

RESOLUTION PC NO. 2021-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 21-018 FOR A WAREHOUSE BUILDING TOTALING APPROXIMATELY 95,600 SQUARE FEET ON 4.61 ADJUSTED GROSS ACRES FOR A PROPERTY LOCATED 16355 AND 16381 SLOVER AVE (APNS: 0255-021-02 AND -03)

WHEREAS, the City of Fontana received an application on April 26, 2021, Design Review No. 21-018 for the development of a warehouse building totaling approximately 95,600 square feet.

Project Applicant: Newcastle Partners
Courtney Smith
4740 Green River Rd No. 110
Corona, CA 92878

Project Location: 16355 and 16381 Slover Ave (APNS: 0255-021-02 and -03)

Site Area: 4.61 adjusted gross acres

WHEREAS, the proposed project would accommodate the improvements required for lighting and undergrounding of utilities for the proposed project site; and

WHEREAS, the proposed project qualifies as 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 subject site was annexed from San Bernardino County into the City of Fontana on January 5, 1968 (Annex 030) for APN: 0255-021-02 and September 19, 2006 (Annex168_D) for APN: 0255-021-03; and

WHEREAS, pursuant to Chapter 30, Article II, Section 30-118 of the City of Fontana Zoning and Development Code, Design Reviews require approval by the Planning Commission; 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 attached hereto as Exhibit "A" for the Design Review Project No. 21-018; 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 October 8, 2021, posted at City Hall and at the project site; and

WHEREAS, the Commission carefully considered all information pertaining to the proposed projects, including the staff report, findings, and all the information, evidence, and testimony presented at its public hearing on October 19, 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. Findings on Design Review. The City of Fontana Planning Commission hereby makes the following findings for the Design Review No. 21-018 in accordance with Section 30-120 "Findings for approval" of the Fontana Zoning and Development Code:

Finding No. 1: **The proposal is consistent with the General Plan, Zoning and Development Code, and any applicable Specific Plan.**

Findings of Fact: The proposal is for a design review for the development of a warehouse building totaling approximately 95,600 square feet on 4.61 adjusted gross acres. The use of embellished architectural elements on the facades and pop outs create depth and interest, and towers will add structural and visual interest to the building that conforms to the Zoning and Development Code.

Furthermore, the site and building design comply with the criteria contained in the design review section of the Fontana Zoning and Development Code. The project has high quality architectural design, appropriate screening comprised of screen walls and landscaping that will be an appropriate and desirable development.

The propose project is consistent with the General Plan Land Use Designation for the project site, because the proposed project is for a warehouse use, which is allowed in the Light Industrial (I-L) land use district of the General Plan as cited in Chapter 15. Furthermore, the proposed building is designed in a manner that limit off-site impacts; in that, the dock area is located in the interior of the site and there is sufficient stacking distance along all the driveways. Therefore, the proposed warehouse project is consistent with the General Plan Land Use and Zoning Designation.

Finding No. 2: **The proposal meets or exceeds the criteria contained in Chapter 30 of the Zoning and Development Code and will result in an appropriate, safe and desirable development promoting the public health, safety, and welfare of the community.**

Findings of Fact: The proposal as mentioned in Finding No. 1 has been designed in a manner that is consistent with the Zoning and Development Code design guidelines that results in a safe and desirable community. Improvements for the project include drainage, lighting, and grading to provide a safe and well-designed project in the neighborhood. The project frontage along Slover Avenue includes sidewalks; as well as, new driveway locations to further improve the site and to make this area safer for pedestrians.

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 proposed building as referenced in Finding No. 1 will use glazing, parapets, canopies, accent colors, pop outs, sand blasted finishes along sections of the facade and painted banding will add structural and visual interest to the building. Additionally, variations to the building face and roof lines will be architecturally pleasing. tower elements will add structural and visual interest to the building. Additionally, variations to the building roofline are incorporated to add architectural interest. The tower elements will break up the massing of the building creating a more vibrant and aesthetically pleasing design.

Landscaping would also occur at building entries, adjacent to the building, around the automobile parking areas, and along the perimeter of the site to accommodate trees to be planted in 36-inch boxes. These 36-inch boxed evergreen pine trees along the perimeter along with 14-foot decorative screen walls adjacent to residential will serve to buffer the site from these nearby residential uses.

The surrounding neighborhood is currently developed with a combination industrial, residential, school and warehouses uses. The proposed warehouse that includes an articulated design, loading dock that is screened in the interior portion of the site, and additional landscaping with screen walls will be an improvement to the site and also compatible with the existing uses in the neighborhood.

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

Findings of Fact: The proposal as mentioned in Findings Nos. 1 through 4 will result in the construction of a 95,600 square foot warehouse building pursuant to all applicable building, zoning, and fire codes and standards. The proposed building is designed in a manner that promotes safety and also limits off-site impacts; in that, the dock area

is located in the interior of the site and there is sufficient stacking distance along all the driveways. In addition, the project will be required to connect to the sewer.

Section 3. 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.

