



CITY OF RIALTO
THE REGULAR MEETING MINUTES OF
PLANNING COMMISSION
September 13, 2017 - 6:00 p.m.

The Regular meeting of the Planning Commission of the City of Rialto was held in the City of Rialto City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Wednesday, September 13, 2017.

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This meeting was called by the presiding officer of the City of Rialto Planning Commission in accordance with the provisions of **Government Code §54956** of the State of California.

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CALL TO ORDER

Chair John Peukert called the meeting to order at 6:00 p.m.

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**PLEDGE OF
ALLEGIANCE**

Commissioner Pauline Tidler led those present in the pledge of allegiance.

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ROLL CALL

Roll Call was taken by Planning Manager, Gina Gibson-Williams.

Present:

Chair: John Peukert
Vice Chair Frank Gonzalez
Commissioner Al Twine
Commissioner Pauline Tidler
Commissioner Dale Estvander
Commissioner Artist Gilbert

Absent:

Commissioner Jerry Gutierrez
Commissioner: Student, Maria Delgadillo

Also Present:

Assistant Planner, Daniel Rosas
Contract Planner, Edgar Gonzalez
Administrative Assistant, Sheree Lewis

**ORAL
COMMUNICATIONS**

Chair Peukert asked if there were any oral communications from the audience not on the agenda.

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Mrs. Gibson-Williams stated that there were none.

PLANNING
COMMISSION
MEETING MINUTES

Chair Peukert announced that the next item on the agenda is Planning Commission Meeting Minutes.

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Motion by Commissioner Estvander, seconded by Commissioner Gonzalez to approve the August 9, 2017 meeting minutes as mailed.

All in favor, motion carried 6-0-1. Commissioner Gilbert abstained.

PUBLIC HEARINGS

Chair Peukert stated there are no Public Hearing items on the agenda.

ACTION ITEMS

Chair Peukert stated Action Items are next on the agenda.

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Mrs. Gibson-Williams stated that Assistant Planner, Daniel Rosas will present the 2017 Wireless Telecommunication Facility Review.

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Mr. Rosas stated that this review of the wireless telecommunication sites was a request by the Commission based on the conditions of the facilities throughout the City.

Prior to this review, the last review was in 2015 along with additions of brand new wireless facilities. In this year's review, there were no new towers added and the total count remains 29 cell tower sites.

Staff visited each site and updated data tables and photos to determine the maintenance quality of each site. After each site was visited; 6 were rated poor. A complete package was provided for Commissioners to review photos of each site and given instruction that owners can be notified of Conditional Development Permit (CDP) violations and the permit can be revoked. One tower in poor condition is located on City property and does not have a CDP, but there is a lease agreement in place.

Staff recommendation is for the Commission to review these details and guide staff on how to proceed with this information.

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Commissioner Tidler stated that some towers in fair conditions are borderline poor and it would be proactive to send a notice of "Fair Condition" to prevent reaching the poor status.

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Mrs. Gina-Gibson clarified that both "fair" and "poor" sites will be notified of their current status' by mail. The strongest leverage the City has is revoking a

ACTION ITEMS

CDP or modifying the ordinance to require a small bond for maintenance and repairs.

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City Attorney Pam Lee stated that it is her recommendation that the City move forward with a bond or review of CDP with potential revocation. A tax lien only applies to real property, most are leasing the “pole/property” at the facility and would be considered personal property.

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Commissioner Estvander confirmed that after the 60 days, the site should have maintenance issues resolved or, undergo revocation.

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Chair Peukert asked if staff could present a recommendation for an ordinance change.

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Mrs. Gibson-Williams stated that most facility occupants respond quickly to notices by mail. If the Commission desires, additional verbiage regarding the bond can be added and will apply for new applicants.

It is suggested to formally instruct staff to write notice letters for the sites categorized as fair and poor with 30-45 days to respond. Also, if the Commission desires to exercise the right to modify the ordinance and add bond language it can be done now.

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Commissioner Tidler motioned to suggest that the sites in poor conditions should have more time to comply with the notice, those in fair condition should be notified only, with no time frame. Sites in fair condition should be alerted of the consequences once categorized as poor.

Motioned seconded by Commissioner Estvander.

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Mrs. Gibson-Williams recaptured and amended Commissioner Tidler’s motion stating; sites in “poor” condition will have 30 days to respond to the written notices, “fair” condition will have 45 days to respond and all letters will include CDP revocation language.

To add the bond language, a code amendment is required and must be presented formally before the Commission for adoption then forwarded to the City Council for approval.

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ACTION ITEMS

Commissioner Gonzalez asked if the existing facilities in poor conditions can have bonds added.

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Mrs. Gibson-Williams responded saying there are several measures to be taken prior to issuing bonds, focusing on the CDP revocation will be best for enforcing maintenance quality with existing facilities.

For new facilities, once a bond is posted, maintaining the facilities will be the additional time and costs for the City. Staff will provide options for the most effective way to enforce a potential bond.

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Commissioner Peukert recaptured the motion by Commissioner Tidler, seconded by Commissioner Estvander, to mail written notices for facilities with fair conditions (45 days) and poor conditions (30 days). All in favor, *motion carried 6-0-1.*

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Commissioner Estvander asked if new applicants can be requested to start a bond.

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Mrs. Gibson-Williams stated that technically, as the voting Planning Commission body, a request for a maintenance bond can be implemented in the CDP. This would only apply to existing facilities if they are reinstated after revocation, the maintenance bond can be added. The bond can be added as a standard condition.

