

RESOLUTION NO. PC 2025-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING TENTATIVE PARCEL MAP NO. 22-000025 (TPM NO. 20611) TO CONSOLIDATE SIX (6) PARCELS INTO ONE; REPORTING ON THE CONFORMITY OF THE PROPOSED VACATION OF WINDFLOWER AVENUE WITH THE GENERAL PLAN PURSUANT TO GOVERNMENT CODE SECTION 65402; AND APPROVING DESIGN REVIEW NO. 22-000051 FOR THE SITE AND ARCHITECTURAL REVIEW OF A NEW 398,514 SQUARE FOOT WAREHOUSE BUILDING INCLUDING 10,000 SQUARE FEET OF OFFICE SPACE AND ASSOCIATED SITE IMPROVEMENTS, ON APPROXIMATELY 18.3 GROSS ACRES LOCATED BETWEEN SIERRA AVENUE AND MANGO AVENUE, APPROXIMATELY 1,300 FEET SOUTH OF SUMMIT AVENUE (ASSESSOR PARCEL NUMBERS: 1119-241-10,-13,-18,-25,-26, AND -27), PURSUANT TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT (EIR) (STATE CLEARING HOUSE NO. 2023030788) AND MITIGATION MONITORING AND REPORTING PROGRAM AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION.

WHEREAS, the City of Fontana (“City”) has an adopted general plan, which provides comprehensive, long-term goals, policies and programs for the physical development of the City; and

WHEREAS, Assessor’s Parcel Numbers (“APNs”) 1119-241-10, -13, -18, -25, -26 and -27 (“Project Site”), were annexed from San Bernardino County and incorporated into the City of Fontana on October 8, 1981; and

WHEREAS, on August 29, 2022, the City received an application from Seefried Industrial Properties (“Applicant”) for a Tentative Parcel Map No 22-000025 (TPM No. 20611) and Design Review (DRP) No. 22-000051 (Project); and

WHEREAS, the Project proposes to consolidate six (6) parcels into one (1), vacate a portion of Windflower Avenue generally located between Sierra Avenue and Mango Avenue, and obtain site and architectural review for the construction of a new warehouse building at the Project Site (Project); and

WHEREAS, the Project Site is designated as Light Industrial (I-L) in the General Plan and is located within the Light Industrial (M-1) zoning district, which allows for such projects; and

WHEREAS, California Government Code Section 65402 provides that if a general plan has been adopted, no street shall be vacated or abandoned until the location, purpose and extent of such vacation has been submitted to and report upon by the planning agency as to conformity with the adopted general plan; and

WHEREAS, pursuant to State CEQA Guidelines section 15087(e), the Draft EIR was circulated for at least a 45-day public review and comment period from September 11, 2024,

to October 25, 2024; and

WHEREAS, the City has prepared a FEIR consisting of the comments received during the 45-day public review and comment period on the Draft Environmental Impact Report (“EIR”), written responses to those comments, revisions to the Draft EIR, and an errata making minor, non-substantive changes to the FEIR. For the purposes of this Resolution, the “EIR” shall refer to the Draft EIR, as revised by the FEIR, together with the other sections of the FEIR; and

WHEREAS, the information contained in the FEIR (State Clearing House No. 2023030788) prepared for the project with the inclusion of a Mitigation Monitoring and Reporting Program (“MMRP”) has been made available for public review; and

WHEREAS, pursuant to Resolution PC No. 2025-____, the Planning Commission of the City of Fontana (Planning Commission) adopted environmental findings, pursuant to CEQA, certified the EIR, adopted the Mitigation Monitoring and Reporting Program (“MMRP”), and approved the Project; and

WHEREAS, the City wishes to protect and preserve the quality of life in the City, through effective land use and planning; and

WHEREAS, Windflower Avenue is not identified in the Community Mobility Circulation Element of General Plan as road. The project site is located within the General Plan Land Use Designation of Light Industrial (I-L). Additionally, the proposed vacation will conform to the General Plan finding under Government Code Section 65402.

