Welcome to the meeting of the City of Fontana Planning Commission. A complete agenda packet is located in the binder on the table in the lobby of the Grover W. Taylor Council Chambers Fontana, CA 92335. To address the Planning Commission, please fill out a card located at the entrance to the left indicating your desire to speak on either a specific agenda item or under Public Communications and give it to the Planning Commission Secretary. Your name will be called when it is your turn to speak. In compliance with Americans with Disabilities Act, the Grover W. Taylor Council Chambers Fontana, CA 92335 is wheelchair accessible and a portable microphone is available.

Traduccion en Espanol disponible a peticon. Favor de notificar al Departamento "City Clerk". Para mayor informacion, favor de marcar el numero 350-7602.

CALL TO ORDER/ROLL CALL:
A. Call To Order/Roll Call:

INVOCATION/PLEDGE OF ALLEGIANCE:
A. Invocation/Pledge of Allegiance:

PUBLIC COMMUNICATIONS:
This is an opportunity for citizens to speak to the Planning Commission for up to five minutes on items not on the Agenda, but within the Planning Commission's jurisdiction. The Planning Commission is prohibited by law from discussing or taking immediate action on non-agendized items.

A. Public Communications:

CONSENT CALENDAR:
All matters listed under CONSENT CALENDAR will be enacted by one motion in the form listed below - there will be no separate discussion on these items prior to the time Planning Commission votes on them, unless a member of the Planning Commission requests a specific item be removed from the Consent Calendar for discussion. Does any member of the public wish to address the Planning Commission regarding any item on the Consent Calendar before the vote is taken?
A. Approval of Minutes:


Approve Consent Calendar Items as recommended by staff.

PUBLIC HEARINGS:

To speak on Public Hearing Items, fill out a card at the microphone stand indicating favor or opposition and give it to the Planning Commission Clerk. Each person will be allowed five minutes to address the Planning Commission. If you challenge in court any action taken concerning a Public Hearing item, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing.

All Public Hearings will be conducted following this format:

(a) hearing opened
(b) written communication
(c) council/staff comments
(d) applicant comments (applicant not limited to 5 minutes)
(e) oral - favor
(f) oral - opposition
(g) hearing closed

A. Master Case No. 19-119; Design Review No. 19-037 - A request to construct twenty-five (25) condominium buildings with a combined 139 residential units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-_____ to:

1. Find that the project has been reviewed under a previous Final Environmental Impact Report (State Clearing House No. 2003111125), pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination; and,

APPLICANT:
Stephanie Fabbri
Tri Pointe Homes
5 Peters Canyon, Ste. 100
Irvine, CA 92606

LOCATION:
The project site is an irregularly-shaped property located at the northwest corner of Summit Avenue and Citrus Avenue. (APN: 1107-262-50). The project site totals approximately 9.9 adjusted gross acres and is located within the Citrus Heights North Specific Plan (Planning Area 16).

REQUEST:
A request to construct twenty-five (25) condominium buildings with a combined 139 residential units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.
No. 17041.

PROJECT PLANNER:
Alejandro Rico
Assistant Planner

B. Master Case No. 19-079; Tentative Parcel Map No. 20144 (TPM No. 19-012); Design Review No. 19-027 - The applicant is requesting review and approval for the following: Tentative Parcel Map a proposal to consolidate two (2) parcels into one (1) parcel; and, the Design Review is a proposal to construct an approximately 193,433 square foot warehouse on approximately 8.9 adjusted gross acres, including approximately 10,000-square feet of office.

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-___; and,

1. Adopt the Addendum to the Southwest Industrial Park Specific Plan Environmental Impact Report (SCH No. 2009091089) and direct staff to file a Notice of Determination; and,
2. Approve Tentative Parcel Map No. 20144 (TTM No. 19-012); and,

APPLICANT:
Black Creek Group/Christopher Sanford
4675 MacArthur Ct., Suite 625
Newport Beach, CA 92660

LOCATION:
Northeast corner of Santa Ana Avenue and Cherry Avenue (APNs: 0236-122-11 & -12).

