

RESOLUTION PC NO. 2021-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING CONDITIONAL USE PERMIT NO. 21-010 AND DESIGN REVIEW NO. 21-022 FOR THE CONSTRUCTION AND OPERATION OF A 30,660 SQUARE FOOT TRUCK AND TRAILER TRUCK, SALES AND RENTAL DEALERSHIP FACILITY WITH ANCILLARY WASH AND REPAIR USES ON A 4.39 ADJUSTED GROSS ACRE SITE LOCATED AT 15762 VALLEY BOULEVARD (APN: 0235-141-06)

WHEREAS, the City of Fontana received an application on June 9, 2021, for Conditional Use Permit (CUP) No. 21-010 and Design Review (DRP) No. 21-022 for the construction and operation of a 30,660 square foot dealership comprised of a truck and trailer lease, sales, wash, and repair facility with seven (7) bays for Pride Group Enterprises.

Project Applicant: Daniel Hartman
Lord Constructors, Inc.
1920 W 11th Street
Upland, Ca 91786

Project Location: 15762 Valley Boulevard (APN: 0235-141-06)

Site Area: Approximately 4.39 adjusted gross acres

WHEREAS, the subject site was annexed from the San Bernardino County into the City of Fontana on March 2, 1979 (Annex 082); and

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

WHEREAS, Conditions of Approval have been prepared and are attached hereto as **Exhibits “A,” and “B,”** for Conditional Use Permit (CUP) No. 21-010 and Design Review (DRP) No. 21-022; and

WHEREAS, the proposed project qualifies of a Categorically Exempt pursuant to Section No. 15332 Class 32 (In-Fill Development) of the California Environmental Quality Act (CEQA) and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA, and a Notice of Exemption has been prepared; and

WHEREAS, the owners of property within 660 feet of the proposed project site were notified via public hearing notice mailer prior to the Public Hearing; and a notice of the public hearing was published in the local *Fontana Herald* newspaper on Friday, November 26, 2021, posted at City Hall and onsite at the project site; and

WHEREAS, on December 7, 2021, a duly noticed public hearing for Conditional Use Permit (CUP) No. 21-010 and Design Review (DRP) No. 21-022, was held by the Planning Commission (“Commission”) to consider testimony and evidence presented by

the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto; and

WHEREAS, the Planning Commission carefully considered all information pertaining to the proposed project, including the staff report, findings, and all of the information, evidence, and testimony presented at its public hearing on December 7, 2021; and

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

NOW, THEREFORE, the Commission RESOLVES as follows:

Section 1. Recitals. The above recitals are incorporated herein by reference.

Section 2. The City of Fontana's Planning Commission hereby makes the following findings for Conditional Use Permit No. 21-010 in accordance with Section No. 30-150 "Findings for Approval" of the Zoning and Development Code:

Finding No. 1: **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, any applicable Specific Plan or Area Plan, and City regulations/standards.**

Findings of Fact: The project site is located on the north side of Valley Boulevard and has a General Plan land use designation of General Industrial (I-G). The I-G designation is intended for manufacturing, warehousing, fabrication, assembly, processing, trucking equipment, automobile and trucking sales and services. The proposed truck and trailer sales and rental facility with ancillary wash and repair uses is consistent with its land use designation of General Industrial.

The request is for the review of Conditional Use Permit No. 21-010 to operate a truck and trailer truck, sales and rental facility with ancillary wash and repair within the Light industrial (M-1) Zoning District. According to the application and supplemental material, the applicant is proposing to operate the proposed dealership from 8:00am to 6:00pm Monday through Saturday with approximately 10-15 employees. The facility operator Pride Group Enterprises specializes in transportation equipment retail, wholesale, rental, and leasing.

This facility includes an approximately 5,160 square foot office building, 10,200 square foot service building, 2,125 square foot carwash bay and 13,175 square feet of ancillary storage with a total building area of 30,660 square feet.

The project site will comply with the applicable building codes, zoning codes, fire codes and appropriate standards, and will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the standards of the Zoning and Development

Code. The character of the surrounding neighborhood reflects industrial uses and commercial development since the adjacent properties to the west and east along Valley Boulevard are also utilized for truck and automobile sales. The proposal has been designed to be compatible with the surrounding uses while also providing a development that has been designed with architectural relief, added landscaping, block wall, fencing and lighting to enhance the character of the surrounding neighborhood. Furthermore, fencing along the perimeter of the site comprised of tubular steel and block wall along with the planting of Bougainvillea, Austrian Willow, and Desert Willow that will buffer the site from the adjacent school and dealership uses.

