

RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA ADOPTING A MITIGATED NEGATIVE DECLARATION (MND), APPROVING A MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), AND APPROVING GENERAL PLAN AMENDMENT NO. 23-001 (PART NO. 2 OF GENERAL PLAN AMENDMENT CYCLE NO. 1 OF 2024) AMENDING EXHIBIT 15.8 OF GENERAL PLAN CHAPTER 15 (LAND USE, ZONING, AND URBAN DESIGN) TO CHANGE THE LAND USE DESIGNATION FROM RESIDENTIAL PLANNED COMMUNITY (R-PC) TO GENERAL INDUSTRIAL (I-G) FOR APNS: 0255-101-24 AND -30 TOTALING APPROXIMATELY 1.6 ACRES LOCATED ON THE EAST SIDE OF JUNIPER AVENUE, SOUTH OF SANTA ANA AVENUE, AND APPROVING TENTATIVE PARCEL MAP NO. 23-002 (TPM NO. 20795) TO CONSOLIDATE TWO (2) PARCELS INTO ONE (1) PARCEL. AND ADMINISTRATIVE SITE PLAN NO. 23-006 FOR THE CONSTRUCTION OF AN APPROXIMATELY 33,585 SQUARE FEET INDUSTRIAL COMMERCE BUILDING ON APPROXIMATELY 1.6 ACRES.

WHEREAS, Assessor Parcel Numbers (“APNs”) 0255-101-24 and -30 (“Project Site”) were annexed from San Bernardino County and incorporated into the City of Fontana on November 23, 1964; and

WHEREAS, on November 13, 2018, the most recent edition of the City of Fontana General Plan (“General Plan”) was adopted by the Fontana City Council (“City Council”) and the City’s Housing Element was adopted by the City Council on February 8, 2022; and

WHEREAS, on April 10, 2023, the City of Fontana (“the City”) received an application from Chase Partners (“Applicant”), to amend the General Plan land use designation (“GPA No. 23-001”) as illustrated in Exhibit 15.8 of the General Plan, from Residential Planned Community (R-PC) to General Industrial (I-G); Zoning District Map Amendment (“ZCA No. 23-002”) from Residential Planned Community (R-PC) to Specific Plan – Southwest Industrial Park Specific Plan; Specific Plan Amendment (“SPA No. 23-001”) to amend the Southwest Industrial Park (SWIP) Specific Plan to include the Project Site and include it in the Slover East Industrial District (SED); Development Agreement (AGR No. 23-001) to include an agreement for the payment of a public benefit fee; Tentative Parcel (TPM No. 23-002) (TPM No. 20795) for the consolidation of two (2) parcels into one (1) parcel; and Administrative Site Plan (ASP No. 23-006) for the development of an industrial commerce building totaling approximately 33,585 square feet along with site improvements for APNs 0251-101-24 and -30. The amendments together are known as Master Case Number 23-013 (“MCN 23-013”); and

WHEREAS, the commerce building site is to be developed below the assumed capacity as identified in the approved Housing Element, however, there is still sufficient

capacity in the City at the “above moderate” income category to meet the Regional Housing Needs Assessment (RHNA) numbers; and

WHEREAS, the General Plan Amendment is considered a “Project” as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, to comply with California’s Housing Crisis Act of 2019 (SB 330), the project will participate in the City of Fontana Municipal Code (FMC) Chapter 30 Article XV “No Net Loss Density Bonus/Replacement Program.” Pursuant to FMC section 30-967, the Unit Bank cannot exceed 2,200 units. The Unit Bank is currently 1,615 units. These 1 unit will be added to the Unit Bank increasing the number of units in the Unit Bank to 1,616 which is less than the 2,200 units authorized by the FMC. The units in the Unit Bank shall be available as density bonuses for other residential properties throughout the City. The program will enable, on a first come, first served basis, density bonuses of up to 20% on other parcels until this 1 residential unit is reclaimed within future planned residential projects; and

