

RESOLUTION NO. PC 2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING TENTATIVE PARCEL MAP NO. 18-000005 (TPM NO. 19950) TO SUBDIVIDE ONE PARCEL INTO TWO PARCELS AND DESIGN REVIEW NO. 18-000010 FOR THE CONSTRUCTION OF TWO NEW INDUSTRIAL COMMERCE CENTER BUILDINGS AND ASSOCIATED SITE IMPROVEMENTS ON 3.98 ACRES OF VACANT LAND LOCATED ON THE NORTH SIDE OF HILTON DRIVE, EAST OF REDWOOD AVENUE, IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 1110-151-03, PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15332.

WHEREAS, the project site, identified as Assessor Parcel Number ("APN") 1110-151-03 ("Project Site"), was annexed from San Bernardino County and incorporated into the City of Fontana on April 28, 1970; and

WHEREAS, on May 9, 2018, the City of Fontana (City") received an application from C. VanDerHoek Architects, Inc. ("Applicant"), for a Tentative Parcel Map ("Tentative Parcel Map No. 18-000005) (TPM No. 19950)", to subdivide one (1) parcel into two (2) and a Design Review ("DRP No. 18-000010") seeking approval to construct two (2) new warehouse buildings and associated site improvements at the Project Site ("Project"); and

WHEREAS, the Project Site has a General Plan Land Use designation of Light Manufacturing (I-L) and is located within the West End Specific Plan's BP-3 zoning district, which allows for the development; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 2100 et seq.) ("CEQA"), the project is Categorically Exempt pursuant to Section 15332 (Class 32, Infill Development) and Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act; and

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

WHEREAS, on March 6, 2026, a notice of the public hearing was published in Fontana Herald newspaper and simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, the owners of property within 660 feet of the Project Site were notified via public hearing notice mailer prior to the public hearing; and

WHEREAS, on March 17, 2026, a duly notice public hearing on Tentative Parcel Map No. 18-000005 (TPM No. 19950) and DRP No. 18-000010 was held before the Fontana Planning Commission ("Planning Commission") to consider testimony and evidence presented by the Applicant, City Staff, and other interested parties; and

WHEREAS, the Planning Commission received public testimony and evidence presented by the Applicant, City Staff, and other interested parties, at the public hearing on

the Project, and the Planning Commission carefully considered all information, evidence, and testimony presented at its public hearing on Tentative Parcel Map No 18-000005 (TPM No. 19950) and DRP No. 18-000010; and

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

WHEREAS, the Conditions of Approval are attached hereto as **Exhibit "A"** for Tentative Parcel Map No. 18-000005 (TPM No. 19950), and **Exhibit "B"** for Design Review No. 18-000010, 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 the project is categorically exempt pursuant to Section No. 15332 (Infill Development) of the California Environmental Quality Act and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the California Environmental Quality Act (CEQA). This project site is considered In-Fill Development and meets the CEQA requirements of Infill: (1) The project is consistent with the I-G General Plan land use designation, and the West End Specific Plan-BP-3 district regulations; (2) The project site is less than five (5) acres at approximately 3.98 adjusted gross acres; (3) The project site is not within any known sensitive or threatened habitat area; (4) The project site will not have any significant effect related to traffic, noise, air quality, or water quality; and (5) There are adequate public utilities services for the development of the proposed residential development. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply to the Project. The Planning Commission further directs Staff to file a Notice of Exemption pursuant to this Finding.

Section 3. Tentative Parcel Map Findings. The Planning Commission hereby makes the following findings for Tentative Parcel Map No. 18-000005 (TPM No. 19950) pursuant to Section 26-218(D) "Processing of application", of the Fontana Zoning and Development Code:

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

Findings of Fact: Tentative Parcel Map No. 18-000005 (TPM No. 19950) is consistent with the General Plan Land Use Map of Light Industrial (I-L) as it will enable industrial development as allowed under the city's general plan and the West End Specific Plan. The Tentative Parcel Map proposes to subdivide one parcel into two parcels (Parcel No. 1 will have approximately 2.29 acres and Parcel No. 2 will have approximately 1.69 acres) to support the industrial development.

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 Project is designed to be consistent with the General Plan and the on-site improvements meet the General Plan goals and objectives as well as the zoning requirements of the West End Specific Plan - BP-3 district. The General Plan Land Use designation for the Project Site is Light Industrial (I-L), which is intended to provide for industrial uses. The Project will develop an industrial commerce center consistent with this designation of the General Plan. The construction of the on-site and off-site improvements such as curb, gutter, sidewalks, and underground utilities will ensure that the Project meets the requirements set for the in the FMC and the specific plan. Therefore, the proposed improvements will be consistent with the existing development. The Project has been reviewed by the Planning Department, Engineering Department and Fire Protection, and it was determined that the conditions of approval will ensure compliance with FMC and regulations.