WHEREAS, Conditions of Approval have been prepared and are attached hereto as **Exhibit “A”** for Tentative Parcel Map No. 22-000025 (TPM No. 20611) and **Exhibit “B”** for Design Review No. 22-000051; and

WHEREAS, all of the notices required by statute and the Fontana Municipal Code (FMC) have been given as required; and

WHEREAS, the owners of property within 660 feet of the Project Site were notified via public hearing notice mailer prior to the public hearing; and a notice of the public hearing was published in the Fontana Herald newspaper on May 23, 2025, and simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, on June 3, 2025, a duly noticed public hearing on the Final Environmental Impact Report, Tentative Parcel Map No. 22-000025 (TPM No. 20611) and Design Review No. 22-000051, was held by the Fontana Planning Commission (“Planning Commission”) to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and,

WHEREAS, the Planning Commission carefully considered all information pertaining to the Project, which incorporates the proposed vacation of Windflower Avenue, including the staff report, findings, and all of the information, evidence and testimony presented at its public hearing on June 3, 2025; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, be it **RESOLVED** by the Planning Commission:

Section 1. Recitals. The above recitals are true, correct and incorporated herein by this reference.

Section 2. CEQA. Consistent with the California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the EIR (State Clearinghouse No. 2023030788) was prepared for development. Per Resolution PC No. 2025-____, the Planning Commission adopted environmental findings pursuant to CEQA, certified the EIR, which analyzed Tentative Parcel Map No. 22-000025 (TPM No. 20611) and Design Review No. 22-000051, adopted the MMRP, and approved the Project. The Planning Commission has certified the EIR and a Notice of Determination has been prepared.

Section 3. Tentative Parcel Map Findings. The Planning Commission hereby makes the following findings for Tentative Parcel Map No. 22-000025 (TPM No. 20611) in accordance with Section 26-218 (d) of the FMC:

Finding No. 1: The proposed map is consistent with the city’s general plan and any applicable specific plan.

Findings of Fact: Tentative Tract Map No. 22-000025 (TPM No. 20611) is consistent with the Project Site’s General Plan land use designation of Light Industrial (I-L). The tentative parcel map proposes to consolidate six (6) parcels into one (1) and vacate Windflower Avenue to construct a warehouse building, which use is consistent with the General Plan. The lot size complies with the FMC and the Zoning and Development Chapter Code. The tentative parcel map is not within a specific plan.

Finding No. 2: The design or improvements of the proposed subdivisions are consistent with the general plan and any applicable specific plan.

Findings of Fact: The Project has been designed to be consistent with the General Plan including on and off-site improvements. The subdivision design aligns with Chapter 15 (Land Use, Zoning, and Urban Design Element), Chapter 9 (Community Mobility and Circulation Element) and Chapter 16 (Stewardship and Implementation Element) of the General Plan, by providing high quality site designs. Additionally, the subdivision aligns with Chapter 26 (Subdivisions) of the FMC since the vacation of Windflower Avenue and the proposed on-site and off-site improvements (including curb, gutter, sidewalks, and underground utilities) will meet the FMC's requirements. The Project has been reviewed by the Planning Department, Engineering Department and Fire Department, and it was determined that the conditions of approval

will ensure compliance with the city code and regulations.

Finding No. 3: The site is physically suitable for the type and density of development proposed.

Findings of Fact: The Project Site is approximately 18.3 adjusted gross acres and is adequate in size to accommodate the warehouse building. The existing topography of the Project Site is relatively flat and is conducive to the development of the Project. All street improvements will be constructed pursuant to applicable building, zoning and fire code standards.

Finding No. 4: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Findings of Fact: The design of Tentative Parcel Map No. 22-000025 (TPM No. 20611) and the public improvements will not likely to cause substantial environmental damage, nor will it substantially and unavoidably injure fish and wildlife or their habitat, because there are no bodies of water nearby. Furthermore, the Project Site is in an area that has been disturbed by past human activity and is surrounded by residential and industrial development.

Lastly, an EIR has been prepared for this project pursuant to CEQA and the 2019 Local Guidelines for Implementing CEQA. Based on the information in the EIR, the project does not present significant effects to the environment as a result of project implementation. The mitigation measures established with the EIR along with Conditions of Approval will reduce any significant impacts to the surrounding area. The use is anticipated based on the Land Use Designation and the Zoning and Development Code.

Finding No. 5: The design of the subdivision or the type of improvements will not cause serious public health problems.

Findings of Fact: The design of Tentative Parcel Map No. 22-000025 (TPM No. 20611) will not cause public health problems. The development complies with the Zoning and Development Code, and the General Plan. Improvements for the Project include sidewalks, drainage, the undergrounding of utilities and site grading to provide a safe and well-designed project for the area. The Project promotes the public health, safety, and welfare of the surrounding community, and will not cause public health problems.

