITIONAL COMMENTS:**

Commissioner Gongora asked Mr. Morrissey what the County's plan to mitigate the stormwater runoff for this Project, in regards to the PFAS comment. Mr. Morrissey explained the purpose of the Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) is to control runoff and the pollutants that are generated; therefore it is intended to prevent pollutants from running off the property.

### **COMMISSION ACTION:**

Commissioner Haughey made a motion to approve staff's recommendation. Commissioner Gongora seconded the motion. The motion passed with a 5-0 vote.

### **COMMISSION VOTE**

MOTION: Haughey  
SECOND: Gongora  
AYES: Weldy, Allard, Stoffel, Haughey and Gongora  
NOES: None  
RECUSED: None  
ABSENT: None  
ABSTAIN: None

### **3. PUBLIC COMMENTS:**

Chair Weldy opened the Public Comments at 10:28 a.m. Having no requests to speak, Chair Weldy closed the Public Comments at 10:28 a.m.

### **4. ADJOURNMENT:**

There being no further business, Commissioner Gongora made a motion to adjourn the meeting. Commissioner Stoffel seconded the motion. The meeting was adjourned at 10:28 a.m.

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**LANNING COMMISSION MEETING MINUTES**

**May 20, 2021**

**PAGE 5 OF 5**

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**Chair Weldy**                      **Date**  
Chair Weldy, Planning Commission

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**Heidi Duron**                      **Date**  
Planning Director, Land Use Services Department

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**Lupe Biggs**                      **Date**  
Administrative Assistant, Land Use Services Department

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