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

Findings of Fact: The approximately 3.98 gross acre Project Site is adequate in size to accommodate the two industrial commerce buildings totaling 71,985 square feet (Building No.1 will be 41,218 square feet and 4,668 square feet of office space and Building No. 2 will have 30,767 square feet and 4,668 square feet of office space). The existing topography is relatively level and is conducive to the development of the Project and public improvements are designed to enable access and services to the Project Site. Therefore, the site is suitable for this type of development. The lot size is consistent with nearby industrial development.

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

Findings of Fact: The design of Tentative Parcel Map No. 18-000005 (TPM No. 19950) and the associated improvements will not likely cause public health problems. The development complies with the Zoning and Development Code and General Plan. The improvements will provide safe walking paths and driving routes which will promote public health and safety. Therefore, there will be no significant effect on the environment.

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. 18-000005 (TPM No. 19950) will not cause public health problems. The development complies with the Zoning and Development Code and General Plan and the West End Specific Plan. Improvements include connection to the public sewer and

public storm drain systems, modifications to the existing sidewalks, and drainage and grading improvements to ensure a safe and well-designed Project.

Finding No. 6: The design of the subdivision or the type of improvement 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. 18-000005 (TPM No. 19950) and associated public improvements will not conflict with access easements acquired by the public. Vehicular access to and from the Project Site would be provided from two driveways on Hilton Drive, a publicly maintained street. The internal circulation has been reviewed by Planning, Fire, Traffic, and Engineering and was found to be sufficient to support this Project.

Section 4. Design Review Findings. The Planning Commission hereby makes the following findings for DR No. 18-000010 in accordance with Section No. 30-120, "Findings for approval" of the Fontana Zoning and Development Code:

Finding No. 1: The proposal is consistent with the general plan, Zoning and Development Code, and any specific plan or area plan.

Findings of Fact: The Project is consistent with the Land Use designation of Light Industrial (I-L) by constructing two industrial commerce center buildings within the industrial area of the West End Specific Plan. The Project will develop two (2) new industrial commerce center buildings totaling 71,985 square feet (Building No.1 will be 41,218 square feet and 4,668 square feet of office space and Building No. 2 will have 30,767 square feet and 4,668 square feet of office space) on 3.98 acres. Architectural features for the Project include metal doors, glazed windows, and exterior lighting. Additionally, the Project Site aligns with Chapter 15 (Land Use, Zoning, and Urban Development) of the General Plan Land Use designation because it provides industrial uses where there is easy access to regional transportation routes.

The site and building design comply with the criteria contained in the design review section of the Fontana Zoning and Development Code and the West End Specific Plan. The industrial commerce center buildings design will feature an exterior light gray tone color pallet with black accents. The variations to the building face, varying roof lines and building height of 47'-6" will make the project architecturally pleasing and be consistent with the surrounding area as well as the design criteria contained in the Zoning and Development Code and the Specific Plan. The Project has high quality architecture and appropriate screening comprised of landscaping that will make for an appropriate and desirable development.

Finding No. 2. The proposal meets or exceeds the criteria contained in Chapter 30 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 two (2) new industrial commerce center buildings totaling 71,985 (Building No.1 will be 41,218 square feet and 4,668 square feet of office space and Building No. 2 will have 30,767 square feet and 4,668 square feet of office space) on approximately 3.98 acres. The site is currently vacant. The Project will be constructed pursuant to all applicable building, zoning and fire codes, in addition to the Conditions of Approval attached hereto as Exhibits A and B. Architectural features such as glazing, metal features and a variety of colors add structural and visual interest to the buildings. Additionally, variations to the building face and roof lines area architecturally pleasing and consistent with the existing development in the surrounding area. Street lighting and on-site lighting have been incorporated to create an attractive atmosphere along adjacent parcels. The site improvements have been evaluated by the City of Fontana Fire, Building and Safety, and Engineering Departments. During the review process, changes were made to the plans to ensure that the Project is safe and well-designed.

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

Findings of Fact: The Project is aesthetically and architecturally pleasing and compatible with the surrounding area. The Project Site is physically suitable in size and shape to support the two new industrial commerce center buildings which will be built in accordance with the zoning and fire codes.

Architectural relief utilized for the buildings consists of decorative lighting, varied roof lines, and other features appropriate to the style. The Project enhances the surrounding neighborhood by incorporating architectural style that complements the surrounding area. Additionally, landscaping will utilize plants to complement the architecture of the buildings and the development of as a whole. The Project has been reviewed by the Engineering, Building and Safety and Fire Departments for safety.

