

**RESOLUTION NO. PC 2025-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING CONDITIONAL USE PERMIT NO. 23-0018 TO ESTABLISH A TRAILER REPAIR FACILITY, AND ADMINISTRATIVE SITE PLAN NO. 23-0027 FOR THE CONSTRUCTION OF A NEW TWO STORY 11,933 SQUARE FOOT TRAILER REPAIR FACILITY WITH ASSOCIATED SITE IMPROVEMENTS ON APPROXIMATELY 1.7-GROSS ACRES LOCATED AT 15763 BOYLE AVENUE, ASSESSOR PARCEL NUMBER 0237-052-23, PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15332.**

**WHEREAS**, 15763 Boyle Avenue, also identified as Assessor Parcel Number (“APN”) 0237-052-23 (“Project Site”), was annexed from San Bernardino County and incorporated into the City of Fontana on September 19, 2006; and

**WHEREAS**, on August 17, 2023, the City of Fontana (City”) received an application from Suresh Doddiah of S.D. Engineering & Associates (“Applicant”), for Conditional Use Permit (CUP) No. 23-0018) to establish a trailer repair facility, and Administrative Site Plan (ASP) No. 23-0027, for the site and architectural review of the construction of a new trailer repair facility building at the Project Site (the “Project”); and

**WHEREAS**, on June 12, 2012, the Southwest Industrial Park Specific Plan (“SWIP”) update was approved and adopted by the City of Fontana (“City”) pursuant to the certified FEIR; and

**WHEREAS**, the Project Site has a General Plan Land Use designation of Light Industrial (I-L) and is located within the Freeway Industrial/Commercial District of the Southwest Industrial Park (“SWIP”) Specific Plan, which allows for such projects with a conditional use permit and administrative site plan; and

**WHEREAS**, the Project is Categorically Exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section No. 15332 (Class No. 32, Infill Development) and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the CEQA as the Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; the project development occurs within city limits on a project site of less than five acres substantially surrounded by urban uses; the approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality; the site can be adequately served by all required utilities and public services, and none of the exceptions in CEQA Guidelines Section 15300.2 apply; and

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

**WHEREAS,** Conditions of Approval have been prepared and are attached hereto as **Exhibit “A”** for CUP No. 23-0018 and **Exhibit “B”** for ASP No. 23-0027; 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 were notified via a public hearing notice mailer prior to the public hearing, and a notice of the public hearing was published in Fontana Herald newspaper on August 8, 2025 and simultaneously displayed at City Hall and at the Project site; and

**WHEREAS,** on August 19, 2025, a duly noticed public hearing on CUP No. 23-0018 and ASP No. 23-0027, was held by the City of Fontana Planning Commission (“Planning Commission”) to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and

**WHEREAS,** on August 19, 2025, the Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on CUP No. 23-0018 and ASP No. 23-0027; and

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

**NOW, THEREFORE,** the Planning Commission RESOLVES as follows:

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

**Section 2. Compliance with California Act.** The Planning Commission hereby determines that the project is categorically exempt pursuant to Section No. 15332 (Infill Development) of the California Environmental Quality Act and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the California Environmental Quality Act (CEQA). The Project Site is considered Infill Development and meets the CEQA requirements of Infill: (1) The Project is consistent with the Light Industrial (I-L) designation of the General Plan and the Southwest Industrial Park Specific Plan/Freeway Industrial/Commercial District (FID); (2) The Project Site is less than five (5) acres; (3) The Project Site is not within any known sensitive or threatened habitat area; (4) The Project will not have any significant effects related to traffic, noise, air quality, or water quality; and (5) There are adequate public services for the development of the industrial Project. None of the exceptions in CEQA Guidelines section 15300.2 apply to the Project. The Planning Commission further directs Staff to file a Notice of Exemption pursuant to this Finding.

**Section 3. Conditional Use Permit Findings.** The Planning Commission hereby makes the following findings for CUP No. 23-0018 in accordance with Section 30-150

“Findings for Approval” for a conditional use permit in the Fontana Zoning and Development Code.