WHEREAS, pursuant to the California Environmental Act (CEQA), an Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program was prepared and circulated from February 27, 2024 through March 18, 2024, and found with the implementation of recommended mitigation measures, the Project would have no significant impacts on the environment and, therefore, a Mitigated Negative Declaration has been recommended for adoption; and

WHEREAS, General Plan Amendment (GPA) No. 23-001 (General Plan land use map), Zoning District Map Amendment (ZCA) No. 23-002, Tentative Parcel Map (TPM) No. 23-003 (TTM No. 20795), and Administrative Site Plan (ASP) 23-006 are supported by the goals and policies of the General Plan; and

WHEREAS, the Conditions of Approval have been prepared and are attached hereto as Exhibit “B and C” for TPM No. 23-003 and ASP No. 23-006, respectively; and

WHEREAS, all notices required by statute and the Fontana Municipal Code 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 for Planning Commission and City Council; and a notice of the public hearing was published in the *Fontana Herald* newspaper on February 23, 2024, for Planning Commission and March 29, 2024, for City Council at City Hall and at the project site; and

WHEREAS, on March 19, 2024, the Fontana Planning Commission (“Planning Commission”) held a noticed public hearing on MCN No. 23-013 and received public testimony and evidence presented by the Applicant, City staff, and other interested parties at the Public Hearing held on the project MND, MMRP and MCN No. 23-013 and recommended approval with a vote of 4-0 to the City Council by Resolution No. 2024-023; and

WHEREAS, on April 9, 2024, the City Council conducted a noticed public hearing on the project, MND, MMRP, and MCN No. 23-013 and received testimony from all parties and documentation from the Planning Commission's public hearing on March 19, 2024; and

WHEREAS, based on the information presented to and evidence received by the City Council at the public hearing held on April 9, 2024, for the project, MND, MMRP, and MCN No. 23-013, the City Council found that the amendments and project are in conformance with the goals and policies of the General Plan; and

WHEREAS, the proposed amendments to the General Plan and Zoning District Map will contribute to a sustainable community where residents of the City could live and work and utilize the services in the area as anticipated in the General Plan; and

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

WHEREAS, pursuant to Government Code Section 65358 on April 9, 2024 the City Council adopted one General Plan Amendment in the following five parts: Part No. 1 – GPA No. 20-015, Monte Vista Residential Project; Part No. 2 – GPA No. 23-001, Fontana Business Center 3; Part No. 3–GPA No. 22-009, Citrus/Slover Industrial Commerce Center; and

NOW, THEREFORE, the City Council **RESOLVES** as follows:

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

Section 2. CEQA. The City Council has reviewed and considered the Initial Study ("IS"), MND, and MMRP, any oral or written comments received, and the administrative record prior to making any decision on the proposed project. The City Council finds that the IS/MND and MMRP contain a complete and accurate reporting of all the environmental impacts associated with the project. The City Council further finds that the MND and MMRP has been completed in compliance with the State CEQA Guidelines and Section 6.21 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

a. The City Council has reviewed and considered the information contained in the Final MND and the administrative record, including all written and oral evidence presented to it, and finds, based on its independent review and analysis: (i) that the Final MND was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence in the administrative record supporting a fair argument that the Project may have a significant effect on the environment. The City Council finds that the Final MND contains a complete, objective, and accurate reporting of the environmental impacts associated with the project and reflects the independent judgment and analysis of the city. As well the City Council finds that no new significant environmental impacts have been identified in the Final MND and any changes to the

Final MND in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5.

b. The City Council has also reviewed and considered the MMRP for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and recommends that the City Council find that such MMRP is designed to ensure compliance with the mitigation measures during project implementation.

c. **Adoption of MND.** Pursuant to Public Resources Code section 21080, subdivision (c)(2), the City Council adopts the Final IS/MND prepared for the project.

d. **Approval of MMRP.** Pursuant to Public Resources Code section 21081.6, the City Council approves the MMRP which was prepared for the project and makes it a condition of project approval as attached hereto.

e. **Notice of Determination.** The City Council directs staff to file a Notice of Determination with the San Bernardino County Clerk and the Office of Planning and Research within five (5) working days of approval of the project.

