

RESOLUTION PC NO. 2024-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING TENTATIVE PARCEL MAP NO. 22-026 (TPM NO. 20639) TO CONSOLIDATE EIGHT PARCELS INTO ONE PARCEL AND DESIGN REVIEW NO 22-052 TO CONSTRUCT A NEW 385,970 SQUARE FEET INDUSTRIAL COMMERCE CENTER BUILDING, ON A PARCEL OF APPROXIMATELY 18.2 ACRES, PURSUANT TO AN ADDENDUM TO THE PREVIOUSLY CERTIFIED SOUTHWEST INDUSTRIAL IMPACT REPORT (EIR) (SCH NO 2009091089) FOR PROPERTY LOCATED SOUTH OF SLOVER AVENUE, EAST OF CATAWBA AND WEST OF CITRUS AVENUE (APNS: 0237-111-03, -04, -19, -20, -22, -36, -37, & -40) AND DIRECT STAFF TO FILE A NOTICE OF DETERMINATION.

WHEREAS, Assessor Parcel Numbers (“APNs”) 0237-111-03, -04, -19, -20, -22, -36, -37, and -40 (“Project Site”) were annexed from San Bernardino County into the City of Fontana on September 19, 2006; and

WHEREAS, on August 16, 2022, the City of Fontana (“City”) received a Tentative Parcel Map application [Tentative Parcel Map No. 22-026 (TPM No. 20639)] and a Design Review application (DRP No. 22-052) (together known as the “Project”) from Seefried Industrial Properties (“Applicant”), to consolidate eight parcels into one parcel of approximately 18.2 acres and for site and architectural review of an industrial commerce center building at the Project Site; and

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

WHEREAS, the Project Site has a General Plan land use designation of General Industrial (I-G) and is located within the SWIP Slover East Industrial District which allows for such projects; and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resource Code §§ 21000 et seq.) (“CEQA”), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City previously determined that a Program Environmental Impact Report (PEIR) be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the SWIP Specific Plan Update and Annexation Area; and

WHEREAS, the City prepared and certified the Final Program EIR (“FEIR”) on June 15, 2012, for the SWIP Specific Plan Update (SCH No, 2009091089) and Mitigation, Monitoring and Reporting Program (“MMRP”) consisting of comments received during the 45-day public review and comment period on the Draft FEIR, written responses to those comments, and revisions and errata to the Draft FEIR. For the purposes of this

Resolution, the “FEIR” shall refer to the Draft FEIR, as revised by the Final FEIR’s errata section, together with the other sections of the Final FEIR; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines Section 15162 require additional environmental review; and

WHEREAS, by way of preparation of an addendum for the project site, staff evaluated the project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166, State CEQA Guidelines section 15162 and the City of Fontana’s 2019 Local Guidelines for Implementing CEQA by preparing an Initial Study and accompanying technical reports (Addendum); and

WHEREAS, based on the Addendum, staff concluded that the previously certified FEIR fully analyzed and mitigated, where feasible, all potentially significant environmental impacts, if any, that would result from the Proposed Project, and therefore, no subsequent EIR or mitigated negative declaration is required; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164, subdivision (c) the Addendum is not required to be circulated for public review, but can be attached to the FEIR; 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, the Conditions of Approval are attached hereto as “**Exhibit A**” for Tentative Parcel Map No. 22-026 (TPM No. 20639) and as “**Exhibit B**” for DRP No. 22-052; 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, a notice of the public hearing was published in the *Fontana Herald* newspaper on March 29, 2024, and a notice of the public hearing was simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, on April 16, 2024, a duly noticed public hearing on Tentative Parcel Map No. 22-026 (TPM No. 20639) and DRP No. 22-052 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, on April 16, 2024, the Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on Tentative Parcel Map No. 22-026 (TPM No. 20639) and DRP No. 22-052; 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 Environmental Quality Act. As the decision-making body for the Project, the Planning Commission has reviewed and considered the previously certified Southwest Industrial Park Specific Plan FEIR and Addendum, any oral or written comments received, and the administrative record prior to making any decision on the Project. The Planning Commission finds that the Addendum and Southwest Industrial Park Specific Plan FEIR contain a complete and accurate reporting of all of the environmental impacts associated with the Project. The Planning Commission further finds that the Addendum has been completed in compliance with the State CEQA Guidelines and Section 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

Section 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report. Based on the substantial evidence set forth in the record, including but not limited to, the previously certified Southwest Industrial Park Specific Plan FEIR, the Addendum, and all related information presented to the Planning Commission, the Planning Commission finds that the Project necessitated only minor modifications to the Southwest Industrial Park Specific Plan FEIR. Therefore, pursuant to State CEQA Section 15164 and Section 8.06 of the City of Fontana's 2019 Local Guidelines for implementing CEQA, an Addendum to the Southwest Industrial Park Specific Plan FEIR is the appropriate document for each project.