**Finding No.1. That the proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning and Development Code, Municipal Code, General Plan and applicable Specific Plan or Area Plan, and City Regulations/standards.**

Finding of Fact: The Project Site is located at 15763 Boyle Avenue (APN: 0237-052-23). The General Plan Land Use designation for the site is Light Industrial (I-L) and is located within the Freeway Industrial/Commercial District of the Southwest Industrial Park Specific Plan, which allows for trailer repair with a conditional use permit. The proposed project is consistent with Goals 5 and 2 of the City’s General Plan to create high-quality job-producing industrial uses and to support a high-quality of life and economic prosperity by locating industrial uses where there is easy access to regional transportation routes. The Project Site is located directly south of the I-10 Freeway near Citrus Avenue and Slover Avenue which provides easy access to transportation routes. This Project will also bring more mechanic support jobs to the City.

**Finding No. 2. The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.**

Finding of Fact: The on-site circulation has been reviewed by the Fire, Planning, Traffic and Engineering Departments and it was determined that the driveway access point to the Project Site along Boyle Avenue is adequate. The site is near existing utilities and physically suited for the type of use. The Project Site is also surrounded by existing similar truck land uses which will be consistent with the SWIP specific plan and the General Plan.

**Finding No. 3. Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the Project is located.**

Finding of Fact: There will be no adverse effect to the neighboring sites or their permitted uses from this new trailer repair facility. There are other similar existing truck uses in the vicinity. There is one legal nonconforming mobile home park to the east of the project. The applicant performed a noise study to analyze the noise for the

residents within the mobile home park. The study found that there will be no significant effects. Additionally, the applicant will also be installing a brand new 8' high block wall and 5' landscape planter along the wall to create a buffer between the site and the existing mobile home park. The Project has been reviewed by the Planning Department, Engineering Department, Building and Safety Department, and County Fire Prevention for site circulation, access and safety and found to meet or exceed the requirements for all applicable building code, zoning, and fire code standards.

**Section 4. Administrative Site Plan Findings.** The Planning Commission hereby makes the following findings for ASP No. 23-0027 in accordance with Section No. 30-81 "Findings for Approval" for an administrative site plan-major in the Fontana Zoning and Development Code:

**Finding No. 1:**        **The proposal is consistent with the general plan, zoning and development code, and any specific plan or area plan.**

Finding of Fact:        The Project consists of a request for site and architectural review for construction of a new trailer repair facility building, totaling 11,933 square feet, on approximately 1.7 gross acres. The Project Site is located within the Light Industrial (I-L) general plan land use designation and located within the Southwest Industrial Park (SWIP) Specific Plan/Freeway Industrial/Commercial District and allows for a trailer repair use with approval of a conditional use permit. The Project Site design meets the minimum development requirements of the Zoning and Development Code, Municipal Code, SWIP specific plan and General Plan.

More specifically, the Project meets goals 5 and 2 of the General Plan by creating high-quality job-producing industrial uses and supporting a high-quality of life and economic prosperity by locating industrial uses where there is easy access to regional transportation routes.

**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.**

Finding of Fact:        The Project consists of the development of an 11,933 square foot trailer repair facility on approximately 1.7 acres. The new building will be built pursuant to all applicable building, zoning and fire codes, in addition to the Conditions of Approval attached hereto as Exhibit B and referenced herein. Architectural features such as glazing, light color stucco coated exterior, awnings and decorative lighting add

structural and visual interest to the building. Additionally, variations to the building face and roof lines are architecturally pleasing and consistent with the existing development in the surrounding area. The project will also include new landscape, pavement, on and off-site improvements, and a new 8' high block walls along the west, south, and east boundary to make for a desirable development. Therefore, the Project promotes the public health, safety, and welfare of the occupants and surrounding community.