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.

Findings of Fact: The proposed project as identified and referenced in Finding No. 1, above, meets or exceeds the criteria contained in the Conditional Use Permit section of the Zoning and Development Code. This facility will be built pursuant to all applicable building, zoning, and fire codes and standards. The project includes street improvements and sidewalks, grading, drainage, and perimeter fencing to provide a safe and well-designed facility.

There will be two (2) vehicle access point to the site on Valley Boulevard. The driveways will be designed to accommodate passenger vehicle traffic, tractor-trailer traffic, and service vehicles, as necessary. The site plan depicts a loading area adjacent to the parking spaces to the north of the building. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety.

The project site is physically suitable in size and shape to support the development of the proposed facility. The applicable building codes, zoning code, fire codes and appropriate standards, will make for a safe, attractive, and well-designed project. As proposed, the project is consistent with the standards of the Zoning and Development Code. The character of the surrounding neighborhood reflects industrial, and school uses. The proposal has been designed to be compatible with the local area while also providing a development that has been designed with features and buffers (architectural relief, fencing, wall, landscaping, and lighting), to enhance the character of the surrounding neighborhood.

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.

Findings of Fact: The proposed project as identified and referenced in Finding No. 1 and Finding No. 2, above, has been determined not to be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons or property. The proposed on-site circulation has been reviewed by staff and is adequate. The site will be accessed from Valley Boulevard. For the anticipated traffic to the project site, there is two (2) proposed driveway for the purpose of ingress and egress. The driveways are designed to accommodate passenger vehicle traffic, tractor-trailer traffic, and service vehicles, as necessary. All drive aisle widths meet both the Zoning and Development Code and Fontana Fire Prevention District requirements for vehicular access. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety.

Section 3. The City of Fontana Planning Commission hereby makes the following findings for Design Review No. 21-022, 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 applicable specific plan.**

Finding of Fact: This project meets the criteria contained in the design review section of the Fontana Zoning and Development Code. The proposed dealership building is comprised of two stories approximately 30,660 total square feet that includes offices, storage, shop, along with a wash bay and will be located on the center of the site. The dealership includes seven (7) bays and 71 trailer spaces, which includes 12 display spaces, and 72 vehicle spaces. The office area is proposed to be located on the south portion of the building.

The project site is zoned Light industrial (M-1), which allows for manufacturing, warehousing, assembly, processing, trucking equipment, automobile and trucking sales and services. The proposed project for the operation of a dealership comprised of a 30,660 square foot truck and trailer truck, sales and rental facility with ancillary wash and repair uses meets all the minimum standards in the Fontana Municipal Code. The project is proposed with a high-quality architectural design appropriate for the Light industrial (M-1) district. Appropriate screening from the public right-of-way and adjacent school has been incorporated into the site design.

Finding No. 2: **The proposal meets or exceed 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 use of windows, reveals, vertical green bands, accent Alucobond aluminum composite panels, pop outs, and varied roof lines are included to enhance the visual interest of the building and add to the overall modern architectural style. The proposed dealership building will be compatible with the existing dealerships located to the west and east. Furthermore, fencing along the perimeter of the site comprised of tubular steel and block wall along with the planting of Bougainvillea, Austrian Willow, and Desert Willow will buffer the site from the adjacent school and dealership uses.

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

Finding of Fact: The project site is approximately 4.39 adjusted gross acres. The character of the surrounding neighborhood includes existing automobile/truck sales dealerships, industrial, and a school. The proposal has been designed to be compatible with the surrounding uses as indicated in Findings No. 1 above while also providing a development that has been designed with features (appropriate architecture, added landscaping, street improvements, fencing, block wall, and lighting) enhancing 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 development and improvements complies with the Fontana City Code. Improvements with the project include streets, sidewalks, parkway, curb and gutter, drainage, and grading to provide a safe and well-designed project in the neighborhood. The proposed improvements will be sufficient to accommodate the proposed project.

Section 4. Based on the foregoing, the City of Fontana Planning Commission determines that this project is Categorically Exempt pursuant to Section 15332 Class 32, (Infill Development) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the Local 2019 Guidelines for Implementing CEQA. based on the following: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value, as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; (e) The site can be adequately served by all required utilities and public services; and that further, there are no unusual circumstances present under 15300.2 that could provide an exception under 15300.2.

