

**Letter from the City of Fontana
on Policies/Processes on Land Use
Applications/ Entitlements/Code
Enforcement Actions Upon Completion
and Letter from the County Regarding
Concurrence to the Policies/Processes**

Attachment 3



RECEIVED
MAY 14 2014

LAFCO
San Bernardino County

May 13, 2014

Ms. Gia Kim, Assistant Director of Land Use Services
County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, CA 92415-0187

Re: LAFCO 3177 – Reorganization to include City of Fontana Annexation No. 173
and Detachment from County Service Areas 70 and SL-1 (Almond Annexation)

Dear Ms. Kim,

Pursuant to the meeting with LAFCO, the City of Fontana, and County staff held on April 2, 2014, the City of Fontana drafted a set of policies to guide the respective jurisdictions regarding the transition of the subject property from County to City upon completion of the annexation.

Below are the specific policies/processes the City will be implementing following annexation completion. The items in bold and italicized more specifically relate to the transition of land use applications/entitlements and code enforcement matters agreed to by both the County of San Bernardino and the City of Fontana:

Illegal Land Uses: All complaints received regarding any property located within the annexed areas will be promptly evaluated for validity and type of violation/problem, and then will be handled in the manner as outlined below. Below is an outline indicating the City's 3-year education/advisement process to address illegal land uses:

Year One: Staff will make initial contact with subject violators to educate/advise about City standards and seek voluntary compliance.

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Year Two: Staff will initiate the compliance process with properties that remain non-compliant after a year of advisement.

Year Three: Remaining non-compliant properties will enter the compliance process.

Staff proposes that the following general case types be handled, during the proposed moratorium period, as indicated below:

Weed Abatement: Consistent with current City policy and requirements.

Dumping: Illegal dumping will be addressed on a case-by-case basis according to the severity of the hazard. The advisement process will be used whenever possible.

Animal Licensing: Will be addressed by the City's animal license canvassers with a 1-year education/advisement period, which will encourage pet owners to voluntarily license their dogs.

Business License: Will be addressed with a 1-year education/advisement period.

Health Life Safety Issues: Each case (dilapidated structures, swimming pool barrier/fencing requirements, housing/habitability issues, septic system failures and other sewage spills, etc.) will need to be handled on an individual basis depending upon the specifics of each case and handled as indicated herein or if the seriousness/hazardousness of the situation warrants, handled the same as currently handled throughout the City.

Complaints: All will be logged and processed as normal up to the point of verifying the validity of the complaint and determining when the violation/matter commenced. If a complaint is received prior to the effective date of the annexation, then the matter will be handled as indicated above. If the complaint is received after the effective date of the annexation, then the matter will be handled as currently handled throughout the City.

County Code Enforcement Cases: *Compliance cases begun by County Code Enforcement will be continued to a disposition by City of Fontana Code Compliance. Properties that have current County Code Enforcement cases will not receive the grace periods set forth above.*

County Land Use Entitlements (post-annexation): *The City and County have agreed to the following policies regarding land use entitlements and related processes:*

Planning Process – *The City will honor any land use entitlement approved by the County staff, Planning Commission and/or Board of Supervisors prior to the completion of the annexation.*

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Building Plan Check Process – The County shall complete any plan check in process. Once the plan check is approved (stamped APPROVED by County), the applicant shall turn in the approved plans to the City for permitting and inspections. The City will provide the permits and collect the related permit fees; however, the City will not charge the City's Development Impact Fees (DIFs) (unless otherwise conditioned) as these projects would not have been required to pay for the City's DIFs if still within the County's jurisdiction. If plans are approved and permitted by the County, the County will continue with the inspections and approve any permits to Final status and provide the Certificate of Occupancy.

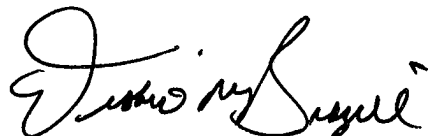
Because each of these plan checks will be in various stages of completion, they will be handled on a case-by-case basis. Both the City and County shall keep one another informed of the status of each case file/permit as necessary.

Prior to the completion of the annexation, the City will be requesting an updated list of all entitlements and plan checks currently in process with the County and the current status of each case/application. The City will also be requesting a listing of all active code enforcement cases. The City would also request the agencies work closely together in the transfer of all pertinent County files post-annexation.

The City of Fontana looks forward to working with County staff to make this transition as seamless as possible. If you have any questions, please do not hesitate to contact me at (909) 350-6727 or James Troyer, Community Development Director at (909) 350-6723.

Sincerely,

DEVELOPMENT SERVICES



Debbie M. Brazill

Deputy City Manager

Gia Kim

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- c: James Troyer, Community Development Director
- Gil Estrada, Building Official
- Shannon Casey, Senior Planner
- Cecilia Lopez-Henderson, Deputy City Clerk
- Capt. Mark Weissman, Fontana Police Department
- Ted Porlas, Community Improvement Program Manager
- Carla Pursel, Development Services Coordinator
- David Prusch, Supervising Planner, County of San Bernardino
- Kathleen Rollings-McDonald, Executive Officer, LAFCO

LAND USE SERVICES DEPARTMENT

BUILDING & SAFETY • CODE ENFORCEMENT • FIRE HAZARD ABATEMENT
LAND DEVELOPMENT • PLANNING



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TOM HUDSON
Director

June 18, 2014

City of Fontana
8353 Sierra Avenue
Fontana, CA 92335

Attention: Debbie Brazill, Deputy City Manager

RE: LAFCO 3177 – ALMOND ANNEXATION

Dear Ms. Brazill:

This letter is being sent in response to the letter dated May 13, 2014, regarding LAFCO 3177. In this letter, the City of Fontana is requesting concurrence with the specific policies and processes with respect to the closure of project files being processed by the Planning Division and the conveyance of said files to the City of Fontana following approval and finalization of LAFCO 3177.

The Planning Division concurs with all of the policies and processes proposed by the City of Fontana. We look forward to working with you to assure a smooth transfer of files following the completion of the annexation process.

Sincerely,

Dave Prusch, Supervising Planner
Planning Division

DP/cks

- cc: Kathleen Rollings-McDonald, Executive Officer, San Bernardino LAFCO
Gia Kim, Assistant Director
Terri Rahhal, Planning Director
Jack Leonard, Interim Building Official
Andy Wingert, Code Enforcement Chief

Board of Supervisors

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JAMES RAMOS.....Third District

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