Section 3. General Plan Amendment Findings. The City Council hereby makes the following findings for GPA No. 23-001 in accordance with Section 30-31 "Purpose" of the Fontana Zoning and Development Code:

Finding: **The purpose and intent is to keep an updated General Plan to reflect the current desires and needs of the citizens for the long-term growth of the City.**

Findings of Fact: An amendment to the General Plan Land Use Designation of the site (GPA No. 23-001) from R-PC to I-G would allow for the construction of a 33,855 square foot industrial commerce center building. The site is adjacent to industrial development and will assist with the growing demand in the industrial sector. The I-G designation will be consistent with other nearby land uses along Juniper Avenue. The I-G designation also supports general plan goals, including:

Chapter 13, Goal No. 1, Action A: Establish a balance of industrial and manufacturing development along with services, especially in sectors with living wage jobs. The developer is proposing to construct an industrial commerce building, which will require construction labor. Labor leaders have emphasized that construction jobs support families. Additionally, the operations of the industrial commerce building will require employees for day-to-day operations, which will in turn provide jobs for local communities in the long term.

Section 4. Tentative Parcel Map Findings. The City Council hereby makes the following findings for Tentative Parcel Map No. 22-016 (TPM No. 20638), in accordance with Section No. 26-218(d) "Processing of application," of the Fontana Municipal Code:

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

Findings of Fact: Tentative Parcel Map No. 23-003 (TPM No. 20795) is consistent with the existing and proposed General Plan Land Use Designation for the Subject Property. The lot size with the consolidation meets the lot standards of existing zoning designation (R-PC) and the proposed specific plan designation (SWIP Specific Plan). The tentative parcel map is a request to consolidate two (2) existing parcels (APNs: 0255-101-24 and 0255-101-30) into one parcel for the construction of an industrial commerce building totaling approximately 33,585 square feet, which is a land use permitted in the proposed specific plan designation.

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

Findings of Fact: The site design for Tentative Parcel Map No. 23-003 (TPM No. 20795) is consistent with the General Plan. 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, and Chapter No. 26 of the City FMC. The lot size and street configuration also conform to the standards of the proposed land use designation (SED of the SWIP Specific Plan). The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all of the zoning and SWIP requirements. Improvements consist of curb, gutter and sidewalks on Juniper Avenue, drainage, and grading to provide a safe and well-designed project for the area.

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

Findings of Fact: The Subject Property, which consists of approximately 1.6 adjusted gross acres, is adequate in size to accommodate the development of an industrial commerce center building that has approximately 3,000 square feet of office space and 30,585 square feet of warehouse area. The existing topography is conducive for the project, and development of the site will not

require setback variances. Therefore, the site is suitable for this type of development.

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 or wildlife or their habitat.**

Findings of Fact: The design of Tentative Parcel Map No. 20795 is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. There will be no significant effect on the environment with mitigation as a result of project implementation. A Mitigated Negative Declaration has been prepared and made a part of the environmental documentation and Conditions of Approval for this project.

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

Findings of Fact: The design of Tentative Parcel Map No. 23-003 (TPM No. 20795) will not cause public health problems. The development complies with the proposed general plan and specific plan land use requirements. Improvements include connection to public sewer, sidewalks, drainage, and 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.**

Findings of Fact: The design of Tentative Parcel Map No. 23-003 (TPM No. 20795) and public improvements will not conflict with access easements acquired by the public. The site is accessed from Juniper Avenue, which is a publicly maintained street. Currently, there are no other public access easements through or within the Subject Property.

Section 5. Administrative Site Plan Findings. The City Council hereby makes the following findings for Administrative Site Plan No. No. 23-006 in accordance with Section No. 30-81 “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 specific plan or area plan.