Section 5. Based on the foregoing, the Planning Commission approves Conditional Use Permit No. 21-010 and Design Review No. 21-022, subject to the findings listed above and the conditions of approval as shown in the attached Exhibits “A” and “B” for site and architectural review of a for site and architectural review for the operation of a dealership comprised of a 30,660 square foot truck and trailer truck, sales and rental facility with ancillary wash and repair uses at 15762 Valley Boulevard (APN: 0235-141-06).

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 – Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

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

APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 7th day of December 2021.

City of Fontana

Cathline Fort, Chairperson

ATTEST:

I, Idilio Sanchez, 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 7th day of December 2021, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Idilio Sanchez, Secretary

EXHIBIT “A”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 21-059
Conditional Use Permit No. 21-010

DATE: December 7, 2021

LOCATION: 15762 Valley Boulevard (APN: 0235-141-06)

PLANNING DEPARTMENT:

1. The approval is for Conditional Use Permit No. 21-010 for the operation of a dealership comprised of a 30,660 square foot truck and trailer truck, sales and rental facility with ancillary wash and repair uses as shown on Attachments No. 2-3.
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. 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 on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
4. 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.
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.

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.

6. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-30 and 30-31 of the Municipal Code.
7. Applicant shall pay all applicable service fees pursuant to the City of Fontana 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. All repair and maintenance of the trucks and accessories shall occur within the enclosed buildings.
10. There shall be no storage of shipping containers on the premises. There shall be no outdoor storage of equipment, tires, or parts.
11. Exterior lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.

12. The permitted hours of operation for the facility shall be between the hours of 7:00 a.m. and 7:00 p.m., seven days a week.
13. There shall be no loading/unloading of any truck, trailers, vehicles, or equipment in the public right-of-way. All loading and unloading shall be done on site.
14. There shall be no cueing of trucks or vehicles in the public-right of-way.
15. 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.
16. The construction contractor shall use the following source controls at all times:

- a. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
- b. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- c. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
- d. Have only necessary equipment onsite.
- e. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
- f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- g. Temporarily enclose localized and stationary noise sources.
- h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

ENGINEERING DEPARTMENT

- 17. The project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standard plans. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
- 18. It is the applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.
- 19. Applicant shall submit an exhibit indicating the location of additional street lights to meet the City Standard Plans and provide a plan to install them.

PRIOR TO ISSUANCE OF GRADING PERMIT

- 20. The Applicant shall submit and gain approval of a complete Water Quality Management Plan (WQMP) Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

21. Applicant shall process and record right-of-way dedications or easements as required for the development.
22. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed in triplicate on City-provided forms.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

23. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
24. A security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.
25. 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).
26. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for Best Management Practices (BMP) Completion must be submitted to the City Project Engineer.

PRIOR TO FINAL ACCEPTANCE OF PROJECT

27. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

BUILDING & SAFETY DEPARTMENT:

28. 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

29. Automatic fire suppression systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
30. The requirements of the South Coast Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
31. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
32. All perimeter/boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the 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.
33. 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.

34. All signs shall be Underwriters Laboratories approved or equal.

35. 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

36. 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

37. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to 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.

PUBLIC WORKS DEPARTMENT – ENVIRONMENTAL CONTROL:

38. 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).

39. 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.
 - a. 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).
 - b. 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)
40. Any facility proposing the discharge of non-domestic wastewater to a septic system, holding tank, closed-loop system, or similar equipment, and is not connected to the sanitary sewer, is required to obtain written approval from the Santa Ana Regional Water Quality Control Board (SARWQCB).

Per the State Water Resources Control Board Resolution No. 2012-0032 all Onsite Wastewater Treatment Systems must be approved by the SARWQCB beginning May 13, 2018. A copy of the policy is available at: [http://www.waterboards.ca.gov/water issues/programs/owts/index.shtml](http://www.waterboards.ca.gov/water%20issues/programs/owts/index.shtml)

Submit drawings to the SARWQCB for approval. Provide a copy of the SARWQCB approval letter and their approved plans to the City of Fontana.

For more information, or to submit your plans, please contact Susan Beeson at sbeeson@waterboards.ca.gov or 951-782-4902.