The Planning Commission further finds that the preparation of a subsequent or supplemental EIR is not required for the Project because the Project:

- A. Will not result in substantial changes that would require major revisions of the SWIP Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- B. Will not result in substantial changes with respect to the circumstances under which the Project is developed that would require major revisions of the SWIP Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- C. Does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the SWIP Specific Plan FEIR documents were certified showing any of the following:
 - (i) The Project would have one or more significant effects not discussed in the EIR;

- (ii) That significant effects previously examined would be substantially more severe than shown in the EIR;
- (iii) That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the lead agency declined to adopt such measures; and
- (iv) That mitigation measures or alternatives considerably different from those analyzed would substantially reduce one or more significant effects on the environment, but which the lead agency declined to adopt.

Section 4. Findings on Environmental Impacts. Having considered the Addendum, the administrative record, the previously certified SWIP Specific Plan FEIR and all written and oral evidence presented to the Planning Commission, the Planning Commission finds that all environmental impacts of the Project has been addressed within the SWIP Specific Plan FEIR and the Addendum. The Planning Commission finds that no new or additional mitigation measures or alternatives are required. The Planning Commission further finds that there is not substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts beyond those analyzed in the SWIP Specific Plan FEIR. The Planning Commission finds that the Addendum contains a complete objective and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission.

Section 5. Adoption of the Addendum to the SWIP Specific Plan FEIR. The Planning Commission hereby adopts the Addendum to the EIR for the previously certified SWIP Specific Plan Program Environmental Impact Report (SWIP FPEIR) (SCH No. 2009091089) that has been prepared pursuant to State CEQA Guidelines Sections 15162 and 15164 along with the City of Fontana’s 2019 Local Guidelines for Implementing CEQA and directs staff to file a Notice of Determination.

Section 6. Tentative Parcel Map Findings. The Planning Commission hereby makes the following findings for Tentative Parcel Map No. 22-026 (TPM No. 20639) in accordance with Section 26-218 (d) “Processing of application” of the Fontana Zoning and Development Code”:

Finding No. 1. That the proposed map is consistent with the city's general plan and any applicable specific plan.

Finding of Fact: Tentative Parcel Map No. 22-026 (TPM No. 20639) is consistent with the General Plan Land Use Designation for the Project Site, which is General Industrial (I-G). The lot size with the consolidation meets the lot standards of the Slover East Industrial District (SED) of the SWIP. The tentative parcel map is a request to consolidate eight (8) existing parcels (APNs: 0237-111-03, -04, -19, -20, -22, -36, -37, and

-40) into one parcel for the construction of an industrial commerce building totaling approximately 385,970 square feet, which is a land use permitted in the General Plan and SWIP.

Finding No. 2. That the design or improvements of the proposed subdivision are consistent with the general plan and any applicable specific plan.

Finding of Fact: The Project has been designed to be consistent with the General Plan, including on and off-site improvements. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Elements of the City of Fontana General Plan; as well as Chapter No. 26 (Subdivisions) of the FMC. The project meets all the requirements of the General Industrial development standards from the SWIP Specific Plan and the City of Fontana Municipal Code (“FMC”). The on-site and off-site improvements meet the General Plan goals and objectives as well as the zoning requirements of the SWIP Specific Plan, Slover East Industrial District zone. By the construction of the on-site and off-site improvements such as curb, gutter, sidewalks, and underground utilities, this will further meet the guidelines set forth by the SWIP and FMC. The Project has been reviewed by the Planning Department, Engineering Department and Fire Pretention, 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 the development.

