

RESOLUTION NO. PC 2025-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING CONDITIONAL USE PERMIT NO. 18-000020R1, A REQUEST TO AMEND CUP NO. 18-000020 TO ADD TRAILER SALES TO TRUCK SALES AND ANCILLARY TRUCK REPAIR; CONDITIONAL USE PERMIT NO. 23-000009, A REQUEST TO ESTABLISH TRUCK AND TRAILER SALES WITH ANCILLARY TRUCK REPAIR; CONDITIONAL USE PERMIT NO. 23-000010, A REQUEST TO ESTABLISH TRUCK AND TRAILER SALES WITH ANCILLARY TRUCK REPAIR; AND DESIGN REVIEW NO. 18-000020R1, A REQUEST TO MODIFY DESIGN REVIEW NO. 18-000020 TO ACCOMMODATE NEW TRAILER DISPLAY SPACES ON ALL THREE (3) SITES FOR APPROXIMATELY 7.55 COMBINED ACRES LOCATED AT 15132, 15170 AND 15244 VALLEY BOULEVARD (ASSESSOR PARCEL NUMBERS 0235-072-09, -10, AND -11) PURSUANT TO A PREVIOUSLY ADOPTED INITIAL STUDY/NEGATIVE DECLARATION AND FINDING THAT NO FURTHER ANALYSIS IS REQUIRED AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION

WHEREAS, 15132, 15170 and 15244 Valley Boulevard, is also identified as Assessor Parcel Numbers ("APNs") 0235-072-09, -10, and -11 ("Project Site"), was annexed from San Bernardino County, and incorporated into the City of Fontana on September 27, 1991, and

WHEREAS, on December 17, 2019, the City of Fontana ("City") adopted an initial study/negative declaration ("ND") for the MCN No. 18-000069 project and approved Conditional Use Permit Numbers ("CUP Nos") 18-000020, 18-000021, 18-000020 and Design Review Number ("DRP No.") 18-000018; and.

WHEREAS, on June 8, 2023, the City of Fontana ("City") received an application from Andresen Architecture, Inc. ("Applicant"), for CUP No. 18-000020R1, a request to amend CUP No. 18-000020 to add trailer sales to truck sales and ancillary truck repair; CUP No. 23-000009, a request to establish truck and trailer sales and ancillary truck repair; CUP No. 23-000010, a request to establish truck and trailer sales with ancillary truck repair; and DRP No. 18-000020R1, a request to incorporate new trailer display parking spaces into all three facilities within the Project Site (the "Project") and

WHEREAS, the Project site has a General Plan Land Use designation of Light Industrial (I-L) and is located within the Southwest Industrial Park ("SWIP") Specific Plan /Freeway Industrial District, which allows for such projects with Conditional Use Permit approval; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions on a project for which ND has been adopted, 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, the City evaluated the proposed 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 and concluded that the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects that were previously disclosed in the ND and therefore, no subsequent EIR or mitigated negative declaration is required; 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 have been prepared and are attached hereto as **Exhibit "A"** for CUP No. 18-000020R1, **Exhibit "B"** for CUP No. 23-000009, **Exhibit "C"** for CUP No. 23-000010 and **Exhibit "D"** for DRP No. 18-000018R1; and

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

WHEREAS, the owners of property within 660 feet were notified via a public hearing notice mailer prior to the public hearing; a notice of the public hearing was published in San Bernardino Sun newspaper on May 9, 2025, and was simultaneously displayed at City Hall; and

WHEREAS, on May 20, 2025, a duly noticed public hearing on CUP No. 18-000020R1, CUP No. 23-000009, CUP No. 23-000010, and DRP No. 18-000018R1 was held by the City of Fontana Planning Commission ("Planning Commission") to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and

WHEREAS, on May 20, 2025, the Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on CUP No. 18-000020R1, CUP No. 23-000009, CUP No. 23-000010, and DRP No. 18-000018R1; 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. CEQA. The Planning Commission hereby determines, that, pursuant to Section 15162 of the California Environmental Quality Act (CEQA) and Section 8-10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA, the previously adopted December 17, 2019 Initial Study/Negative Declaration ("ND") has adequately identified the impacts associated with CUP No. 18-000020R1, CUP No. 23-000009, CUP No. 23-000010 and DRP No. 18-000018R1.