Finding No. 6: The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed

subdivision.

Findings of Fact: The design of Tentative Parcel Map No. 22-000025 (TPM No. 20611) and its the associated improvements will not conflict with any access easements acquired by the public. The property will be accessed from Sierra Avenue and Mango Avenue. The Project Site will have adequate circulation for various vehicles that will be using the site. Currently there are no other public access easements through or within the Project site.

Finding No. 7: The proposed subdivision is consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

Findings of Fact: The proposed project is in an area identified in the State Cal-Fire very high fire hazard severity zone and the site has been identified in the local City adopted ordinance as part of the fire hazard overlay district (FHOD). The site will be built pursuant to all applicable building and fire codes standards, in addition to the Conditions of Approval as referenced herein. All requirements of Section. 30-656 (Fire Hazard Overlay District Regulations) shall apply.

Finding No. 8: The proposed project will have fire protection and suppression services available for the subdivision through the City.

Findings of Fact: The site will be built pursuant to all applicable building and fire codes standards, in addition to the Conditions of Approval as referenced herein. The project was reviewed by the Fontana Fire Protection District and Building & Safety and the appropriate conditions have been placed on the project so the project will have fire protection and suppression services. All requirements of Section. 30-656 (Fire Hazard Overlay District Regulations) shall also apply.

Section 4. Design Review Findings. The Planning Commission hereby makes the following findings for DRP No. 22-000051 in accordance with Section 30-120 of the Fontana Zoning and Development Code:

Finding No. 1: The proposal is consistent with the General Plan, Zoning and Development Code, and any applicable Specific Plan.

Findings of Fact: The Project involves the development of one (1) 398, 514 square foot warehouse building on an 18.3 adjusted gross acre lot. Architectural features for the Project include aluminum storefront with glazed windows, metal canopies and metal doors. The site and building design comply with the criteria contained in the design review section of the Zoning and Development Code. The Project has high quality

architecture and appropriate screening. The screening is comprised of screen walls and landscaping to make for an appropriate and desirable development. The Project Site aligns with Chapter 15 (Land Use, Zoning, and Urban Development) of the General Plan Land Use designation because it provide industrial uses where there is easy access to regional transportation routes. The Project is not within a specific plan.

Finding No. 2: The proposal meets or exceeds the criteria contained in this chapter and will result in an appropriate, safe, and desirable development promoting the public health, safety, and welfare of the community.

Findings of Fact: The Project will result in the construction of a warehouse building totaling approximately 398,514 square feet. This building will be built pursuant to all applicable building, zoning, and fire codes, Division 11 of the Zoning and Development Code, and the Conditions of Approval attached hereto as Exhibit "B". Architectural features include aluminum storefront with glazed windows, metal canopies and metal doors. The exterior color palette for the proposed building is comprised of a white and gray neutral tone with black and red accent. The variations to the building face and roof lines, and tower elements at a maximum of 48 feet high, will add structural and visual interest to the building and be consistent with the surrounding area. The project will include sidewalks and landscape improvements along the project boundaries.

The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments. Based on the department's reviews, it was determined that the Project meets the minimum requirements of the Light Industrial (M-1) zone.

Finding No. 3: The proposal, in its design and appearance, is aesthetically and architecturally pleasing resulting in a safe, well-designed facility while enhancing the character of the surrounding neighborhood.

Findings of Fact: The Project is aesthetically and architecturally pleasing and compatible with the surrounding area. The Project Site is approximately 18.3 adjusted gross acres and is physically suitable in size and shape to support the warehouse building. The Project creates visual interest with architectural features such as glazed windows, tower elements, with variations to the roof lines. The development has been designed with features of architectural relief, landscaping, street improvements and lighting to enhance the character of the surrounding neighborhood.

The project has been reviewed by the Engineering, Building and

Safety and Fire Departments with respect to the site circulation, access and safety, and it was determined that the Project meets and exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

Finding No. 4: The site improvements are appropriate and will result in a safe, well-designed facility.

Findings of Fact The development will bring significant improvements, to both the Project Site and, the surrounding area. The Project features sidewalks, drainage, grading, curb, gutter, sidewalk, landscaping, lighting, perimeter walls and fencing to provide a safe and well-designed neighborhood.