**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.**

**Finding of Fact:** The Project is aesthetically and architecturally pleasing and compatible with the surrounding area. The Project Site is comprised of one parcel, approximately 1.7 adjusted gross acres, and is physically suitable in size and shape to support a trailer repair building. The new building will be built in accordance with the zoning and fire codes that will make for a safe, attractive, and well-designed Project. The Project will create visual interest with architectural features such as glazing, light color stucco coated exterior, awnings and decorative lighting with variations to the building face and roof lines. The project will also include new landscape, pavement, on and off-site improvements, and a new 8' high block walls along the west, south, and east boundary. The character of the surrounding neighborhood reflects a mixture of commercial and industrial uses. The Project is compatible with the surrounding uses and provides a development that is designed with features to enhance the character of the surrounding area. The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments and found to meet or exceed the requirements for all applicable building code, zoning, and fire code standards.

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

**Finding of Fact:** The development has appropriate improvements, not only for the Project Site, but also for the surrounding area. Project features include sidewalks, drainage, grading, perimeter and screening walls and fencing, to provide a safe and well-designed neighborhood. The project will install new landscape, pavement, on and off-site improvements, and a new 8' high block walls along the west, south, and east boundary to create a safe and well-designed facility. The Project has been reviewed by the Planning, Engineering, Building and Safety Departments, as well as Fontana Fire Prevention for site

circulation, access, and safety and found to meet or exceed the requirements for all applicable building code, zoning, and fire code standards.

**Section 5. Approvals.** Based on the foregoing, the Planning Commission hereby approves CUP No. 23-0018 and ASP No. 23-0027 subject to the Conditions of Approval attached hereto as “**Exhibit A**” for CUP No 23-0018, and the Conditions of Approval attached hereto as “**Exhibit B**” for ASP No. 23-0027, both of which are incorporated herein by this reference.

**Section 6. 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 7. Certification.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 8. Effective Date.** This Resolution shall become effective immediately upon its adoption.

**Section 9. Severability.** If any provision of this Resolution or the application of any 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 19<sup>th</sup> day of August 2025.

**City of Fontana**

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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 19<sup>th</sup> day of August 2025, by the following vote, to-wit:

**AYES:**

Resolution No. PC 2025-

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Joseph Armendarez, Secretary

**EXHIBIT "A"**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**CASE:** Conditional Use Permit No. 23-0018  
Master Case No. 23-0085

**DATE:** August 19, 2025

**LOCATION:** 15763 Boyle Avenue (APN: 0237-052-23)

**PLANNING DEPARTMENT:**

1. This approval shall become null and void two 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.
2. All Conditions of Approval 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 or grading plans prior to issuance of any building or grading permits.
3. 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 both of the following have occurred:
  - a. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
  - b. All other Conditions of Approval imposed by this project have been fulfilled.
4. This project will comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
5. 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 California Environmental Quality Act (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 legal counsel. The applicant shall be responsible and reimburse 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, attorneys' 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.

6. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that the City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-30 and 30-31 of the Municipal Code.
7. 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.
8. 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. Changes made without approval as stated herein, will prevent the occupancy of the structure until corrections are approved in writing by

all appropriate staff.

9. There shall be no storage of trucks, trailers, or shipping containers on the premises, other than those trucks receiving service. There shall be no outdoor storage, including storage of equipment, tires or parts.
10. There shall be no queuing of trucks or vehicles in the public right-of-way.
11. The permitted hours of operation for the facility shall be between the hours of 7:00 a.m. and 7:00 p.m., seven days a week.
12. The trailer repair shall only take place within the approved enclosed trailer repair building. There shall be no outdoor repair or maintenance to the trailers.

### **CODE COMPLIANCE ENVIRONMENTAL SERVICES**

#### **PRIOR TO CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL**

13. All commercial facilities shall submit an Industrial Wastewater Discharge Permit Application to Environmental Services. (FMC 23-218)
14. All commercial facilities shall submit an Industrial Wastewater Discharge Permit Application to Environmental Services. (FMC 23-218)
15. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218)

#### **PRIOR TO THE ISSUANCE OF CONSTRUCTION PERMITS**

16. 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)
17. 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 Environmental Services Manager.
18. Any facility maintained for the servicing, washing, cleaning or repair of vehicles licensed by the state department of motor vehicles, construction equipment, industrial transportation or power equipment shall install and maintain a gravity separation interceptor. (FMC Section 23-190).