As the decision-making body for the Project, the Planning Commission has reviewed and considered the Project, any oral or written comments received, and the administrative record prior to making any decision on the Proposed Project. The Planning Commission finds that the ND contains a complete and accurate reporting of all the environmental impacts associated with the Proposed Project. The Planning Commission further finds that the preparation of a subsequent or supplemental EIR is not required for the Project because it (a) will not result in substantial changes that would require major revisions of the ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (b) will not result in substantial changes with respect to the circumstances under which the Project are developed that would require major revisions of the ND 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 known with the exercise of reasonable diligence at the time the ND documents were certified showing any of the following: (i) The Project would have one or more significant effects not discussed in the ND; (ii) That significant effects previously examined would be substantially more severe than shown in the ND; (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 difference from those analyzed would substantially reduce one or more significant effects on the environment, but which the lead agency declined to adopt.

Section 3. Conditional Use Permit Findings. The Planning Commission hereby makes the following findings for CUP No. 18-000020R1 in accordance with Section 30-150 “Findings for Approval” of the Fontana Zoning and Development Code.

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

Finding of Fact: The Project Site is designated as Light Industrial (I-L) under the General Plan and is located within the Southwest Industrial Park Specific Plan/Freeway Industrial District, both of which allow for truck and trailer sales, and truck repair with a conditional use permit. The Project complies with the General Plan, FMC and the Southwest Industrial Park (SWIP) specific plan.

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

Finding of Fact: The Project involves establishing truck and trailer sales with ancillary truck repair. CUP No. 18-000020 is existing, and the on-site improvements for this specific site are completed. As part of this request, the applicant is also revising the previously approved Design Review No. 18-000018 to provide new trailer display parking spaces at the site, therefore the new site improvements will accommodate the land use. The on-site circulation has been reviewed by the Fire, Planning, Traffic and Engineering Departments and it was determined that the driveway access point to the Project Site along Valley Boulevard and Fontana Avenue is adequate. The site is near existing utilities and physically suited for the type of use.

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

Finding of Fact: There will be no adverse effect to the neighboring sites or their permitted uses. There are other similar existing uses in the vicinity. The Project has been reviewed by the Planning Department, Engineering Department, Building and Safety Department, and County Fire Prevention for site circulation, access and safety and found it meets or exceeds the requirements for all applicable building code, zoning, and fire code standards.

Section 4. Conditional Use Permit Findings. The Planning Commission hereby makes the following findings for CUP No. 23-000009 in accordance with Section 30-150 "Findings for Approval" of the Fontana Zoning and Development Code.

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

Finding of Fact: The Project Site is designated as I-L under the General Plan and is located within the Southwest Industrial Park Specific Plan/Freeway Industrial District, both of which allow for truck and trailer sales, and truck repair with a conditional use permit. The Project complies with the General Plan, FMC and the SWIP specific plan.

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

Finding of Fact: The Project involves establishing truck and trailer sales with truck repair use as an ancillary use. The land use for this site was previously approved under CUP No. 18-000021 for truck sales with ancillary truck repair but the CUP has since expired. The site plan review was previously approved under DRP No. 18-000018 and has now been vested, therefore site improvements will accommodate the proposed use. Having been previously determined physically suitable for this type of use, the site's suitability remains for the current proposed. The on-site circulation has been reviewed by the Fire, Planning, Traffic and Engineering Departments and it was determined that the driveway access point to the Project Site along Valley Boulevard and Fontana Avenue is adequate. The site is near existing utilities and physically suited for the type of use.

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

Finding of Fact: There will be no adverse effect to the neighboring sites or their permitted uses. There are other similar existing uses in the vicinity. The Project has been reviewed by the Planning Department, Engineering Department, Building and Safety Department, and County Fire Prevention for site circulation, access and safety and found it meets or exceeds the requirements for all applicable building code, zoning, and fire code standards.

Section 5. **Conditional Use Permit Findings.** The Planning Commission hereby makes the following findings for CUP No. 23-000010 in accordance with Section 30-150 "Findings for Approval" of the Fontana Zoning and Development Code.

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

Finding of Fact: The Project Site is designated as I-L under the General Plan and is located within the Southwest Industrial Park Specific Plan/Freeway Industrial District, both of which allow for truck and trailer sales, and truck repair with a conditional use permit. The Project complies with the General Plan, FMC and the SWIP specific plan.

Finding No. 2. **The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and the absence**

of physical constraints and can be conditioned to meet all related performance criteria and development standards.

Finding of Fact: The Project involves establishing truck and trailer sales with truck repair use as an ancillary use. CUP No. 18-000022 permitted truck sales with ancillary truck repair but the CUP has since expired. The project site was approved under DRP No. 18-000018 and has now been vested, therefore the site improvements will accommodate the proposed use. Having been previously determined physically suitable for this type of use, the site's suitability remains for the current proposal. The on-site circulation has been reviewed by the Fire, Planning, Traffic and Engineering Departments and it was determined that the driveway access point to the Project Site, along Valley Boulevard and Fontana Avenue, is adequate. The site is near existing utilities and physically suited for the type of use.