REQUEST:
The applicant is requesting review and approval for the following:

Tentative Parcel Map No. 20144 (TPM No. 19-012) a proposal to consolidate two (2) parcels into one (1) parcel; and,

Design Review No. 19-027 is a proposal to construct an approximately 193,433 square foot warehouse on approximately 8.9 adjusted gross acres, including approximately 10,000-square feet of office.

PROJECT PLANNER:
Brett Hamilton
Associate Planner

C. Master Case No. 19-036; Specific Plan Amendment No. 19-004; Conditional Use Permit No. 19-015; Administrative Site Plan No. 19-024 - Specific Plan Amendment is a request to amend the Southwest Industrial Park Specific Plan to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products within the Speedway Industrial District (FID); the Conditional Use Permit is a request to operate the outdoor storage of finished concrete products; and, the Administrative Site Plan is a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.
Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-______, and forward a recommendation to the City Council to:

1. Adopt the Negative Declaration (ND) and direct staff to file a Notice of Determination; and,
2. Adopt an Ordinance approving Specific Plan Amendment No. 19-004; and,
3. Adopt a Resolution approving Conditional Use Permit No. 19-015 and approving Administrative Site Plan No. 19-024

APPLICANT:
Thatcher Engineering
Vicky Valenzuela
1461 Ford Street, Suite 105
Redlands, CA 92373

LOCATION:
The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

REQUEST:
A request for the Planning Commission to forward a recommendation of approval to the City Council for the following:

1. Specific Plan Amendment No. 19-004, a request to amend the Southwest Industrial Park Specific Plan to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products within the Speedway Industrial District (FID).
2. Conditional Use Permit No. 19-015, a request to operate the outdoor storage of finished concrete products.
3. Administrative Site Plan No. 19-024 a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.

PROJECT PLANNER:
Dawn Rowe
Senior Planner

UNFINISHED BUSINESS:

A. None.

NEW BUSINESS:

A. 2019 General Plan Annual Progress Report

That the Planning Commission recommend that the City Council receive the report and direct staff to send the report to the Governor’s Office of Planning and Research (OPR) and the State Department of Housing and Development before April 1, 2020.

APPLICANT:
City of Fontana
8353 Sierra Avenue
LOCATION:
Citywide

PROJECT PLANNER:
Dawn Rowe
Senior Planner

DIRECTOR COMMUNICATIONS:

A. Director Communications:

Upcoming cases scheduled for City Council and Planning Commission.


COMMISSION COMMENTS:

A. Planning Commission Remarks:

WORKSHOP:

A. None.

ADJOURNMENT:

A. Adjourn to the 2020 League of California Cities, Planning Commissioners Academy from March 3-6, 2020, then to the Regular Planning Commission Meeting on Tuesday, March 17, 2020, at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.
CALL TO ORDER/ROLL CALL:

A. Call To Order/Roll Call:

A regular meeting of the City of Fontana Planning Commission was held on Tuesday, February 4, 2020, in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California. Chairperson Quiroga called the meeting to order at 6:02 p.m.

Present: Chairperson Quiroga, Vice Chairperson Fort, Secretary Garcia, Commissioner Sanchez and Commissioner Sangha

Absent: None

Also Present: Attorney Kylee Otto; Director of Community Development Zai AbuBakar; Planning Manager Orlando Hernandez; Associate Planner Rina Leung; City Clerk Tonia Lewis and Commission Secretary Ysela Aguirre.

INVOCATION/PLEDGE OF ALLEGIANCE:

A. Invocation/Pledge of Allegiance:

Following the Invocation given by Vice Chairperson Fort, the Pledge of Allegiance was led by Commissioner Sanchez.

PUBLIC COMMUNICATIONS:

A. Public Communications:

Ximena Rodriguez spoke on future plans for dog parks.