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

Findings of Fact: The development has appropriate site improvements. Project features include sidewalks, drainage, perimeter 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 the Fontana Fire Prevention for site circulation, access, and safety and found to meet the requirements for all applicable building code, zoning, and fire code standards.

Section 5. Approvals. Based on the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 18-000005 (TPM No. 19950), and DRP No. 18-

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000010 subject to the Conditions of Approval, attached hereto as “**Exhibit A**” and “**Exhibit B**”, respectively, and incorporated herein by this reference as though fully set forth herein.

Section 6. Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

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

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

Section 9. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 17th day of March 2026.

City of Fontana

Joseph Armendarez, Chairperson

ATTEST:

I, Torrie Lozano, 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 17th day of March 2026, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Torrie Lozano, Secretary

Exhibit "A"



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 18-000053 **DATE:** March 17, 2026
Tentative Parcel Map No. 18-000005 (TPM No. 19950)

LOCATION: North of Hilton Drive and west of Hemlock Avenue (APN: 1110-151-03).

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, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. 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. 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.

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

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

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

4. Tentative Parcel Map No. 22-000005 (TPM No. 19950) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development), and the Subdivision Map Act.
5. 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.
6. Tentative Parcel Map No. 22-000005 (TPM No. 19950) 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.
7. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 of the Municipal Code.
8. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
9. 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.

- 10. The applicant shall meet all requirements identified in the Industrial Commerce Centers Sustainability Standards (Ordinance No. 1891).
- 11. A copy of the Industrial Commerce Centers Sustainability Standards requirements shall be placed on the final grading plans and the final building plans.
- 12. The project shall comply with all applicable provisions, regulations, and development standards of the Fontana Municipal Code.
- 13. The applicant shall adhere to all landscape setback requirements as outlined in the Fontana Municipal Code.
- 14. The applicant shall meet all requirements of the Trip Reduction Measures in of the Zoning and Development Code (Section 30-962).

ENGINEERING:

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

Exhibit "B"



FONTANA
CALIFORNIA

CITY OF FONTANA

CONDITIONS OF APPROVAL

PROJECT: Master Case No. 18-000053
Design Review No. 18-000010

DATE: March 17, 2026

LOCATION: North of Hilton Drive and west of Hemlock Avenue (APN: 1110-151-03).

PLANNING DEPARTMENT:

1. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
2. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
 - A. All requirements of the Fontana City's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on this project have been fulfilled.
3. The applicant/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.

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 Fontana Zoning Code and Development Code, Fontana Municipal Code (FMC).
5. The applicant shall meet all requirements identified in the Industrial Commerce Centers Sustainability Standards (Ordinance No. 1891).
6. The applicant shall adhere to all landscape setback requirements as outlined in the Fontana Municipal Code.
7. The applicant/developer shall underground all utilities pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, which for the purpose of this conditions shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
8. 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.

9. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions, signed by the property owner or legal representative, shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
10. The current development fees must be paid prior to issuance of building/construction 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 Sections No. 30-30 of the Municipal Code.
12. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
13. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
14. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
15. The applicant/developer shall provide sufficient bicycle racks to accommodate a minimum of four bicycle spaces.
16. The applicant/developer shall provide bicycle racks that include locks as well as electric plugs to charge electric bikes. The racks shall be located as close as possible to employee entrance(s).

17. 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.
18. All signs shall be reviewed under a separate Design Review Sign application.
19. 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.
20. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
21. The transformer shall be screened by a solid screen wall and mature, dense landscaping, and not visible from the public right-of-way.
22. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
23. Development fees and Planning Department final inspection fees must be paid prior to Certificate of Occupancy.
24. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
25. The applicant/developer/property owner shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
26. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.
27. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
28. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
29. The applicant shall meet all requirements of the Trip Reduction Measures in of the Zoning Code (Article XIV, Transportation Demand Management and Trip Reduction Measures).

30. There shall be no refrigerated uses on site; unless a future tenant proposing to have such uses conducts an update of the California Environmental Quality Act (CEQA) document and any applicable studies/memorandums to amend this Condition of Approval.
31. The applicant shall incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.
32. 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 weekends, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
33. Adhere to the Standard Building Security Specifications of the Fontana Police Department.
34. A copy of the Industrial Commerce Centers Sustainability Standards requirements shall be placed on the final grading plans and final building plans.

Prior To Issuance of Grading Permit

35. 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.

BUILDING AND SAFETY:

36. 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
37. 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.
38. 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.

39. 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.
40. 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.
41. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
42. 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.
43. The applicant is required to obtain permits for the removal and/or demolition of structures.