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

Finding of Fact: There will be no adverse effect to the neighboring sites or their permitted uses. There are other similar existing uses in the vicinity. The Project has been reviewed by the Planning Department, Engineering Department, Building and Safety Department, and County Fire Prevention for site circulation, access and safety and found it meets or exceeds the requirements for all applicable building code, zoning, and fire code standards.

Section 6. Design Review Permit Findings. The Planning Commission hereby makes the following findings for DRP No. 18-000018R1 in accordance with Section 30-129 "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 Site is designated as I-L under the General Plan and is located within the Southwest Industrial Park Specific Plan/Freeway Industrial District, both of which allow for truck and trailer sales, and truck repair with a conditional use permit. The request is to modify the site plan of the previously approved Design Review Permit to accommodate trailer display parking. The previously approved site plan only included truck parking, and the Applicant is requesting to add trailer parking to all three parcels. No other aspects of the development design have changed besides the addition of trailer display parking spaces. The FID zoning district is intended to

accommodate light industrial uses that encourage activities that combine industrial and commercial uses.

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 design aspect of the Project modifies the site plan to provide trailer display parking. The previously approved design met or exceeded applicable conditions of the FMC, and this modified design continues to do so. No other aspects of the development design has changed. Moreover, the design has been determined to be aesthetically and architecturally pleasing and compatible with the surrounding area.

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 building designs have modern features that include smooth stucco, bold use of color, metal features, and brick veneer which enhances the character of the surrounding neighborhood. The surround neighborhood is made up of existing buildings that were annexed from the County of San Bernardino. These new buildings of this project will be architecturally pleasing to the area and enhance the character of the surrounding neighborhood.

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

Finding of Fact: The proposed Project is a request to modify the site plan of the previously approved site plan to accommodate trailer display parking. No other aspects of the proposed development design have changed besides the addition of trailer display parking spaces. All structures will be built pursuant to all applicable building, zoning, and fire codes and standards and therefore, shall promote the public health, safety, and welfare of the community.

Section 7. Approvals. Based on the foregoing, the Planning Commission hereby approves CUP No. 18-000018R1, CUP No. 23-000009, CUP No. 23-000010, and DRP No. 18-000018R1, subject to the Conditions of Approval attached hereto as “**Exhibits “A”, “B”, “C”, “D”**” respectively.

Section 8. 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 9. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 11. Severability. If any provision of this Resolution or the application of any provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 20th day of May 2025.

City of Fontana

Idilio Sanchez, Chair

ATTEST:

I, Joseph Armendarez, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 20th day of May 2025, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Joseph Armendarez, Secretary



Exhibit "A"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Conditional Use Permit No. 18-000020R1

Master Case No. 18-000069R1

DATE: May 20, 2025

LOCATION: The project site is generally located on the northwest corner of Valley Boulevard and Beech Avenue with frontage on Fontana Avenue (APN: 0235-072-11)

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 other Conditions of Approval imposed by 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 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 legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs,

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

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

3. 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. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 and Section 30-31 of the Municipal Code.
4. This Conditional Use Permit shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction—defined as, commencement of construction of the primary building site—and successful completion of the first Building and Safety Division inspection, has commenced within this period.
5. Conditional Use Permit 18-000020R1 shall comply with all applicable development standards of Chapter 30 (Zoning and Development) and the Southwest Industrial Park Specific Plan.
6. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these condition shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.
7. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project site within 48 hours of appearance of such graffiti.
8. 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. Applicant must provide a photometric layout under separate exhibit to ensure the minimum light standard is met.

9. The permitted hours of operation shall be between the hours of 7 AM and 7 PM seven days a week
10. The applicant shall post a publicly visible sign at 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 the authority to receive complaints and immediately initiate corrective actions for dust, noise, and construction issues. 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. 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. 30-23 and Sections No. 30-24 of the Municipal Code.
12. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Community Development or his/her designee. The landscaping utilized on fencing shall be maintained in a manner to sufficiently screen the truck dock and truck parking areas.
13. All installed roof-mounted mechanical units shall be screened from view of adjacent streets by a parapet in height equal or greater to the installed unit, unless another method of visual screening is approved by the Director of Community Development.
 - The trailers parked on site shall be for sale or lease only and shall be parked only within the designated trailer parking spaces per the approved site plan.
 - There shall be no storage of trailers on site.
 - There shall not be any kind of trailer repair on site.
14. Adhere to the approved a settlement agreement as approved by the City of Fontana City Council on December 11, 2018.