STORMWATER – UPON CERTIFICATE OR PERMIT APPROVAL AND DURING OCCUPANCY:

41. 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.
42. 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.

43. 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).

PRIOR TO BUSINESS LICENSE AND CERTIFICATE OF OCCUPANCY APPROVAL:

44. All industrial / warehousing facilities are required to obtain coverage under the State Industrial General Permit and shall file with the State Board a Notice of Intent (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Industrial Activity.

Applicants shall be required to provide a copy of the Waste Discharger Identification Number (WDID) issued by the State Board as evidence of coverage under the Industrial General Permit to; Sal Romero 909-428-8809 or sromero@fontana.org.

(40 CFR, CA-WQCB Order No 2014-0057-DWQ, CA-RWQCB Order No. R8-2010-0036, FMC 23-520, SB205)

For further information about the Industrial General Permit, please visit the following website:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/indusfaq.shtml

END OF CONDITIONS OF APPROVAL

EXHIBIT “B”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 21-059
Design Review No. 21-022

DATE: December 7, 2021

LOCATION: 15762 Valley Boulevard (APN: 0235-141-06)

PLANNING DIVISION:

1. The approval is for a Design Review (DRP No. 21-022) for the operation of a dealership comprised of a 30,660 square foot truck and trailer truck, sales and rental facility with ancillary wash and repair uses as shown on Attachments No. 2-3.
2. 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 the first sheet of the final building plans prior to issuance of any building or grading permits.
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 Department inspection, has commenced within this period.
4. The rights and privileges granted by this project shall not become effective, nor shall the Applicant commence the use for which this project is granted, until both of the following have occurred:
 - a. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and
 - b. All other Conditions of Approval imposed by this project have been fulfilled.
5. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee.

6. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
7. 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.
8. 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.
9. 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.

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.

10. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed

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

11. 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.
12. Exterior lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
13. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Planning Director or his/her designee.
14. There shall be no cueing of trucks or vehicles in the public-right of-way.
15. The transformer(s) shall be screened by either a screen wall or mature, dense landscaping, and not visible from the public right-of-way.
16. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Planning Director or his/her designee.
17. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets with colors and materials that are compatible with the architecture of the building(s).
18. The block wall and pilaster shall include a graffiti resistant coating.
19. The City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas shall be adhered to at all times. 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.
20. 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 7:00am to 6:00pm on weekdays, 8:00am to 5:00pm on Saturdays, and no construction on Sundays and Holidays.
21. All future signs shall be reviewed under a separate Design Review Sign application.

22. 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.

23. The construction contractor shall use the following source controls at all times:

- a. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
- b. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- c. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
- d. Have only necessary equipment onsite.

- e. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
- f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- g. Temporarily enclose localized and stationary noise sources.
- h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

PRIOR TO ISSUANCE OF A GRADING PERMIT:

- 24. The applicant shall have fully provided, constructed, or otherwise meet all Planning Department's requirements per approved plans, and shall have addressed all punch list items to the satisfaction of the Director of Planning.
- 25. 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 or grading plans prior to issuance of any building or grading permits.
- 26. All architecture treatments and /or projections located on any elevation of any building shall be of durable non-foam e.g. (extrusive polystyrene) material; the use of foam for additional detailing is permitted above the first 14 feet in height on the elevations.

BUILDING & SAFETY DIVISION:

- 27. Shall comply with the latest adopted edition of the following codes as applicable:
 - A. California Building Code
 - B. California Electrical Code
 - C. California Mechanical Code
 - D. California Plumbing Code
 - E. California Energy Code
 - F. California Fire Code
 - G. California Green Building Standards Code
- 28. Automatic fire suppression systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
- 29. The requirements of the South Coast Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

30. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
31. All perimeter/boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the 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.
32. 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.
33. Permits are required prior to the removal and/or demolition of structures.
34. 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

35. 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
36. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to 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.

ENGINEERING LAND DEVELOPMENT

37. The project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standard plans. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
38. It is the applicant's responsibility to maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to final acceptance by the City. Where applicable, the applicant must provide provisional street sweeping schedules to the City.
39. Applicant shall submit an exhibit indicating the location of additional street lights to meet the City Standard Plans and provide a plan to install them.