CONSENT CALENDAR:

A. Approval of Minutes:

**ACTION:** A motion was made by Vice Chairperson Fort and seconded by Commissioner Sangha to approve the Minutes of the January 21, 2020, Planning Commission Meeting. Motion passed by a vote of 4-0-1. (AYES: Quiroga, Fort, Garcia, Sangha; NOES: None; ABSTAIN: Sanchez)

**PUBLIC HEARINGS:**

**A. Master Case No. 20-001; Design Review Sign No. 19-073 (Comprehensive Sign Program) - Goodman Logistics Center Fontana Project.**

Associate Planner Rina Leung provided the staff report.

The Public Hearing was opened.

Speaking for the applicant, Ward Mace spoke on the project and other projects in Fontana and thanked the Commission and staff for their work.

Discussion was held on the occupant being a distribution center, not a point of sale.

No member of the audience spoke in favor or opposition.

The Public Hearing was closed.

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Vice Chairperson Fort to adopt Resolution PC No. 2020-007; 1) Determine that the project is categorically exempt, respectively from the California Environmental Quality Act (CEQA) pursuant to Section No. 15301 (Class No. 1, Existing Facilities), and Section No. 3.22 of the 2019 Local Guidelines for Implementing CEQA; and, 2) Approve Design Review Sign (Comprehensive Sign Program) No. 19-073. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)

**UNFINISHED BUSINESS:**

**A.** None.

**NEW BUSINESS:**

**A. Cancellation of Planning Commission Meeting of March 3, 2020**

**ACTION:** Motion was made by Commissioner Sanchez and seconded by Secretary Garcia to cancel the Planning Commission Meeting of March 3, 2020, to allow the Planning Commissioners to attend the League of California Cities Planning Commission Institute in Sacramento, California. Motion passed by a vote of 5-0. (AYES: Quiroga, Fort, Garcia, Sanchez, Sangha; NOES: None; ABSTAIN: None)
DIRECTOR COMMUNICATIONS:

A. Director Communications:


COMMISSION COMMENTS:

A. Planning Commission Remarks:

Commissioner Sangha thanked staff for their staff reports.

Secretary Garcia reminded everyone to stay warm.

Commissioner Sanchez spoke on the growth in Fontana.

Commissioner Sanchez thanked his wife.

Commissioner Sanchez is glad his daughter is back from Boise, ID.

Commissioner Sanchez requested tonight’s meeting be adjourned in memory of the Coronavirus victims.

Vice Chairperson Fort spoke on the winds in Fontana.

Vice Chairperson Fort spoke on celebrating your loved ones.

Vice Chairperson Fort spoke on the tragic helicopter crash and appreciating your loved ones.

Chairperson Quiroga spoke on the 2020 Census.

Chairperson Quiroga reminded everyone to be safe and stay warm.

Chairperson Quiroga wished his wife a happy Valentine’s Day.

WORKSHOP:

None.

ADJOURNMENT:

By consensus, the Planning Commission meeting adjourned in memory of the Coronavirus victims at 6:22 p.m. to a Workshop in the Executive Conference Room, then
to the next Regular Planning Commission Meeting on Tuesday, February 18, 2020 at 6:00 p.m. in the Grover W. Taylor Council Chambers located at 8353 Sierra Avenue, Fontana, California.

____________________
Ysela Aguirre
Commission Secretary


___________________
Daniel Quiroga
Chairperson
ACTION REPORT
February 18, 2020

FROM: Community Development Department
SUBJECT: Master Case No. 19-119; Design Review No. 19-037 - A request to construct twenty-five (25) condominium buildings with a combined 139 residential units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.

RECOMMENDATION:

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-______, to:

1. Find that the project has been reviewed under a previous Final Environmental Impact Report (State Clearing House No. (2003111125), pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination; and,

APPLICANT:
Stephanie Fabbri
Tri Pointe Homes
5 Peters Canyon, Ste. 100
Irvine, CA 92606

LOCATION:
The project site is an irregularly-shaped property located at the northwest corner of Summit Avenue and Citrus Avenue. (APN: 1107-262-50). The project site totals approximately 9.9 adjusted gross acres and is located within the Citrus Heights North Specific Plan (Planning Area 16).