Exhibit "B"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Conditional Use Permit No. 23-000009

Master Case No. 18-000069R1

DATE: May 20, 2025

LOCATION: The project site is generally located on the northwest corner of Valley Boulevard and Beech Avenue with frontage on Fontana Avenue (APN: 0235-072-10)

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 other Conditions of Approval imposed by 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 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 legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or

proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

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

3. 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. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 and Section 30-31 of the Municipal Code.
4. This Conditional Use Permit shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction—defined as commencement of construction of the primary building site, and successful completion of the first Building and Safety Division inspection—has commenced within this period
5. Conditional Use Permit 23-000009 shall comply with all applicable development standards of Chapter 30 (Zoning and Development) and the Southwest Industrial Park Specific Plan.
6. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these condition shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.
7. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project site within 48 hours of appearance of such graffiti.
8. Applicant shall 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. Applicant shall provide a

photometric layout under separate exhibit to ensure the minimum light standard is met.

9. The permitted hours of operation shall be between the hours of 7 AM and 7 PM seven days a week.
10. 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.
11. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee. The landscaping utilized on fencing shall be maintained in a manner to sufficiently screen the truck dock and truck parking areas.
12. All installed roof-mounted mechanical units shall be screened from view of adjacent streets by a parapet in height equal to or exceeding to the installed unit, unless another method of visual screening is approved by the Director of Planning.
13. The trailers parked on site shall be for sale or lease only and shall be parked only within the designated trailer parking spaces per the approved site plan.
14. There shall be no storage of trailers on site.
15. There shall not be any kind of trailer repair on site.
16. Applicant shall adhere to the settlement agreement approved by the City of Fontana City Council on December 11, 2018.



Exhibit "C"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Conditional Use Permit No. 23-000010(Truck Sales No. 3)
Master Case No. 18-000069R1

DATE: May 20, 2025

LOCATION:The project site is generally located on the northwest corner of Valley Boulevard and Beech Avenue with frontage on Fontana Avenue (APN: 0235-072-09)

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 other Conditions of Approval imposed by 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 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 legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or

proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

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

3. 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. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 and Section 30-31 of the Municipal Code.
4. This Conditional Use Permit shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction—defined as permit obtainment, commencement of construction of the primary building site—and successful completion of the first Building and Safety Division inspection, has commenced within this period.
5. Conditional Use Permit 23-000010 shall comply with all applicable development standards of Chapter 30 (Zoning and Development) and the Southwest Industrial Park Specific Plan.
6. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these condition shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.
7. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.
8. Applicant shall 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. Applicant shall provide a

photometric layout under separate exhibit to ensure the minimum light standard is met.

9. The permitted hours of operation shall be between the hours of 7 AM and 7 PM seven days a week.
10. 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 the authority to receive complaints and immediately initiate corrective actions for dust, noise, and construction issues. 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. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Community Development or his/her designee. The landscaping utilized on fencing shall be maintained in a manner to sufficiently screen the truck dock and truck parking areas.
12. All installed roof-mounted mechanical units shall be screened from view of adjacent streets by a parapet in height equal to or exceeding the installed unit, unless another method of visual screening is approved by the Director of Community Development.
13. The trailers parked on site shall be for sale or lease only and shall be parked only within the designated trailer parking spaces per the approved site plan.
14. There shall be no storage of trailers on site.
15. There shall not be any kind of trailer repair on site.
16. Applicant shall adhere to the settlement agreement approved by the City of Fontana City Council on December 11, 2018.



Exhibit "D"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Design Review No. 18-000018R1
Master Case No. 18-000069R1

DATE: May 20, 2025

LOCATION: The project site is generally located on the northwest corner of Valley Boulevard and Beech Avenue with frontage on Fontana Avenue (APN: 0235-072-09, -10, -11)

1. The rights and privileges granted by this project shall not become effective, nor shall the Applicant commence the use for which this project is granted, until all of the following have occurred:
 - a. All the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work.
 - b. All requirements of the Fontana Municipal Code shall be complied with.
 - c. All other Conditions of Approval imposed by this project have been fulfilled.
2. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-23 and 30-24 of the Municipal Code.
3. 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 Division inspection, has commenced within this period.

4. Prior to the construction of any modifications, all structural and aesthetic design changes must be submitted in writing to and approved by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of the City's administrative policy shall be presented to the Planning Commission for approval.
5. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

In the event of any such third party action or proceeding, the City shall have the right to retain legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

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

6. All signs shall be reviewed under a separate Design Review Sign application.
7. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code and the Southwest Industrial Park (SWIP) specific plan.
8. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded to illuminate only the parking area and to avoid glare impacts on adjacent properties.
9. The occupants of this facility shall comply with applicable provisions of local, state and federal laws and regulations with respect to noise, vibration, smoke, odors, fire and explosive hazards, including, but not limited to the City's adopted

Hazardous Materials Management Plan and Industrial Wastewater/Discharge requirements.