PRIOR TO ISSUANCE OF GRADING PERMIT

40. The Applicant shall submit and gain approval of a complete Water Quality Management Plan (WQMP) Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

41. Applicant shall process and record right-of-way dedications or easements as required for the development.
42. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed in triplicate on City-provided forms.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

43. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
44. A security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.
45. 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).
46. Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan (WQMP) and Storm Water Best Management Practice (BMP) Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

PRIOR TO FINAL ACCEPTANCE OF PROJECT

47. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

FONTANA FIRE PREVENTION DISTRICT:

48. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department serving the Fontana Fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire

Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.

49. 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 sec 503, SBCFD Standard 503.1
50. 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; and 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.
51. 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 sec. 505, SBCFD Standard 505.1.
52. Fire Lanes. The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501.
53. Water System Commercial. Prior to map recordation, 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 B 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 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 sec 508, SBCFD Standard 508.1
54. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
55. 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.
56. 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 sec 508, SBCFD Standard 508.1.

57. 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. SBCFD Standard 903.
58. Fire Alarm, Manual or Automatic. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA 72 and all applicable codes is required. 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 sec. 907, SBCFD Standard 907 FA-E.
59. 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 sec. 907, SBCFD Standard 907 FA-M.
60. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
61. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (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. SBCFD Standard 505.1.
62. Illuminated Site Diagram. The applicant shall submit for review and approval a site diagram plan to the Fire Department. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. SBCFD Standard 505.1.
63. 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. SBCFD Standard 506.
64. 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. SBCFD Standard 503.1.2.

65. 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. Standard 2703.5.
66. Secondary Access. The development shall have a minimum of 2 points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCFD Standard 503.1.

PUBLIC WORKS DEPARTMENT – ENVIRONMENTAL CONTROL:

70. 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).
71. 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.
 - a. 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).
 - b. 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)
72. Any facility proposing the discharge of non-domestic wastewater to a septic system, holding tank, closed-loop system, or similar equipment, and is not connected to the sanitary sewer, is required to obtain written approval from the Santa Ana Regional Water Quality Control Board (SARWQCB).

Per the State Water Resources Control Board Resolution No. 2012-0032 all Onsite Wastewater Treatment Systems must be approved by the SARWQCB beginning May 13, 2018. A copy of the policy is available at: [http://www.waterboards.ca.gov/water issues/programs/owts/index.shtml](http://www.waterboards.ca.gov/water%20issues/programs/owts/index.shtml)

Submit drawings to the SARWQCB for approval. Provide a copy of the SARWQCB approval letter and their approved plans to the City of Fontana.

For more information, or to submit your plans, please contact Susan Beeson at sbeeson@waterboards.ca.gov or 951-782-4902.

STORMWATER – UPON CERTIFICATE OR PERMIT APPROVAL AND DURING OCCUPANCY:

73. 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.
74. 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.
75. 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).

PRIOR TO BUSINESS LICENSE AND CERTIFICATE OF OCCUPANCY APPROVAL:

76. All industrial / warehousing facilities are required to obtain coverage under the State Industrial General Permit and shall file with the State Board a Notice of Intent (NOI) to comply with the terms of the General Permit to Discharge Storm Water Associated with Industrial Activity.

Applicants shall be required to provide a copy of the Waste Discharger Identification Number (WDID) issued by the State Board as evidence of coverage under the Industrial General Permit to; Sal Romero 909-428-8809 or sromero@fontana.org.

(40 CFR, CA-WQCB Order No 2014-0057-DWQ, CA-RWQCB Order No. R8-2010-0036, FMC 23-520, SB205)

For further information about the Industrial General Permit, please visit the following website: http://www.waterboards.ca.gov/water_issues/programs/stormwater/indusfaq.shtml

SAN BERNARDINO COUNTY HAZARDOUSE MATERIALS DIVISION:

77. 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 Permit, Hazardous Waste Permit, Aboveground Storage Tank Permit, Underground Storage Tank Permit) or apply for exemption from permitting requirements.

78. Prior to Occupancy an application for one or more of these permits shall occur by submitting a hazardous materials business plan using the California Environmental Reporting System (CERS) <http://cers.calepa.ca.gov/>.
79. Facilities having an aggregate store capacity of over 1320 gallons of petroleum products on site must prepare and implement a Spill Prevention, Control, and Countermeasures (SPCC) Plan prior to having petroleum product in them. 40 CFR 112.3

END OF CONDITIONS OF APPROVAL