The Project Site improvements have been reviewed by the City's Planning, Fire, Building and Safety, and Engineering Departments. Based on the departmental reviews, it was determined that the Project meets all City standards in regard to circulation, access and safety.

Section 5. Tentative Parcel Map and Design Review Approvals. Based on the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 22-000025 (TPM No. 20611) subject to the Conditions of Approval attached hereto as "**Exhibit A**", and incorporated herein by this reference, DRP No. 22-000051 subject to the Conditions of Approval attached hereto as "**Exhibit B**" and incorporated herein by this reference.

Section 6. General Plan Conformity for Windflower Avenue Vacation. Pursuant to Government Code Section 65402, the Planning Commission has reviewed the proposed vacation of Windflower Avenue in relation to the goals, policies, and land use designations of the City's General Plan and finds that the proposed vacation is in conformity with the City's General Plan.

Section 7. Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

Section 8. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 10. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 3rd day of June 2025.

City of Fontana

Idilio Sanchez, Chair

ATTEST:

I, Joseph Armendarez, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 3rd day of June 2025, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Joseph Armendarez, Secretary

EXHIBIT “A”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. (MCN) 22-0000104
Tentative Parcel Map No. 22-000025 (TPM No. 20611)

June 3, 2025

LOCATION: The project site is located east of Sierra Avenue, west of Mango Avenue and south of Summit Avenue encompasses six (6) parcels comprised of approximately 18.3 acres (APNs: 1119-241-10, -13, -18, -25, -26 and -27).

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until all of the following have occurred:
 - A. All requirements of the Fontana Municipal Code shall be complied with.
 - B. All other Conditions of Approval imposed by this project have been fulfilled.
2. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys, and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys, or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense. In the event of any such third-party action or proceeding, the City shall have the right to retain its own separate legal counsel to defend the interests of the City. The applicant shall be responsible for reimbursing the City for such legal fees and costs, in their entirety including actual attorneys' fees which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees, and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall

not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

3. Tentative Parcel Map No. 22-000025 (TPM No. 20611) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC), and the Subdivision Map Act.
4. The applicant/developer shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, as required by the City's municipal code. A note to this effect shall be placed on the map prior to recordation of the final map.
5. The applicant/developer shall comply with the mitigation measures identified in the Final Environmental Impact Report (FEIR), and Mitigation, Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
6. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
7. Tentative Parcel Map No. 22-000025 (TPM No. 20611) shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
8. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-23 of the Municipal Code.
9. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
10. The applicant shall meet all requirements identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

11. The applicant shall meet all requirements of the Trip Reduction Measures of the Zoning and Development Code (Section 30-962).

BUILDING & SAFETY:

General Conditions

12. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
 - A. California Building Code
 - B. California Residential Code
 - C. California Electrical Code
 - D. California Mechanical Code
 - E. California Plumbing Code
 - F. California Energy Code
 - G. California Fire Code
 - H. California Green Building Standards Code
13. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
14. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
15. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
16. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
17. The applicant shall comply with the following grading requirements:
 - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
 - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
 - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
 - D. A recorded drainage acceptance agreement is required from adjoining

property(s) receiving flows from this property.

- E. No water course or natural drainage shall be obstructed.
- F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
- G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
- H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

- I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - 1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 - 2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - 3. All proposed drainage structures; and
 - 4. Any proposed and/or required walls or fencing.
- 18. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
- 19. The applicant is required to obtain permits for the removal and/or demolition of structures.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

- 20. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification

E. Rough grade inspection signed off by a City Building Inspector

21. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, maybe required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
22. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.
23. Property is in a Very High Fire Severity Zone (VHFZ) and must comply with fire zone building code requirements.
24. Project must comply with City of Fontana's Industrial Commerce Sustainability Ordinance. For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>

ENVIRONMENTAL CONTROL:

Prior to Certificate of Occupancy or Permit Approval:

25. All industrial facilities shall submit an Industrial Wastewater Discharge Permit application to Environmental Control. (FMC 23-218) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.
26. All commercial facilities conducting activities listed below shall submit an Industrial Discharge Permit application to Environmental Control. (FMC 23-218) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.
 - Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218).
 - All restaurants or other food processing facilities. (FMC 23-218)
 - All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218).
27. Any facility which has a projected wastewater discharge that exceeds 25,000 gallons of water per day, or which may be categorized as a Federal Categorical discharger, or which is requesting a permit to discharge to the Inland Empire Utilities Agency (IEUA) Non-Reclaimable Wastewater Line (NRW) shall submit a Uniform Industrial Wastewater Survey and Permit Application to IEUA and Environmental Control. (FMC 23-216) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.