Findings of Fact: The project, as proposed, is a request for approval for the site and architectural design for the proposed 33,585 square foot industrial commerce center. The project will be an appropriate and desirable development for the area and will be consistent with development in the immediate vicinity. With the requested associated general plan amendment, zone change and specific plan amendment, the project will meet or exceed the criteria contained in the Zoning and Development Code.

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

Findings of Fact: The project consists of the development of an approximately 33,585 square foot industrial commerce building, including 3,000 square feet of office area on 1.6 acres. The 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, metal canopies and a variety of colors will add structural and visual interest to the building. Additionally, variations to the building face and roof lines are architecturally pleasing and consistent with the industrial development in the surrounding area. The project includes curb and gutter improvements to Juniper Avenue. 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 Subject Property is comprised of two combined parcels, approximately 1.6 adjusted gross acres, and is physically suitable in size and shape to support an industrial commerce center building. Applicable building, zoning, and fire codes will make for a safe, attractive, and well-designed project. The project will create visual interest with architectural features such as glazing, tower elements, and a variety of colors and materials with variations to the building face and roof lines. The character of the

surrounding neighborhood reflects industrial uses and non-conforming residences. The project is compatible with the surrounding uses and provides a development that is designed with features (architectural relief, landscaping, street improvements, and lighting) to enhance the character of the surrounding area.

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 Subject Property but the surrounding area. Project features include sidewalks, drainage, grading, perimeter and privacy walls, and fencing to provide a safe and well-designed neighborhood. 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 it was determined the project exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

Section 6. General Plan Approval. Based on the findings in Section 3, the City Council hereby approves GPA No. 23-001 to amend the General Plan land use designation from Residential Planned Community (R-PC) to General Industrial (I-G) for APNs: 0255-101-24 and -30 for approximately 1.6-acres of land located on the east side of Juniper Avenue south of Santa Ana Avenue as shown on **Exhibit “A”** attached hereto and incorporated by reference as fully set forth herein and to modify Exhibit 15.8 (Land Use Map) of the General Plan to reflect the same.

Section 7. Tentative Parcel Map Approval. Based on the findings in Section 4, the City Council hereby approves TPM No. 23-003, subject to the Conditions of Approval attached here to as **Exhibit “B”** and incorporated by reference as fully set forth herein, to consolidate two (2) parcels located on the east side of Juniper Avenue, south of Santa Ana Avenue into one parcel.

Section 8. Administrative Site Plan Approval. Based on the findings in Section 5, the City Council hereby approves DRP No. 23-026 subject to the Conditions of Approval attached here to as **Exhibit “C”** and incorporated by reference as fully set forth herein, for the development of an industrial commerce center building on an 1.6-acre parcel located on the east side of Juniper Avenue, south of Santa Ana Avenue.

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 City Clerk of the City Council shall certify to the adoption of this Resolution.

Section 11. Effective Date. This Resolution shall take effect thirty (30) days after the adoption of the City Council Ordinance adopting Zoning District Map Amendment (ZCA) No. 23-002, City Council Ordinance adopting Specific Plan Amendment No. 23-001 and City Council Ordinance adopting Development Agreement No. 23-001, whichever is adopted later, provided however, if the Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, or otherwise do not go into effect for any reason, then this resolution shall be null and void and have no further force and effect.

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.

PASSED, APPROVED AND ADOPTED this 9th day of April 2024.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

ATTEST:

I, Germaine Key, City Clerk of the City of Fontana and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City of Fontana at a regular meeting thereof, held on the 9th day of April 2024, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

Mayor of the City of Fontana

Resolution No. 2024-_____

ATTEST:

City Clerk

EXHIBIT "A"

EXISTING AND PROPOSED GENERAL PLAN LAND USE DESIGNATION - FOR THE ENTIRE PROJECT SITE COMPRISED OF TWO (2) PARCELS (APNS: 0255-101-24 AND -30) FROM RESIDENTIAL PLANNED COMMUNITY (R-PC) TO GENERAL INDUSTRIAL (I-G)