REQUEST:
A request to construct twenty-five (25) condominium buildings with a combined 139 residential units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.

PROJECT PLANNER:
Alejandro Rico
Assistant Planner

DISCUSSION:
See attached staff report for additional information.
FISCAL IMPACT:
None.

MOTION:
Approve staff recommendation.

REVIEWED BY:  

APPROVED BY:

Orlando Hernandez 
Planning Manager

Zai AbuBakar 
Director of Community Development

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
</tr>
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<tbody>
<tr>
<td>Staff Report and Attachments 1-6</td>
<td>Backup Material</td>
</tr>
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</table>

ITEM: PH-A
Staff Report to the Planning Commission

PLACEMENT: Public Hearing

APPLICATION: Master Case No. 19-119
Design Review No. 19-037

DATE: February 18, 2020

APPLICANT: Stephanie Fabbri
Tri Pointe Homes
5 Peters Canyon, Ste. 100
Irvine, CA 92606

LOCATION: The project site is an irregularly-shaped property located at the northwest corner of Summit Avenue and Citrus Avenue. (APN: 1107-262-50). The project site totals approximately 9.9 adjusted gross acres and is located within the Citrus Heights North Specific Plan (Planning Area 16).

REQUEST: A Design Review request to construct twenty-five (25) condominium buildings with a combined 139 residential units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.

PROJECT PLANNER: Alejandro Rico, Assistant Planner

I. BACKGROUND INFORMATION:

A. Existing Land Use Designation:

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<thead>
<tr>
<th>Property</th>
<th>General Plan</th>
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<tr>
<td>Site:</td>
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<td>Vacant</td>
</tr>
<tr>
<td>North:</td>
<td>Residential Planned Community (R-PC)</td>
<td>Citrus Heights North Specific Plan</td>
<td>Vacant</td>
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<td>South:</td>
<td>Walkable Mixed Use Urban Village (WUXU-2)</td>
<td>Form Based Code (Village)</td>
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<td>East:</td>
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<td>Citrus Heights North Specific Plan</td>
<td>Vacant</td>
</tr>
<tr>
<td>West:</td>
<td>Residential Planned Community (R-PC)</td>
<td>Citrus Heights North Specific Plan</td>
<td>Single-Family Homes</td>
</tr>
</tbody>
</table>
B. **Environmental Review Finding:**

Pursuant to the Initial Study (IS) prepared for the Citrus Heights North Specific Plan, a Final EIR (SCH No. 2003111125) was prepared for the project and was certified by the City Council on July 27, 2004. Based on CEQA Guidelines, Sections 15162 through 15164 et seq, and Section 8.10 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA, staff has determined that the previously certified Final EIR has adequately identified the impacts associated with Design Review No. 19-037 and no previously reviewed impact areas have changed; a Notice of Determination is determined to be adequate for this project and has been prepared for the Planning Commission's consideration.

C. **Previous Approvals/Special Circumstances:**

- The Citrus Heights North Specific Plan was approved by the City Council on August 17, 2004 and amended on August 13, 2019.
- On October 15, 2019, the City Council approved Tentative Tract Map No. 17041 (TTM No. 19-004), a request to subdivide two (2) lots into four (4) lots for the development of attached and detached condominiums and an Open Space Recreation Area (pocket park).
- On October 15, 2019, the City Council approved Design Review No. 19-019, a request to construct 151 attached and detached condominium units within Tract Map No. 17041. This included the site plan review of Planning Area 16 (PA 16), but the architecture of the buildings was not reviewed.