Prior to the Issuance of Construction Permits:

28. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186).
29. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.
30. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.
31. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161).
32. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment and has installed trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161).
33. All restaurants or other food processing facilities (FMC 23-163). Conditional waivers for the grease interceptor requirement may be granted by the Public Works Manager in accordance with section 23-52 for those restaurants or food processing facilities determined not to have adverse effects on the Publicly Owned Treatment Works (POTW).
34. Any facility proposing the discharge of non-domestic wastewater to a septic system, holding tank, closed-loop system, or similar equipment, and is not connected to the sanitary sewer, is required to obtain written approval from the Santa Ana Regional Water Quality Control Board (SARWQCB).
35. Per the State Water Resources Control Board Resolution No. 2012-0032 all Onsite Wastewater Treatment Systems must be approved by the SARWQCB beginning May 13, 2018. A copy of the policy is available at: http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml.
36. Submit drawings to the SARWQCB for approval. Provide a copy of the SARWQCB approval letter and their approved plans to the City of Fontana.
37. For more information, or to submit your plans, please contact Susan Beeson at sbeeson@waterboards.ca.gov or 951-782-4902.

Storm Water

Upon Certificate of Occupancy or Permit Approval and during Occupancy:

38. All Commercial, Industrial, Institutional, and/or other facilities deemed to have the potential to discharge pollutants to the storm drain system shall implement source control and pollution prevention practices to prevent unauthorized, non-storm water discharges, at all times.
39. Vehicle, equipment and/or exterior washing activities are prohibited unless a wastewater recovery system is in place. All wastewater shall be recovered, stored and disposed of by proper and legal means through a waste disposal facility. Contractors hired for washing activities shall maintain a current City of Fontana Business License Tax Certificate to operate as a mobile washing business.
40. Facilities that conduct regular and routine washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment are required to have a designated wash rack area. (See Pretreatment Conditions above).

FIRE DEPARTMENT:

41. **Jurisdiction.** The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
42. **Fire Access Road Width:** Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys, and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.
43. **Turnaround:** An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12% grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
44. **Street Signs:** Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.
45. **Fire Lanes:** The applicant shall submit a site plan to the Fire Department for review and

approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.

46. **Water System Commercial:** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2. The Fire Flow for this project shall be: 4,000 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 398,514 Square Foot structure.
47. **Hydrant Marking:** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
48. **Water Improvement Plan:** The applicant shall submit "Water Improvement Plans" to Fontana Fire Prevention. W.I.P. to include site plan, existing & proposed PUBLIC fire hydrant locations, building construction type and largest building square footage. Once approved by Fire Department, applicant will provide stamped/approved W.I.P to water purveyor for their construction needs. ON-SITE PRIVATE FIRE WATER SUPPLY SHALL BE INSPECTED AND IN WORKING CONDITION PRIOR TO PLACING COMBUSTIBLE MATERIALS ON THE JOBSITE. California Fire Code Chapter 5.
49. **Combustible Protection:** Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.
50. **Fuel Modification Zones.** A Fire Protection Plan has been designed specifically for the subject project and approved by the Fire Department. All requirements of the Plan shall be adhered to, and any landscaping or construction within these areas shall be submitted to the Fire Department for review and approval in compliance with appropriate standards. California Fire Code Chapter 49.
51. **Fire Sprinkler-NFPA #13:** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.
52. **Fire Alarm, Waterflow Monitoring:** A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire

Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

53. **Smoke Removal:** An automatic smoke removal system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall submit three (3) sets of detailed smoke removal system plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9.
54. **Fire Extinguishers:** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.
55. **Commercial (large facility) Addressing:** Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1.
56. **Key Box:** An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4.
57. **Security Gates:** In commercial, industrial, and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3.
58. **Material Identification Placards:** The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.
59. **High-Piled Storage:** The applicant shall submit an application for a High-Piled Storage permit for storage of over 12' in height of Class I-IV commodities and/or over 6' in height of high hazard commodities. Three (3) sets of detailed plans and a commodity analysis report shall be submitted to the Fire Department for review and approval. The applicant shall submit to the Fire Department concurrently with any racking permits to the Building and Safety division. California Fire Code Chapter 32 & SBCoFD Standard S-1.
60. **Secondary Access:** The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1.

61. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
62. The Applicant shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
63. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

64. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
65. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

66. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City provided forms.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

67. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
68. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.
69. Additional streetlights may be required to meet City standards.
70. The Applicant shall perform a pavement quality analysis by a qualified geotechnical engineer for Sierra Avenue and Mango Avenue for review and approval by the City. Pavement structural sections for Sierra Avenue and Mango Avenue along the project frontage to the centerline of the street shall be brought into conformance with City standards. All areas of pavement repair or replacement shall be justified by the pavement quality analysis and shall bring the pavement condition to a 20 year pavement life.
71. Due to the location of the emergency vehicle entrance on Sierra Avenue, the bus turnout may be modified to accommodate safe and accessible loading and unloading of the

traveling public. Modifications may include but are not limited to extending the bus turnout length, adjustment to the curb height and shape, and adding special signage.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

72. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
73. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans. The Applicant/Developer shall provide a copy of the streetlight electric bill.
74. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
75. The Surveyor of Record shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
76. The Surveyor of Record shall set survey monuments as required by the map and corner records must be recorded with the County. The Surveyor of Record shall notify the City in writing that monuments have been set in accordance with the recorded subdivision map and he/she has been paid in full for doing so.
77. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
78. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
79. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
80. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water

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Best Management Practice transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

END OF CONDITION

EXHIBIT “B”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. (MCN) 22-000104
Design Review (DRP) No. 22-000051

June 3, 2025

LOCATION: The project site is located east of Sierra Avenue, west of Mango Avenue and south of Summit Avenue encompasses six (6) parcels comprised of approximately 18.3 acres (APNs: 1119-241-10, -13,-18,-25,-26 and -27).

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until all of the following have occurred:
 - A. All requirements of the Fontana Municipal Code shall be complied with.
 - B. All other Conditions of Approval imposed by this project have been fulfilled.
2. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval.
3. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys, and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys, or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.
4. In the event of any such third-party action or proceeding, the City shall have the right to retain its own separate legal counsel to defend the interests of the City. The applicant shall be responsible for reimbursing the City for such legal fees and costs, in their entirety including actual attorneys' fees which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees, and/or costs awarded against the City, if any, and cost of suit, attorney's

fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

5. The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.
6. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
7. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these condition shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.
8. Color combinations and color schemes for buildings approved under a Design Review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
9. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
10. There shall be no refrigerated uses on site beyond what is analyzed in the Environmental Impact Report (EIR); unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
11. The applicant shall meet all requirements of the Trip Reduction Measures of the Zoning and Development Code (Section 30-962).
12. All provisions of Development Agreement No. 24-002 shall be adhered. No later than 10 days after the Effective Date, the Owner shall record with the Office of the San Bernardino County Recorder, Development Agreement No.24-002 against the Property.
13. The occupants of this facility shall comply with applicable provisions of local, state, and federal laws and regulations with respect to noise, vibration, smoke, odors, fire and explosive hazards, including, but not limited to the City's adopted Hazardous Materials Management Plan and Industrial Wastewater/Discharge requirements.

14. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in a commercial/retail parking facility, except for disabled persons parking, van pool, carpool, or any other designated parking as required by law.
15. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays or Holidays.
16. All signs shall be reviewed under a separate Design Review Sign application.
17. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
18. Historical Archaeological Resources
 - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place of recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
 - B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, is such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
 - C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior Standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern

California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

19. The construction contractor shall use the following source controls at all times:
 - a) Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.
 - b) For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - c) The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - d) Have only necessary equipment onsite.
 - e) Use manually adjustable or ambient sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary.
 - f) Temporarily enclose localized and stationary noise sources,
 - g) Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
20. Up-lighting shall be provided throughout the project site to complement the architectural detail of the building and the landscaped areas, except where the building is adjacent to residential properties.
21. All roof-mounted mechanical units shall be screened from view of adjacent streets by a parapet in height equal or greater to the installed unit, unless another method of visual screening is approved by the Director of Planning.
22. The applicant/developer shall comply with the mitigation measures identified in the Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
23. After the fifteen (15) day appeal period, the applicant shall remove the Notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit, the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
24. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Ordinance No. 1891).