Finding of Fact: The Project Site, of approximately 18.2 adjusted gross acres, is adequate in size to accommodate the development. The Project Site is of an adequate size to accommodate industrial development and the existing topography is relatively flat.

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

Finding of Fact: The design of Tentative Parcel Map No. 22-026 (TPM No. 20639) will neither likely cause substantial environmental damage nor will it substantially and unavoidably injure fish and wildlife or their habitat. The Addendum to the SWIP EIR prepared for the Project determined that there is not potential impact to fish and wildlife or their habitat, and the MMRP has adequately identified any potential impacts associated with the Project. Therefore, the improvements are not

likely to cause substantial environmental damage or will not substantially and avoidably injure fish and wildlife or their habitat.

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

Finding of Fact: The design of Tentative Parcel Map No. 22-026 (TPM No. 20639) will not cause public health problems. The development complies with the Zoning and Development Code, the General Plan and SWIP. Improvements for the Project include sidewalks, drainage and undergrounding of utilities and site grading to provide a safe and well-designed project for the area. Therefore, the project promotes the public health, safety, and welfare of the surrounding community.

Finding No. 6. That 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.

Finding of Fact: The design of Tentative Parcel Map No. 22-026 (TPM No. 20639) and associated public improvements, will not conflict with access easements acquired by the public. The property will be accessed from Almond Avenue. All internal streets will be private.

Section 7. Design Review Findings. The Planning Commission hereby makes the following findings for DRP No. 22-052 in accordance with Section 30-120 "Findings for approval" 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.

Finding of Fact:

The project is for the develop of an industrial commerce center building totaling approximately 385,970 square feet on an 18.2 adjusted gross acres lot. Architectural features for the Project include varying roof heights, window statements and aluminum framing. The site and building design comply with the criteria contained in the design review section of the Fontana Zoning and Development Code and SWIP. As required, the Project has high quality architecture and appropriate screening comprised of screen walls and landscaping that will make for an appropriate and desirable development.

The Project is consistent with Chapter 15 (Land Use, Zoning, and Urban Development) of the General Plan which allows for industrial commerce centers (warehousing) in the General Industrial (I-G) land use district. Furthermore, the building is designed in a manner that limits off-site impacts. For example, the dock areas are designed to

be screened from public view, and there is sufficient stacking distance along all the driveways. Therefore, this industrial commerce center project is consistent with the General Plan Land Use Designation and SWIP

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 will result in the construction of a warehouse building totaling approximately 385,970 square feet. This facility 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, aluminum frames, and a variety of colors will add structural and visual interest to the building. Additionally, variations to the building face and roof lines, with tower elements at maximum of 45 feet will be architecturally pleasing and be consistent with the surrounding area. The Project will include sidewalk and landscape improvements along north, east, and west project boundaries. The site improvements have been reviewed by the Fire Prevention, Building and Safety, and Engineering Departments; based on the department reviews, it was determined that the project meet the minimum requirements of the SWIP Specific Plan and the FMC. Therefore, the Project will promote the public health, safety, and welfare of the occupants and 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.

Findings of Fact: The Project is aesthetically and architecturally pleasing and compatible with the surrounding area. The Project Site is approximately 18.2 gross acres and is physically suitable in size and shape to support the industrial commerce center building. Constructing the Project in accordance with applicable building, zoning and fire codes will make for a safe, attractive, and well-designed Project. The Project creates visual interest with architectural features such as glazing, tower elements, and a variety of colors with variations to the building face and roof lines. The Project is designed to be compatible with the surrounding industrial uses while providing a development that has been designed with

features (architectural relief, landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

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

Findings of Fact: The development will result in appropriate improvements, not only for the Project Site, but the surrounding area. Project features include sidewalks, drainage, grading, and perimeter and privacy walls and fencing to provide a safe and well-designed neighborhood. The Project has been reviewed by the City's Planning, Engineering, Building and Safety, and Fontana Fire Prevention Departments with respect to site circulation, access, and safety. Based on the departments reviews, it was determined that the project met all City standards in regard to circulation, access, and safety. The Project meets and exceeds the standards of the Zoning and Development Code and SWIP and will provide a safe design for public access.

Section 8. Approvals. Based upon the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 22-026 (TPM No. 20639) subject to the Conditions of Approval attached hereto as "**Exhibit A**" and incorporated herein by this reference, and approves Design review No. 22-052 subject to the Conditions of Approval attached hereto as "Exhibit B" and incorporated herein by this reference.