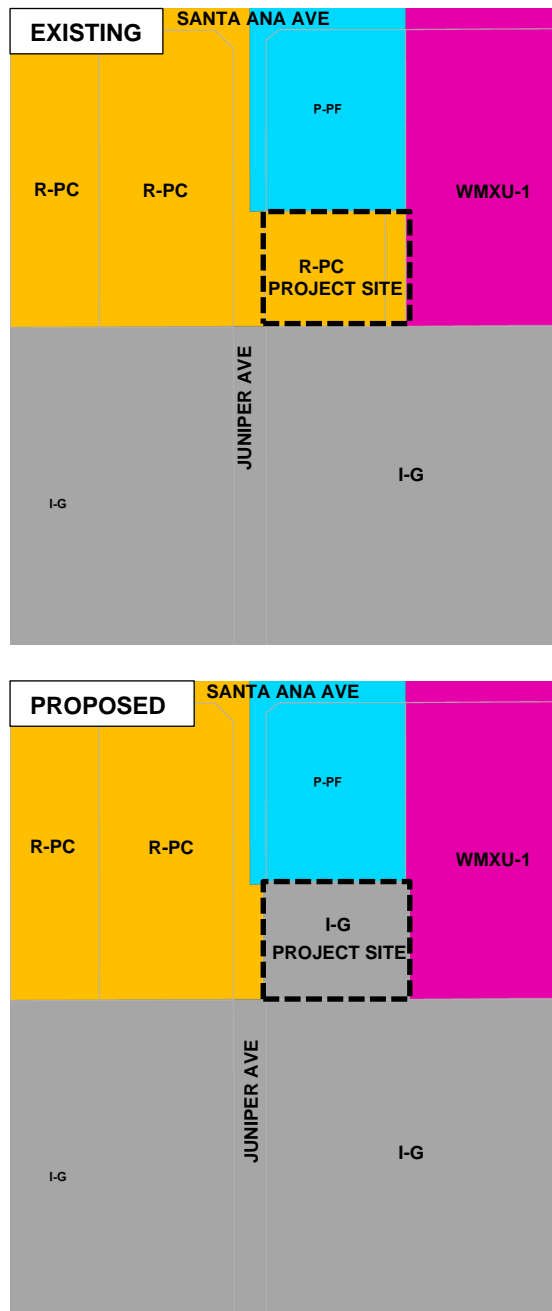


EXHIBIT “B”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 23-013 **DATE:** April 9, 2024
Tentative Parcel Map No. 23-003 (TPM No. 20795)

LOCATION: East side of Juniper Avenue, south of Santa Ana Avenue (APNs: 0255-101-24 and -30)

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/developer/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 applicants 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 legal counsel. The applicant shall be responsible for and reimburse the city for such legal fees and costs, in their entirety, including actual attorney fees, which may be incurred by the city in defense of such action or proceeding. This indemnification shall also include but not be limited to, damages, fees and or costs awarded against the city, if any, and cost of

suit attorney's fees, and other costs awarded against the city liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the city and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

3. Tentative Parcel Map No. 23-003 (TPM No. 20795) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Southwest Industrial Park Specific Plan, Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC) 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. The applicant/developer shall comply with the mitigation measures identified in the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) as approved by the City Council.
6. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
7. Tentative Parcel Map No. 23-003 (TPM No. 20795) shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
8. All provisions of Development Agreement (AGR) No. 23-001 shall be adhered to.
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 Section No. 30-30 of the Municipal Code.

10. The applicant shall post a publicly visible sign on the Subject Property 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.
11. The applicant shall meet all requirements identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).
12. Historic Archaeological Resources
 - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place 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.

13. The construction contractor shall use the following source controls at all times:
 - A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.
 - B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - F. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - G. Temporarily enclose localized and stationary noise sources.
 - H. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

ENGINEERING DEPARTMENT

14. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main

trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.

15. 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.
16. 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.
17. 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.
18. The site plan shall identify interior traffic flow pattern.
19. The site plan shall indicate the location and method of operation of any vehicle restricting gates.
20. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress location including consideration for walls, landscaping, grading, and vegetation.
21. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
22. Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered.