Section 4. Based on the foregoing, the City of Fontana Planning Commission hereby approves Design Review Project No. 21-018 subject to the findings listed above and the conditions of approval as shown in the attached Exhibit "A" for the construction of a warehouse building on property at 16355 and 16381 Slover Ave (APNS: 0255-021-02 and -03).

Section 5. 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 6. 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 19th day of October 2021.

City of Fontana

Cathline Fort, Chairperson

Resolution PC No. 2021 - _____

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 19th day of October, 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. (MCN) 21-044
Design Review No. 21-018

DATE: October 19, 2021

LOCATION: 16355 and 16381 Slover Ave (APNS: 0255-021-02 and -03)

PLANNING DEPARTMENT:

1. This approval is for Design Review No. 21-018 for site and architectural review for a warehouse building totaling approximately 95,600 square feet, as approved by the Planning Commission on October 19, 2021 and as shown in Attachments No. 2 and 3 in the accompanying staff report.
2. Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
3. 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 (C of O) or other document evidencing the City's final inspection and acceptance of the work.
 - B. All requirements of the Fontana Municipal Code shall be complied with.
 - C. All other Conditions of Approval imposed by this project have been fulfilled.
4. 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 Planning Director or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval.
5. This project will comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.

6. 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.
7. 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 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.

8. 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 30-23 of the Municipal Code.
9. 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 Planning Director. The Planning Director may refer minor hue color changes to the original approving body for consideration under a revision to the original application.

10. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
11. Two (2) bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
12. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in a commercial/retail parking facility, except for disabled persons parking, van pool, car pool, or any other designated parking as required by law.
13. The proposed new screen walls along the south and west portions of the project site shall include concrete block split face proto II treatment on all sides to match the finishes on the building.
14. All signs shall be reviewed under a separate Design Review Sign application.
15. 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.
16. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Planning Director.
17. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Planning Director or his/her designee.
18. The transformer(s) shall be screened by either a screen wall or mature, dense landscaping, and not visible from the public right-of-way.
19. 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.
20. There shall be no refrigerated uses on site; unless, a future tenant proposes to have such uses conducts an update of the California Environmental Quality Act

(CEQA) document (i.e. Mitigated Negative Declaration) and any applicable studies/memorandums to amend this Condition of Approval.

21. Development fees and Planning Division final inspection fee must be paid prior to Certificate of Occupancy.
22. 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.
23. There shall be no cueing of trucks or vehicles in the public-right of-way.
24. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
25. The construction contractor shall use the following source controls at all times:
 - a. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(7) of the Municipal Code.
 - b. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - c. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - d. Have only necessary equipment onsite.
 - e. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - f. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - g. Temporarily enclose localized and stationary noise sources.
 - h. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
26. Pursuant to the Migratory Bird Treaty Act (MBTA) and California Department of Fish & Game (CDFG) Code, removal of any trees, shrubs, or any other potential

nesting habitat shall first conduct a pre-construction survey for active bird nests outside the avian nesting season. The nesting season generally extends from early February through August, but can vary slightly from year to year based upon seasonal weather conditions. The report shall be provided to the Community Development Department.

27. 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.

PRIOR TO ISSUANCE OF A GRADING PERMIT

- 28. 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.

Additional General Plan Conditions Agreed to by Applicant

29. In order to reduce future project-related air pollutant emissions and promote sustainability through conservation of energy and other natural resources, building and site plan designs shall ensure the project energy efficiencies surpass (exceed) applicable (2016) California Title 24 Energy Efficiency Standards by a minimum of 5%. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the applicant and reviewed and approved by the City of Fontana prior to the issuance of the first building permit.
30. To reduce energy demand associated with potable water conveyance, the project shall implement the following, as applicable:
 - a. Landscaping palette emphasizing drought tolerant plants
 - b. Use of water-efficient irrigation techniques U.S. Environmental Protection Agency (EPA) Certified WaterSense equivalent faucets, high-efficiency toilets, and water-conserving shower heads.
31. The project shall comply with applicable provisions of state law, including the California Green Standards Code (Part 11 of Title 24 of the California Code of Regulations).
32. The applicant shall encourage its tenants to use alternative-fueled vehicles such as compressed natural gas vehicles, electric vehicles, or other alternative fuels by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on alternative fuel technologies.
33. To promote alternative fuels and help support "clean" truck fleets, the applicant shall provide building occupants and businesses with information related to SCAQMD's Carl Moyer Program or other state programs that restrict operations to "clean" trucks, such as 2007 or newer model year or 2010 compliant heavy-duty vehicles, and information about the health effects of diesel particulates, the benefits of reduced idling time, California Air Resources Board regulations, and the importance of not parking in residential areas. If trucks older than 2007 model year would be used at the project site, the applicant shall encourage tenants, through contract specifications, to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 18, VIP On-Road Heavy Duty Voucher Incentive Program, HVIP Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project, and SOON Surplus Off-Road Opt-In for NOx funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants would be required to use those funds, if awarded.
34. The applicant shall encourage its tenants to use water-based or low volatile organic compound (VOC) cleaning products by providing publicly available information from the SCAQMD, CARB, and EPA on such cleaning products.
35. All on-site forklifts shall be non-diesel and shall be powered by electricity, compressed natural gas, or propane if technically feasible.