Section 9. 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 10. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 11. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 12. 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.

APPROVED AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 16th day of April 2024.

City of Fontana

Cathline Fort, Chairperson

ATTEST:

I, Ricardo Quintana, 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 this 16th day of April 2024, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ricardo Quintana, Secretary

EXHIBIT "A"



FONTANA
CALIFORNIA

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-105 April 16, 2024
Tentative Parcel Map No. 22-026 (TPM No. 20639)

LOCATION: The project site is located on eight (8) parcels and is located at (APN: 0237-111-03, -04, -19, -20, -22, -36, -37, & -40).

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 requirements of the Fontana City's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on this project have been fulfilled.
2. The applicant and/or property owner 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, 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.

3. This tentative parcel map shall comply with the development standards of Chapter 26 (Subdivisions) and Chapter 30 (Zoning and Development Code) of the Fontana Municipal Code and the Subdivision Map Act.
4. The applicant/developer shall underground all utilities, pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, 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, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
5. 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 and grading plans prior to issuance of any building or grading permits.
6. Tentative Parcel Map No. 22-026 (TPM No. 20639) shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained, construction has commenced on the primary building on-site, and the applicant has successfully completed its first Building and Safety Department inspection, all within the two (2) year period.
7. 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 Section No. 30-30 of the Municipal Code.
8. 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.

ENGINEERING LAND DEVELOPMENT:

9. 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 designed and constructed in accordance with master sanitary sewer plan or as approved by the City Engineer.
10. The applicant and/or property owner 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 No. 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
11. The applicant and/or property owner 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.
12. Left-turn ingress and/or egress at all access locations may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered, subject to approval of the City Engineer.
13. Trucks ingress and egress shall only occur from Slover Avenue, the project shall design, construct, and sign all other ingress/egress locations to prohibit truck movements.
14. Parking and stopping restrictions along project frontage may be restricted upon review and approval of project improvement plans.
15. The project shall extend the Catawba Storm Drain Master Line to approximately 600 feet south of site along Catawba Avenue from existing line to near the southwest driveway of the project, and to include a new catch basin. The size of the storm drain pipe shall be determined by the approved final drainage study.
16. Project ingress and egress locations and restrictions shall be as follows, with additional or lesser restrictions being necessitated subject to changes in the site plan and approval of the City Engineer:
 - A. The project may have a single ingress/egress point along Slover Avenue that shall be designed, constructed, and signed to restrict egress to right-out movements only.
 - B. The project may have at most two ingress/egress points along Citrus Avenue, the northernmost location shall be designed, constructed, and signed to restrict ingress and egress to right-in and right-out movements only.

- C. At such time, as median improvements are completed on Citrus Avenue all driveways facing Citrus Avenue may be right in and right out only and no median breaks will be provided.
- D. The project will have at most two ingress/egress points along Catawba Avenue, the northernmost location shall be designed, constructed, and signed to restrict egress to right-out movements only.

Prior To Issuance of Grading Permit

- 17. The applicant/developer/property owner shall submit and gain approval of a complete Water Quality Management Plan (WQMP) Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
- 18. The applicant/developer/property owner 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
- 19. Plans shall provide for adequate sight distance for all intersections and driveways, taking into account, elevation changes, monuments, grading, vegetation, landscaping, and retaining walls per the AASHTO Green Book, current edition.

Prior To Map Recordation

- 20. The applicant and/or property owner shall provide a Land Improvement Agreement with accompanying security. The agreement shall be executed on City-provided forms.

Prior To Issuance of Construction Permits

- 21. The applicant and/or property owner shall record any map's, right-of-way dedications, easements, as required for the development.
- 22. 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. Existing 4 feet sidewalk along project frontage will need to be replaced with 5 feet standard sidewalk per City Standards.
- 23. The Applicant shall remove and replace existing asphalt concrete pavement in Slover Avenue from center line of the road to edge of gutter, and from the center line of Catawba Avenue to center line of Citrus Avenue. In addition, in Catawba Avenue from center line of the road to edge of gutter, and from south of Slover Avenue curb face to southerly property line. Street pavement design shall take into account the sub-grade soil strength and the traffic index of 10 for Slover Avenue and 9 for Catawba Avenue

in accordance with the City of Fontana Standards Design Guidelines, Standard Plan No. 402.