44. 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

45. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
 - A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification
 - E. Rough grade inspection signed off by a City Building Inspector
46. Any proposed structure(s) shall not cross any lot line and shall comply with all requirements of the California Building Code, prior to any building permits being issued.

ENGINEERING:

47. 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. Onsite Sewer shall be privately maintained.
48. 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.
49. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

50. 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.
51. 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

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

PRIOR TO ISSUANCE OF ANY OTHER CONSTRUCTION PERMITS

53. The Applicant shall record All map's, right-of-way dedications, easements, as required for the development.

54. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. For a full list of traffic requirements, refer to the Traffic Division's conditions of approval. All plans shall conform to City Standards and Specifications and must be approved by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

55. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
56. 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.
57. 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.
58. 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.
59. 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.
60. 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.
61. 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.
62. 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.

ENGINEERING TRAFFIC:

63. Project ingress and egress locations and restrictions shall be as follows, with additional or lesser restrictions being necessitated subject to changes in the site plan and approval of the City Engineer:
 - A. The Project may have up to two (2) ingress/egress points along Hilton Drive. The westerly access point shall be designed, constructed, and signed to restrict access to left- and right-turning ingress movements only. Egress for all vehicle types shall be prohibited at the westerly driveway. The easterly driveway may accommodate full access (i.e., left- and right-turning inbound and outbound) movements for passenger vehicles, and shall be designed, constructed, and signed to restrict truck access to left- and right-turning egress movements only. Ingress for trucks shall be prohibited at the easterly driveway.
 - B. Ingress and egress restrictions shall be reinforced with appropriate signage and pavement markings within the Project site and in the public Right-of-Way, as appropriate. The prohibition of truck ingress at the easterly driveway shall be visible to drivers in the public Right-of-Way.
64. Left-turn ingress and/or egress at all access locations may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered, subject to approval of the City Engineer.
65. All gated ingress locations which do not provide adequate space within the Project site for the design vehicle to turn around shall be designed so that the gate position as either opened or closed is visible to drivers in the public Right-of-Way. At no time shall the design and gating of Project driveways require vehicles to reverse into a travel lane in the public Right-of-Way in order to depart or turn around. This requirement may be excluded if the gate is manned at all times with personnel who may permit an errant driver to enter the site in order to turn around and depart.
66. Stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
67. The site plan shall identify the on-site vehicular traffic flow patterns and circulation, on-site signing and striping, and any restricted, reserved, or other pre-designated parking areas.
68. The location of bicycle parking shall be depicted on the site plan. The number of bicycle parking spaces shall be determined in compliance with the City of Fontana Zoning and Development Code. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals' (APBP) bicycle parking design guidance. In the event that the Fontana Zoning and Development Code and the APBP guidance differ, the Fontana Zoning and Development Code requirements shall prevail.
69. The site plan shall identify all pedestrian access ways and traffic crossings. Crossings shall be clearly marked, lighted, and identified throughout the interior of the project. Pedestrian walkways shall have sufficient pathway lighting.

70. The site plan shall identify the Americans With Disabilities Act (ADA) compliant path(s) of travel to/from the public right of way and from all ADA accessible parking spaces.

PRIOR TO ISSUANCE OF GRADING/CONSTRUCTION PERMITS

71. The Applicant shall provide a striping and signing plan for all roadway improvements, subject to the approval of the City Engineer as part of the approval of the street improvement plans.

PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY

72. The Applicant shall pay the applicable Development Impact Fees prior to the issuance of any occupancy permits at the established rate pursuant to Government Code Section 66007.

FIRE DEPARTMENT:

73. **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.
74. **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.
75. **Turnaround.** An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
76. **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.
77. **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.
78. **Water System Commercial.** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire

hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.

The Fire Flow for this project shall be for Building-1: 2,125 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 41,996 Square Foot structure. The Fire Flow for this project shall be for Building-2: 1,875 GPM for a 1.5 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 30,767 Square Foot structure.

79. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
80. **Water System Certification.** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.
81. **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.
82. **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.
83. **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.
84. **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.
85. **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

86. **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
87. **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
88. **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.
89. **High-Piled Storage.** The applicant shall submit an application for a High-Piled Storage permit for storage of over 12' in height of Class I-IV commodities and/or over 6' in height of high hazard commodities. Three (3) sets of detailed plans and a commodity analysis report shall be submitted to the Fire Department for review and approval. The applicant shall submit to the Fire Department concurrently with any racking permits to the Building and Safety division. California Fire Code Chapter 32 & SBCoFD Standard S-1.
90. **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

END OF CONDITIONS OF APPROVAL