10. All roof-mounted equipment shall be screened from view of adjacent properties and public rights-of-way by a parapet in height equal to or exceeding the installed unit with colors and materials that complement the building architecture, as approved by the Director of Community Development.
11. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Community Development.
12. All Commercial buildings shall provide refuse collection areas (AB 1327). Design plans shall be submitted and approved prior to construction and shall meet the following design requirements:
 - a. The trash enclosure shall be of an adequate size to contain a refuse and recycling bin and provide convenient accessibility for the collection of these materials. Standard bin sizes for commercial establishments are 7'L x 4'W x 5'H.
 - b. Collection areas must adequately protect recyclable materials from the harmful effects of the weather (FMC 24-12, AB 1327 [1993])
13. 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 Division.
14. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
15. 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(b7) 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:
 - i. Temporarily enclose localized and stationary noise sources.
 - ii. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

16. 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.

17. The previously approved conditions of approval for Design Review Project No. 18-000069 shall still apply.

PRIOR TO ISSUANCE OF GRADING PERMIT

18. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building or grading plans prior to issuance of any building or grading permits.
19. 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 the authority to receive complaints and immediately initiate corrective actions for dust, noise, and construction issues. 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.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

20. Development fees and Planning Division final inspection fee must be paid prior to Certificate of Occupancy.

ENGINEERING LAND DEVELOPMENT:

21. Engineering Conditions of Approval for MCN18-000069 shall also apply to this project revision.
22. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
23. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans. The Applicant/Developer shall provide a copy of the streetlight electric bill.
24. 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.
25. The Surveyor of Record shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
26. The Surveyor of Record shall set survey monuments as required by the map and corner records must be recorded with the County. The Surveyor of Record shall notify the City in writing that monuments have been set in accordance with the recorded subdivision map and he/she has been paid in full for doing so.
27. 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).

28. 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.
29. 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.
30. 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.
31. Settlement Agreement shall be reviewed for adherence to project milestones and all applicable liquidated damages shall be paid as determined by the City.

BUILDING AND SAFETY:

32. Shall comply 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
33. 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.
34. 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.

35. 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.
36. 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.
37. 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:
 - 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 (e.g., type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and

- iv. Any proposed and/or required walls or fencing.
- 38. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

- 39. The following items (as applicable) shall be completed and/or submitted to Building & Safety prior to the issuance of building permits for this project:
 - a. Precise grading plans shall be approved
 - b. Rough grading completed
 - c. Compaction certification
 - d. Pad elevation certification
 - e. Rough grade inspection signed off by a City Building Inspector
- 40. 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.

FIRE DEPARTMENT:

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

44. Street Signs. Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.
45. Fire Lanes. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.
46. Water System Commercial. Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.
47. The Fire Flow for this project shall be: 1750 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 17600 Square Foot structure.
48. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
49. 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.
50. 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.
51. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.

52. Fire Alarm, Waterflow Monitoring. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.
53. 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.
54. Commercial Addressing. Commercial, industrial, and multi-family developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) 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
55. 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
56. 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
57. 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.
58. Secondary Access. The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

ENVIRONMENTAL SERVICES:

PRIOR TO CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL

59. All commercial facilities conducting activities listed below shall submit an Industrial Wastewater Discharge Permit application to the Public Works Department, Environmental Control. (FMC 23-218)
60. Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218)

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

61. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186)
62. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.
63. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161)
64. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment and has installed trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161)

UPON CERTIFICATE OF OCCUPANCY OR PERMIT APPROVAL AND DURING OCCUPANCY

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

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

FIRE HAZMAT:

68. Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) or apply for exemption from permitting requirements.
69. Prior to occupancy, an application for one or more of these permits shall be obtained by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/>
70. Obtain a Permanent Hazardous Waste Identification Number with the Department of Toxic Substance Control (DTSC) at <https://dtsc.ca.gov/apply-for-hazardous-waste-epa-id-number/> prior to treating, storing, disposing of, transporting, or offering for transportation any hazardous waste.
71. Prior to occupancy, a business or facility handling an aggregate storage capacity of 1,320 gallons or more of petroleum in aboveground storage containers or tanks with a shell capacity equal to or greater than 55 gallons shall prepare and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan in accordance with 40 CFR 112.3 and CHSC 25270.4.5(a). The SPCC plan shall be maintained on site.