Prior To Issuance of Final Certificate of Occupancy

24. All gated ingress locations shall provide a visual indication to drivers prior to entering the gated driveway whether the gate is closed or open. This may be excluded if sufficient turn-around space is provided for the design vehicle or if the gate is manned with personnel who would permit an errant driver to enter the gate to turn around and depart. At no time shall the project cause vehicles entering the site to need to reverse into a travel lane in the public right-of-way in order to depart or turn-around.
25. The applicant shall design and construct a raised landscape median along Slover Avenue across the full length of the project's frontage.
26. The project shall design and construct the raised median to allow for a westbound left-turn lane along Slover Avenue at Catawba Avenue. Adequate left-turn storage length shall be provided to the satisfaction of the City Engineer.
27. The project may design and construct the raised median to allow for a westbound left-turn lane along Slover Avenue at the project site entrance. The design shall restrict access in a manner to prevent northbound vehicular left-turn movements from the project driveway, and eastbound left-turns and eastbound u-turns from Slover Avenue. Adequate left-turn storage length shall be provided to the satisfaction of the City Engineer.
28. The applicant shall design and construct any signal modifications needed to accommodate all project-implemented improvements.
29. Applicants shall install a standard bus shelter along Citrus Avenue, south of the northerly driveway approach as required by the City Engineer, if warranted. The Applicant shall coordinate with Omnitrans for construction coordination and requirements. Provide additional right-of-way as required for the installation of standard bus shelter.
30. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
31. 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.
32. The Applicant/Engineer 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.

33. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
34. 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).
35. 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.
36. 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.
37. Existing and proposed public catch basins in industrial areas shall be fitted with BioClean™ Connector Pipe Screen (CPS) trash screens in compliance with trash provisions of the water quality control plan for inland surface waters, enclosed bay and estuaries of California.
38. 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.

BUILDING AND SAFETY DEPARTMENT:

39. The Parcel Map shall be record by the County of San Bernadino Records prior to the issuance of any permits.
40. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with Fontana City Code.

END OF CONDITIONS OF APPROVAL

EXHIBIT "B"



FONTANA
CALIFORNIA

**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. (MCN) 22-105
Design Review No. (DRP) No. 22-052

April 16, 2024

LOCATION: The project site is located on eight (8) parcels and is located at (APN:0237-111-03, -04, -19, -20, -22, -36, -37, & -40).

PLANNING DEPARTMENT:

1. 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 on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
2. 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 requirements of the Fontana City's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on this project have been fulfilled.
3. The applicant and/or property owner 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.

Except as required under applicable State and Federal law, 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.

4. The 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 on-site, and successful completion of the first Building and Safety Department inspection, has commenced within a two (2) year period.
5. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
6. The project shall comply with all applicable provisions, regulations and development standards of the Fontana Zoning Code and Development Code, Fontana Municipal Code (FMC).
7. This project will comply with all applicable provisions, regulations, and development standards of the Southwest Industrial Park Specific Plan.
8. The applicant shall adhere to all requirements identified in the Industrial Commerce Centers Sustainability Standards (Ordinance No.1891).
9. The applicant shall adhere to the monumentation requirements as outlined in Section 10.8 of the Slover East Industrial District (SED) within the Southwest Industrial Park Specific Plan and shall submit a Design Review Sign Application for the review and approval of the monumentation.
10. The applicant/developer shall underground all utilities pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, which for the purpose of this conditions 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, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
11. Historic Archaeological Resources
 - A. Upon discovery of any cultural tribal cultural or archaeological resources, applicant shall 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 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, 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.
 - 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.
12. 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.
 13. 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.
 14. 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.

15. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
16. 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.
17. The current development fees must be paid prior to issuance of building/construction permits.
18. 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 No. 30-30 of the Municipal Code.
19. The applicant/developer shall provide sufficient bicycle racks to accommodate 12 bicycle spaces.
20. 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, car pool, or any other designated parking as required by law.
21. The applicant shall depict step outs in the landscaping areas as required in SWIP pages 7-30 on the Site and Landscaping plans prior to submittal of Building Department plan check.
22. All signs shall be reviewed under a separate Design Review Sign application.
23. 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 Community Development.
24. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
25. The transformer shall be screened by either a screen wall or mature, dense landscaping, and not visible from the public right-of-way.
26. 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.
27. There shall be no refrigerated uses on site; unless, a future tenant proposing to have such uses conducts an update of the California Environmental Quality Act (CEQA)

documents (i.e. Environmental Impact Report) and any applicable studies/memorandums to amend this Condition of Approval.

28. Development fees and the Planning Department's final inspection fee must be paid prior to Certificate of Occupancy.
29. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
30. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions, signed by the property owner or legal representative, shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
31. The applicant/developer shall provide bicycle racks that include locks as well as electric plugs to charge electric bikes. The racks shall be located as close as possible to employee entrance(s).
32. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.
33. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
34. Adhere to the Standard Building Security Specifications of the Fontana Police Department.
35. A copy the Industrial Commerce Centers Sustainability Standards requirements shall be placed on the final grading plans and final building plans.
36. The applicant shall meet all requirements of the Trip Reduction Measures in of the Zoning Code (Article XIV, Transportation Demand Management and Trip Reduction Measures).
37. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
38. The applicant/developer/property owner shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
39. The construction contractor will 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(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:
 - 1. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - 2. Temporarily enclose localized and stationary noise sources.
 - 3. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

Prior To Issuance of Grading Permit

- 40. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission 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.

ENGINEERING LAND DEVELOPMENT:

- 41. The project shall be served by the City's sanitary sewer system and 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.
- 42. The applicant and/or property owner 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 No. 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
- 43. 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.
- 44. Project ingress and egress locations and restrictions shall be as follows, with additional or lesser restrictions being necessitated subject to changes in the site plan and approval of the City Engineer:
 - A. The project may have a single ingress/egress point along Slover Avenue that shall be designed, constructed, and signed to restrict egress to right-out movements only.

- B. The project may have at most two ingress/egress points along Citrus Avenue, the northernmost location shall be designed, constructed, and signed to restrict ingress and egress to right-in and right-out movements only
 - C. At such time, as median improvements are completed on Citrus Avenue all driveways facing Citrus Avenue may be right in and right out only and no median breaks will be provided.
 - D. The project will have at most two ingress/egress points along Catawba Avenue, the northernmost location shall be designed, constructed, and signed to restrict egress to right-out movements only.
- 45. Left-turn ingress and/or egress at all access locations may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered, subject to approval of the City Engineer.
 - 46. Trucks ingress and egress shall only occur from Slover Avenue, the project shall design, construct, and sign all other ingress/egress locations to prohibit truck movements.
 - 47. Parking and stopping restrictions along project frontage may be restricted upon review and approval of project improvement plans.
 - 48. The project shall extend the Catawba Storm Drain Master Line to approximately 600 feet south of site along Catawba Avenue from existing line to near the southwest driveway of the project, and to include a new catch basin. The size of the storm drain pipe shall be determined by the approved final drainage study.

PRIOR TO ISSUANCE OF GRADING PERMIT

- 49. 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.
- 50. 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.
- 51. Plans shall provide for adequate sight distance for all intersections and driveways, taking into account, elevation changes, monuments, grading, vegetation, landscaping, and retaining walls per the AASHTO Green Book, current edition.

PRIOR TO MAP RECORDATION

- 52. 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

- 53. The Applicant shall record all map's, right-of-way dedications, easements, as required for the development.
- 54. 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. Existing 4 feet sidewalk along project frontage will need to be replaced with 5 feet standard sidewalk per City Standards.
- 55. The Applicant shall remove and replace existing asphalt concrete pavement in Slover Avenue from center line of the road to edge of gutter, and from the center line of Catawba Avenue to center line of Citrus Avenue. In addition, in Catawba Avenue from center line of the road to edge of gutter, and from south of Slover Avenue curb face to southerly property line. Street pavement design shall take into account the sub-grade soil strength and the traffic index of 10 for Slover Avenue and 9 for Catawba Avenue in accordance with the City of Fontana Standards Design Guidelines, Standard Plan No. 402.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