PRIOR TO ISSUANCE OF GRADING PERMIT

23. 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.
24. The Applicant shall submit, and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

25. 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

26. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
27. 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 ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

28. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
29. 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.
30. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
31. 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).
32. 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. If a TCO (Temporary Certificate of Occupancy) is required a full video inspection will be required as well at that time.

33. 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.
34. 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

35. 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
36. 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.
37. 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.
38. 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.

39. 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.
40. The applicant shall comply with the following grading requirements:
 - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
 - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
 - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
 - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
 - E. No water course or natural drainage shall be obstructed.
 - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
 - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
 - H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

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

I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:

1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 3. All proposed drainage structures; and
 4. Any proposed and/or required walls or fencing.
41. 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 PERMITS

42. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for the 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
43. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the

proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

END OF CONDITIONS

EXHIBIT “C”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 23-013
Administrative Site Plan No. 23-006

DATE: April 9, 2024

LOCATION: East side of Juniper Avenue, south of Santa Ana Avenue (APNs: 0255-101-24 and -30)

PLANNING DEPARTMENT:

1. This Administrative Site Plan 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/developer/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 applicants 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 legal counsel. The applicant shall be responsible for and reimburse the city for such legal fees and costs, in their entirety, including actual attorney fees, which may be incurred by the city in defense of such action or proceeding. This indemnification shall also include but not be limited to, damages, fees and or costs awarded against the city, if any, and cost of suit attorney's fees, and other costs awarded against the city 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. This project shall comply with all applicable provisions, regulations, and development standards of the Southwest Industrial Park Specific Plan and Chapter 30 (Zoning and Development.
5. The applicant/developer shall meet all requirements identified in the Industrial Commerce Ordinance (Chapter 9, Article V of the Fontana Municipal Code).
6. The applicant/developer shall comply with the mitigation measures identified in the Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) as approved by the City Council.
7. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
8. All provisions of Development Agreement (AGR) No. 23-001 shall be adhered to.
9. 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.

10. 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.
11. 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.
12. The applicant shall post a publicly visible sign on the Subject Property 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.
13. Historic Archaeological Resources
 - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place 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.
14. The construction contractor shall use the following source controls at all times:
- A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.
 - B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - F. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - G. Temporarily enclose localized and stationary noise sources.
 - H. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
15. 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.

16. 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.
17. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
18. 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 an industrial parking facility, except for disabled persons parking, van pool, carpool, or any other designated parking as required by law.
19. All signs shall be reviewed under a separate Design Review Sign application.
20. 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.
21. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
22. The transformer shall be screened by a solid screen wall and mature, dense landscaping, and not visible from the public right-of-way.
23. There shall be no refrigerated uses on site; unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
24. The developer shall be required to comply with Development Agreement (AGR) No. 22-003.

ENGINEERING DEPARTMENT

25. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
26. 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.

27. 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.
28. 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.
29. The site plan shall identify interior traffic flow pattern.
30. The site plan shall indicate the location and method of operation of any vehicle restricting gates.
31. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress location including consideration for walls, landscaping, grading, and vegetation.
32. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
33. Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered.

PRIOR TO ISSUANCE OF GRADING PERMIT

34. 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.
35. The Applicant shall submit, and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

36. 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

37. The Applicant shall record all map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
38. 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 ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

39. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
40. 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.
41. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
42. 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).
43. 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. If a TCO (Temporary Certificate of Occupancy) is required a full video inspection will be required as well at that time.
44. 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.

45. 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

46. 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
47. 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.
48. 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.
49. 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.
50. 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.

51. The applicant shall comply with the following grading requirements:

A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.

B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.

C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.

D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.

E. No water course or natural drainage shall be obstructed.

F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.

G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.

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

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

I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:

1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an

adjacent property.); and

2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
3. All proposed drainage structures; and
4. Any proposed and/or required walls or fencing.

52. 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 PERMITS

53. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for the 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
54. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

END OF CONDITIONS