19. 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)
20. 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)

UPON CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL AND DURING OCCUPANCY

21. 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.
22. 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.
23. 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).

**EXHIBIT “B”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**CASE:** Administrative Site Plan No. 23-0027  
Master Case No. 23-0085

**DATE:** August 19, 2025

**LOCATION:** 15763 Boyle Avenue (APN: 0237-052-23)

**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 both of the following have occurred:
  - a. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
  - 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. Changes made without approval as stated herein, will prevent the occupancy of the structure until corrections are approved in writing by all appropriate staff.
3. All signs shall be reviewed under a separate Design Review Sign application.
4. This approval shall become null and void two 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.
5. 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.

6. This project will comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
7. 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.
8. 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 California Environmental Quality Act (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 legal counsel. The applicant shall be responsible and reimburse 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, attorneys' 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.

9. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due 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

Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-30 and 30-31 of the Municipal Code.

10. The Applicant shall obtain approval of a fence/wall plan and all applicable permits from the Planning Department and Building and Safety Department addressing all existing and proposed fencing and block walls.
11. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
12. Any foam treatment used for architecture treatments and/or projections located on the first floor shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Planning.
13. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Planning.
14. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
15. The transformer shall be screened by either a screen wall or mature, dense landscaping, and not visible from the public right-of-way to the satisfaction of the Director of Planning and his/her designee.
16. 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.
17. All parking spaces 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.
18. 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.
19. Upon discovery of any cultural tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural tribal 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 or recovery for educational purposes. Work may continue other parts of the project while evaluation takes place.

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, if 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.

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.

20. The construction contractor will use the following source controls at all times: The construction contractor will use the following source controls at all times:

- a. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
- 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:
  - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - ii. Temporarily enclose localized and stationary noise sources.

21. All Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
22. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
23. All Conditions of Approval 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 or grading plans prior to issuance of any building or grading permits.

**BUILDING AND SAFETY:**

24. 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
25. 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
26. 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.
27. 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.
28. 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.



29. The applicant shall comply with the following 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:
  - i. The relationship between the proposed finished on-site grading elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
  - ii. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.) and
  - iii. All proposed drainage structure; and
  - iv. Any proposed and/or required walls or fencing.
- j. 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.

**PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS**

30. 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
31. The project will need to connect to the sewer at Poplar Avenue and Boyle Avenue.

**ENGINEERING LAND DEVELOPMENT**

32. The Project shall be served by the City's sanitary sewer system, offsite 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.
33. 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.
34. 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 THE ISSUANCE OF GRADING PERMIT**

35. 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.
36. 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 THE ISSUANCE OF CONSTRUCTION PERMITS**

37. The Applicant shall record All right-of-way dedications, easements, as required for the development.
38. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
39. 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.

**PRIOR TO THE ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY**

40. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.

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

### **FIRE HAZARDOUS MATERIALS**

47. Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) or apply for exemption from permitting requirements.
48. Prior to occupancy, an application for one or more of these permits shall be obtained by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/>

### **CODE COMPLIANCE ENVIRONMENTAL SERVICES**

#### **PRIOR TO CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL**

49. All commercial facilities shall submit an Industrial Wastewater Discharge Permit Application to Environmental Services. (FMC 23-218)
50. All commercial facilities shall submit an Industrial Wastewater Discharge Permit Application to Environmental Services. (FMC 23-218)
51. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218)

#### **PRIOR TO THE ISSUANCE OF CONSTRUCTION PERMITS**

52. 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)
53. 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 Environmental Services Manager.

54. Any facility maintained for the servicing, washing, cleaning or repair of vehicles licensed by the state department of motor vehicles, construction equipment, industrial transportation or power equipment shall install and maintain a gravity separation interceptor. (FMC Section 23-190).
55. 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)
56. 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)

UPON CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL AND DURING OCCUPANCY

57. 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.
58. 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.
59. 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).