36. All construction equipment shall be maintained in good operation condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City of Fontana verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:
- a. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
 - b. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
 - c. Reroute construction trucks away from congested streets or sensitive receptor areas.
 - d. Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.
 - e. Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
 - f. Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If 2010 model year or newer diesel trucks cannot be obtained the contractor shall use trucks that meet EPA 2007 model year NOx and PM emissions requirements.
 - g. During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:
 - i. January 1, 2012, to December 31, 2014: all off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - ii. Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emissions standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
 - iii. A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

37. Prior to the issuance of any grading permits, applicant shall submit construction plans to the City of Fontana denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project.
38. All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. Specifically, the following measures shall be implemented, as feasible:
 - a. Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113.
 - b. Construct or build with materials that do not require painting.
 - c. Require the-use of pre-painted construction materials.
39. All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108.
40. Prior to the issuance of grading permits or approval of grading plans for the project, applicant shall provide a dust control plan as part of the construction contract standard specifications. The dust control plan shall include measures to meet the requirements of SCAQMD Rules 402 and 403. Such measures may include, but are not limited to, the following:
 - a. Phase and schedule activities to avoid high-ozone days and first-stage smog alerts.
 - b. Discontinue operation during second-stage smog alerts.
 - c. All haul trucks shall be covered prior to leaving the site to prevent dust from impacting the surrounding areas.
 - d. Comply with AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas.
 - e. Moisten soil each day prior to commencing grading to depth of soil cut.
 - f. Water exposed surfaces at least twice a day under calm conditions, and as often as needed on windy days or during very dry weather in order to maintain a surface crust and minimize the release of visible emissions from the construction site.
 - g. Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.
 - h. Wash mud-covered tires and under carriages of trucks leaving construction sites.
 - i. Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
 - j. Securely cover all loads of fill coming to the site with a tight-fitting tarp.
 - k. Cease grading during periods when winds exceed 25 miles per hour.
 - l. Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
 - m. Use low-sulfur diesel fuel in all equipment.
 - n. Use electric equipment whenever practicable.
 - o. Shut off engines when not in use.

41. The project shall post signs requiring that trucks shall not be left idling for prolonged periods pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes.
42. The project shall designate preferential parking for vanpools.
43. The proposed building shall incorporate provision of food and beverages.
44. All tenants with 50 or more employees shall be required to post both bus and MetroLink schedules in conspicuous areas.
45. All tenants with 50 or more employees shall be requested to configure their operating schedules around the MetroLink schedule to the extent reasonably feasible.
46. The project shall incorporate light colored roofing materials.

BUILDING & SAFETY

47. 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
48. 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.
49. 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.
50. 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.
51. 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.

52. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
53. The applicant shall have the Lot Line Adjustment recorded prior to the issuance of any building permits.
54. Grading Requirements:
- A. Grading plans shall be submitted to, and approved by Building & Safety Division. 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, 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. No water course or natural drainage shall be obstructed.
 - E. 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.
 - F. 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 Division.

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.
 - G. 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.
55. The applicant is required to obtain permits for the removal and/or demolition of structures.
56. 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

57. The following items shall be completed and/or submitted to Building & Safety Division – as applicable – 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
58. 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 Division. 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.
59. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.

FIRE DEPARTMENT

60. Jurisdiction. The above referenced project is under the jurisdiction of the Fontana Fire Protection District as served by the San Bernardino County Fire Department (SBCFD) (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.
61. 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 ***Fire access roadway shall be a minimum of thirty (30) foot width based on access for project.**

62. 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 sec 503, SBCFD Standard 503.1
63. 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

The Fire Flow for this project shall be: 3,250 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a maximum 95,600 sq.ft. structure.

Commercial/industrial projects with a building(s) exceeding 100,000 square feet shall be required to have a looped fire line system and with a minimum of two (2) points of connection to the public water source.

64. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
65. 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 job-site.
66. 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.
67. 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.

68. 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
69. 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.
70. Security Gates. Project shall not have gates or other barriers obstructing access per SBCFD Standard A-1
71. 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
72. 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. SBCFD Standard 2301.

POLICE DEPARTMENT:

73. All block walls on-site shall incorporate an anti-graffiti coating.
74. Incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.
75. 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. To ensure the minimum light standard is met, provide a photometric layout under separate exhibit.

ENGINEERING DEPARTMENT

76. 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.

77. 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.
78. 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.
79. At such time, as median improvements are completed on Slover Avenue all driveways facing Slover Avenue shall be right in and right out. No median opening will be provided.

PRIOR TO ISSUANCE OF GRADING PERMIT

80. 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.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

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

PRIOR TO FINAL ACCEPTANCE OF PROJECT

83. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
84. 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).
85. 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.

86. 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 Practices Transfer. The Access, Maintenance, and the Water Quality Management Plan Certification for best management practices Completion must be submitted to the City Project Engineer.

PUBLIC WORKS DEPARTMENT – ENVIRONMENTAL CONTROL

87. 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