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Commissioner Tidler asked if an existing cell tower adds additions, would this be considered new requiring a bond for the entire pole, or just the newer section. Some companies share cell towers.

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Mrs. Gibson Williams responded saying the bond would be in place for the new additions, separate from the existing components. The initial pole/tower is normally leased by the initial company, if a secondary company adds a prong, the initial carrier will be responsible for the apparatus and components outside of the secondary company's prongs.

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Commissioner Tidler requested that staff provide information regarding bonding and make recommendations based on what is legal, and what can or cannot be done with maintenance bonds.

ACTION ITEMS

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Mrs. Gibson-Williams confirmed that staff will find information for both scenarios; single tenant, co-location and single tenant, multi-location.

Chair Peukert stated that the next Action Item on the agenda is Wireless Facility located at 3344 North Locust Avenue Update.

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Mr. Rosas continued stating that this item will shed more light on the details of the previous item. An example 30-day written notice was explained;

This letter was sent to 3344 North Locust, the site was in poor condition. The letter was mailed by staff, a response from the tower owner was received requesting additional time to complete the maintenance work. Once the work was completed, the tower owner contacted the City stating the work was finally complete. Before and after pictures of the site were also provided. It was proposed to use the same verbiage in this letter, for future mailings.

In conclusion, Mr. Rosas will consider a minimum density level upon entitlement in the future to be sure the towers appear fuller and aesthetically pleasing.

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Mrs. Gibson-Williams stated that the updated Cell Tower application is more strenuous and requires more from the applicant than before.

PLANNING DIVISION COMMENTS

Chair Peukert stated that the next item on the agenda is Planning Division Comments.

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Mrs. Gibson-Williams began comments stating that Panera Bread filed an entitlement application for the Renaissance project and the reuse of the Walmart facility is also in negotiations, no tenants have been identified. Regarding the 18 acres in between the existing and new Walmart, there is an exclusive right to negotiate with Newmark Merrill.

Renaissance East filed an entitlement application recently, and the DRC reviewed Cracker Barrel and Sonic, along with a hotel concept that has not identified a tenant at this time. The additional 3 sites have not identified tenants as of yet, but CDP's and maps will be agendized for Planning Commission in October.

PLANNING DIVISION
COMMENTS

Lytle Creek filed for entitlement, the package was reviewed today. There will be approximately 500 homes and due to modifications, there will more than likely be an addendum to the Specific Plan and the Development Agreement will also be updated. The six mega lots will be developed at a later date by merchant builders and new maps will come before the Commission as submitted.

Mrs. Gibson-Williams presented a graphic displaying all projects currently underway. The volume of applications continues to increase, the new TRAKiT system assists with tracking the status of each new project.

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Commissioner Twine stated that staff was cut in Development Services a few years ago during the housing crisis, but it is time to rebuild the staff.

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Mrs. Gibson-Williams stated that she has contract staff that assists, but she's not sure if the current budget will allow this.

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Chair Peukert asked how the Commission can advocate for staff to return to its status prior to budget cuts.

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Mrs. Gibson-Williams stated that as appointed officials, there statements are helpful.

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Chair Peukert asked if the Commission can request an update regarding Staffing in Development Services pre-economic downturn compared to post-economic downturn.

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Mrs. Gibson-Williams replied that a recently generated staff report has the details.

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Chair Peukert mentioned that he would like the update to come from a different authority.

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Commissioner Tidler suggested to simply request general information.

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Commissioner Gonzalez asked for an update on the Student Commissioner

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Mrs. Gibson-Williams will continue looking into this (Student absences).

PLANNING
COMMISSION
COMMENTS

Chair Peukert stated that the next item on the agenda is Planning Commission Comments.

Commissioner Tidler thanked staff for collecting and presenting the Cell Tower data that was requested.

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Commissioner Peukert asked when the traffic issues regarding Target trucks and more will be agendized before the Commission.

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Mrs. Gibson-Williams replied stating that Commissioner Gutierrez mentioned that he would not be present at this meeting to comment, also, she will need clarification with City Attorney Pam Lee first. There are additional Code Amendments that are being prepared regarding Electronic Vehicle Charging Stations, Marijuana and more, but staff will have the truck traffic on the agenda as soon as possible.

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Commissioner Peukert continued stating that he appreciates the staff dedication in securing new businesses in the City.

PLANNING
COMMISSION
COMMENTS

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Commissioner Tidler mentioned that residential parking of mobile/trailer homes is becoming a topic and parking in neighborhoods is becoming scarce.

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Mrs. Gibson-Williams replied explaining parking is allowed on a paved surface behind a gate, or on an extended driveway but not on landscaped areas or streets.

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Commissioner Gilbert asked how the City plans to let the public know Rialto is a safe City with all the new developments happening at the Renaissance project.

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Mrs. Gibson-Williams stated that Sergeant Joshua Lindsay is present at each Development Review Committee meeting, and has conditioned accessibility for all entry and exit doors at any time. A substation for the Police Department was discussed, but there was no formal action taken by City

Council. If the substation was approved, there would be further discussions regarding how the lease would be paid.

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ADJOURNMENT

Motion by Commissioner Tidler, seconded by Commissioner Estvander to adjourn the meeting. All in favor *Motion carried 6-0-1.*

The Regular Planning Commission meeting on Wednesday, September 13, 2017 adjourned at 6:44 p.m.

Sheree Lewis, Administrative Assistant
Planning Commission

John Peukert, Chair
Planning Commission