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

25. The current Development fees must be paid prior to issuance of building/construction permits.

BUILDING & SAFETY:

General Conditions

26. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
 - a. California Building Code
 - b. California Residential Code
 - c. California Electrical Code
 - d. California Mechanical Code
 - e. California Plumbing Code
 - f. California Energy Code
 - g. California Fire Code
 - h. California Green Building Standards Code
27. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
28. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
29. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
30. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
31. The applicant shall comply with the following grading requirements:
 - a. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
 - b. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
 - c. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
 - d. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
 - e. No water course or natural drainage shall be obstructed.
 - f. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
 - g. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale)

unless otherwise approved by the Building Official.

- h. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

- i. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - 1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 - 2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - 3. All proposed drainage structures; and
 - 4. Any proposed and/or required walls or fencing.
32. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
33. The applicant is required to obtain permits for the removal and/or demolition of structures.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

34. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
- a. Precise grading plans shall be approved
 - b. Rough grading completed
 - c. Compaction certification
 - d. Pad elevation certification
 - e. Rough grade inspection signed off by a City Building Inspector
35. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, maybe required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.
36. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building

permits being issued.

37. Project must comply with City of Fontana's warehouse sustainability ordinance. For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>

ENVIRONMENTAL CONTROL:

Prior to Certificate of Occupancy or Permit Approval:

38. All industrial facilities shall submit an Industrial Wastewater Discharge Permit application to Environmental Control. (FMC 23-218) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.
39. All commercial facilities conducting activities listed below shall submit an Industrial Wastewater Discharge Permit application to Environmental Control. (FMC 23-218) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.
40. Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218).
41. All restaurants or other food processing facilities. (FMC 23-218)
42. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218).
43. Any facility which has a projected wastewater discharge that exceeds 25,000 gallons of water per day, or which may be categorized as a Federal Categorical discharger, or which is requesting a permit to discharge to the Inland Empire Utilities Agency (IEUA) Non-Reclaimable Wastewater Line (NRW) shall submit a Uniform Industrial Wastewater Survey and Permit Application to IEUA and Environmental Control. (FMC 23-216) To obtain or submit an application, please contact Sal Romero at 909-428-8809 or sromero@fontana.org.

Prior to the Issuance of Construction Permits:

44. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186).
45. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.

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46. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.
47. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161).
48. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment and has installed trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161).
49. All restaurants or other food processing facilities (FMC 23-163). Conditional waivers for the grease interceptor requirement may be granted by the Public Works Manager in accordance with section 23-52 for those restaurants or food processing facilities determined not to have adverse effects on the Publicly Owned Treatment Works (POTW).
50. Any facility proposing the discharge of non-domestic wastewater to a septic system, holding tank, closed-loop system, or similar equipment, and is not connected to the sanitary sewer, is required to obtain written approval from the Santa Ana Regional Water Quality Control Board (SARWQCB).
51. Per the State Water Resources Control Board Resolution No. 2012-0032 all Onsite Wastewater Treatment Systems must be approved by the SARWQCB beginning May 13, 2018. A copy of the policy is available at: http://www.waterboards.ca.gov/water_issues/programs/owts/index.shtml.
52. Submit drawings to the SARWQCB for approval. Provide a copy of the SARWQCB approval letter and their approved plans to the City of Fontana.
53. For more information, or to submit your plans, please contact Susan Beeson at sbeeson@waterboards.ca.gov or 951-782-4902.

Storm Water

Upon Certificate of Occupancy or Permit Approval and during Occupancy:

54. All Commercial, Industrial, Institutional, and/or other facilities deemed to have the potential to discharge pollutants to the storm drain system shall implement source control and pollution prevention practices to prevent unauthorized, non-storm water discharges, at all times.
55. Vehicle, equipment and/or exterior washing activities are prohibited unless a wastewater recovery system is in place. All wastewater shall be recovered, stored and disposed of by proper and legal means through a waste disposal facility. Contractors hired for washing activities shall maintain a current City of Fontana Business License Tax Certificate to operate as a mobile washing business.

56. Facilities that conduct regular and routine washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment are required to have a designated wash rack area. (See Pretreatment Conditions above).