- 56. All gated ingress locations shall provide a visual indication to drivers prior to entering the gated driveway whether the gate is closed or open. This may be excluded if sufficient turn-around space is provided for the design vehicle or if the gate is manned with personnel who would permit an errant driver to enter the gate to turn around and depart. At no time shall the project cause vehicles entering the site to need to reverse into a travel lane in the public right-of-way in order to depart or turn-around.
- 57. The applicant shall design and construct a raised landscape median along Slover Avenue across the full length of the project's frontage.
- 58. The project shall design and construct the raised median to allow for a westbound left-turn lane along Slover Avenue at Catawba Avenue. Adequate left-turn storage length shall be provided to the satisfaction of the City Engineer.
- 59. The project may design and construct the raised median to allow for a westbound left-turn lane along Slover Avenue at the project site entrance. The design shall restrict access in a manner to prevent northbound vehicular left-turn movements from the project driveway, and eastbound left-turns and eastbound u-turns from Slover Avenue. Adequate left-turn storage length shall be provided to the satisfaction of the City Engineer.

60. The applicant shall design and construct any signal modifications needed to accommodate all project-implemented improvements.
61. Applicants shall install a standard bus shelter along Citrus Avenue, south of the northerly driveway approach as required by the City Engineer, if warranted. The Applicant shall coordinate with Omnitrans for construction coordination and requirements. Provide additional right-of-way as required for the installation of standard bus shelter.
62. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
63. 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.
64. The Applicant/Engineer 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.
65. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
66. 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).
67. 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.
68. 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.
69. Existing and proposed public catch basins in industrial areas shall be fitted with BioClean™ Connector Pipe Screen (CPS) trash screens in compliance with trash provisions of the water quality control plan for inland surface waters, enclosed bay and estuaries of California.

70. 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.
71. All Conditions of Approval issued to the project no. MCN22-000105 shall apply.
72. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.

BUILDING & SAFETY:

73. Applicant shall comply with the latest adopted edition of the following codes:
 - A. California Building Code
 - B. California Electrical Code
 - C. California Mechanical Code
 - D. California Plumbing Code
 - E. California Energy Code
 - F. California Fire Code
 - G. California Green Building Standards Code
74. Automatic fire sprinkler systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Department of Fire Protection, Planning and Engineering of the San Bernardino County Fire Department.
75. The requirements of the South Coast Air Quality Management District (909-396-2000) shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
76. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with FMC Chapter 5 Article XIV.
77. The requirements of the Fontana Fire Protection District and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
78. All perimeter/ boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the property line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the property 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.
79. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.

80. The Parcel Map shall be recorded by the County of San Bernadino Records Office prior to the issuance of any building permits.
81. Grading Requirements:
- A. Grading plans shall be submitted to and approved by the Building and Safety Department. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-off.
 - B. All drainage water shall drain via approved methods, to an approved location, such as a public street, 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. (i.e.; concrete swale to slag or 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 the Building and Safety Department.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten-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 property lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. 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
 - ii. The ground cover/finished surface material being proposed (i.e.: type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and
 - iv. Any proposed and/or required walls or fencing.
82. All signs shall be Underwriters Laboratories, or equal, approved.
83. All exterior lighting shall be orientated, 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

84. Permits are required prior to the removal and/or demolition of structures.
85. The following items (as applicable) shall be completed and/or submitted to Building and 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
86. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to the Building and Safety Department. 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.
87. Please be aware that a Construction Waste Management Plan (CWMP) will be required at time of plan check submittal. For more information regarding waste diversion, please contact Burrtec Waste at (909) 889-0911.
88. For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>.
89. Trash enclosure required to be designed like a regular building in regard to Building Code setback requirements, fire-resistive walls, protected openings, etc.
90. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structures(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

91. **Jurisdiction.** The above referenced project is under the jurisdiction of the San Bernardino County Fire Department serving 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.
92. **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.

93. **Secondary Access.** The development shall have a minimum of 2 points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1
94. **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.
95. **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.
96. **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 385,970 Square Foot structure.
97. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2
98. **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.
99. **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.
100. **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

101. **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
102. **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
103. **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
104. **Commercial (large facility) Addressing.** 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
105. **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
106. **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\
107. **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
108. **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 Department. California Fire Code Chapter 32 & SBCoFD Standard S-1

109. **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.

END OF CONDITIONS OF APPROVAL