Prior to Business License and C of O approval:

57. All industrial / warehousing facilities are required to obtain coverage under the State Industrial General Permit and shall file with the State Board a Notice of Intent (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Industrial Activity.
58. Applicants shall be required to provide a copy of the Waste Discharger Identification Number (WDID) issued by the State Board as evidence of coverage under the Industrial General Permit to Sal Romero 909-428-8809 or sromero@fontana.org.
59. 40 CFR, CA-WQCB Order No 2014-0057-DWQ, CA-RWQCB Order No. R8-2010-0036, FMC 23-520, SB205)
60. For further information about the Industrial General Permit, please visit the following website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/indusfaq.shtml

FIRE DEPARTMENT:

61. **Jurisdiction.** The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
62. **Fire Access Road Width:** Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys, and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.
63. **Turnaround:** An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12% grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
64. **Street Signs:** Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction

site. California Fire Code Chapter 5 & SBCoFD Standard A-2.

65. **Fire Lanes:** The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.
66. **Water System Commercial:** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2. The Fire Flow for this project shall be: 4,000 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 398,514 Square Foot structure.
67. **Hydrant Marking:** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
68. **Water Improvement Plan:** The applicant shall submit "Water Improvement Plans" to Fontana Fire Prevention. W.I.P. to include site plan, existing & proposed PUBLIC fire hydrant locations, building construction type and largest building square footage. Once approved by Fire Department, applicant will provide stamped/approved W.I.P to water purveyor for their construction needs. ON-SITE PRIVATE FIRE WATER SUPPLY SHALL BE INSPECTED AND IN WORKING CONDITION PRIOR TO PLACING COMBUSTIBLE MATERIALS ON THE JOBSITE. California Fire Code Chapter 5.
69. **Combustible Protection:** Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.
70. **Fuel Modification Zones.** A Fire Protection Plan has been designed specifically for the subject project and approved by the Fire Department. All requirements of the Plan shall be adhered to, and any landscaping or construction within these areas shall be submitted to the Fire Department for review and approval in compliance with appropriate standards. California Fire Code Chapter 49.
71. **Fire Sprinkler-NFPA #13:** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.
72. **Fire Alarm, Waterflow Monitoring:** A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for

fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

73. **Smoke Removal:** An automatic smoke removal system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall submit three (3) sets of detailed smoke removal system plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9.
74. **Fire Extinguishers:** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.
75. **Commercial (large facility) Addressing:** Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1.
76. **Key Box:** An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4.
77. **Security Gates:** In commercial, industrial, and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3.
78. **Material Identification Placards:** The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.
79. **High-Piled Storage:** The applicant shall submit an application for a High-Piled Storage permit for storage of over 12' in height of Class I-IV commodities and/or over 6' in height of high hazard commodities. Three (3) sets of detailed plans and a commodity analysis report shall be submitted to the Fire Department for review and approval. The applicant shall submit to the Fire Department concurrently with any racking permits to the Building and Safety division. California Fire Code Chapter 32 & SBCoFD Standard S-1.
80. **Secondary Access:** The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1.

ENGINEERING DEPARTMENT:

81. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
82. The Applicant shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
83. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

84. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
85. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

86. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City provided forms.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

87. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
88. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.
89. Additional streetlights may be required to meet City standards.
90. The Applicant shall perform a pavement quality analysis by a qualified geotechnical engineer for Sierra Avenue and Mango Avenue for review and approval by the City. Pavement structural sections for Sierra Avenue and Mango Avenue along the project frontage to the centerline of the street shall be brought into conformance with City standards. All areas of pavement repair or replacement shall be justified by the pavement quality analysis and shall bring the pavement condition to a 20 year pavement life.

91. Due to the location of the emergency vehicle entrance on Sierra Avenue, the bus turnout may be modified to accommodate safe and accessible loading and unloading of the traveling public. Modifications may include but are not limited to extending the bus turnout length, adjustment to the curb height and shape, and adding special signage.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

92. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
93. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans. The Applicant/Developer shall provide a copy of the streetlight electric bill.
94. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
95. The Surveyor of Record shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
96. The Surveyor of Record shall set survey monuments as required by the map and corner records must be recorded with the County. The Surveyor of Record shall notify the City in writing that monuments have been set in accordance with the recorded subdivision map and he/she has been paid in full for doing so.
97. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
98. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
99. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

100. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practice transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

END OF CONDITIONS