II. **PROJECT DESCRIPTION:**

A. **Site Area:**

Approximately 9.9 adjusted gross acres

B. **Building/Unit Analysis:**

<table>
<thead>
<tr>
<th>Plan</th>
<th>No. of Two Bedroom</th>
<th>No. of Three Bedroom</th>
<th>No. of Four Bedroom</th>
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<td>6 Unit Condominium Building</td>
<td>8</td>
<td>24</td>
<td>16</td>
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<tr>
<td>7 Unit Condominium Building</td>
<td>3</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total (139)</strong></td>
<td><strong>25</strong></td>
<td><strong>64</strong></td>
<td><strong>50</strong></td>
</tr>
</tbody>
</table>

III. **ANALYSIS:**

The applicant, Stephanie Fabbri, on behalf of Tri Pointe Homes, is requesting that the Planning Commission review and approve Design Review No. 19-037 for site and architectural design for 139 attached condominiums within a gated, private community, on approximately 9.9 adjusted gross acres. The project is located at the northwest corner of Summit and Citrus Avenues. The proposed attached condominium residences will range in size from approximately 1,295 square feet to approximately 1,924 square feet per unit.

**Design Review:**

Master Case No. 19-119
Design Review No. 19-037
Page 2 of 4
This project, as proposed, is a request for the Planning Commission to review and approve the site and architectural design for the proposed 139 attached condominiums consisting of twenty-five (25) buildings in the Citrus Heights North Specific Plan in Planning Area 16. The attached condominium units range in size from approximately 1,295 square feet to approximately 1,924 square feet. This project meets or exceeds the criteria contained in the Design Review section of the Zoning and Development Code and the requirements of the Citrus Heights North Specific Plan.

**Architecture:**

The condominium buildings have an attractive architectural design as well as color and materials complementary to the designs of the buildings. The applicant is proposing contemporary architecture styles (Colonial, and Spanish Colonial). The condominium complexes will not exceed the maximum height maximum of forty-five (45) feet. The proposed buildings are approximately 30'-6" and 33'-6" in height. The maximum lot coverage, required setbacks, and all applicable development standards specified in the Citrus Heights North Specific Plan are met. The project has high quality architectural design and will be an appropriate and desirable development for the community. The Citrus Heights North Specific Plan requires that condominium buildings create visual interest with wall pop-outs, varying roof heights and complimenting colors. The applicant has achieved this requirement as detailed in the elevation plans. Each home has a contemporary architectural theme using light earth tone colors and contrasting accent colors. Architectural relief utilized for the proposed condominium housing consists of stone veneer, board and batten siding, window shutters, decorative window treatments and other features appropriate to each architectural theme.

**IV. RECOMMENDATION:**

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-______, to:

1. Find that the project has been reviewed under a previous Final Environmental Impact Report (State Clearing House No. (2003111125), pursuant to Section 15162 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA and direct staff to file the Notice of Determination; and,


Project Planner:  
Alejandro Rico  
Assistant Planner

Reviewed by:  
Orlando Hernandez  
Planning Manager
Attachments:
1. Vicinity Map
2. Site Plan
3. Elevations
4. Resolution with Findings and Conditions of Approval
5. Notice of Determination
6. Public Hearing Notice

Under Separate Cover:
1. Full Size Plans
2. Booklet with Plans
Spanish Colonial

Colonial

ELEVATIONS
(5 Plex)

DATE: February 18, 2020
CASE: Master Case No. 19-119
Design Review No. 19-037
ELEVATIONS
(7 Plex)

DATE: February 18, 2020
CASE: Master Case No. 19-119
Design Review No. 19-037
RESOLUTION PC NO. 2020—____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 19-037, A REQUEST FOR SITE AND ARCHITECTURAL REVIEW TO CONSTRUCT 139 ATTACHED ConDOMINIMUMS RANGING IN SIZE FROM APPROXIMATELY 1,295 SQUARE FEET TO APPROXIMATELY 1,924 SQUARE FEET PER UNIT. THE SITE IS LOCATED ON THE NORTHWEST CORNER OF SUMMIT AVENUE AND CITRUS AVENUE.

WHEREAS, the City of Fontana received an application on October 16, 2019, for Design Review No. 19-037, to approve the site and architectural review to construct 139 attached condominiums on an approximately 9.9 adjusted gross acres site, previously subdivided pursuant to Tentative Tract Map No. 17041.

Project Applicant: Tri Pointe Homes
5 Peters Canyon, Suite 100
Irvine, CA 92606

Project Location: The project site is located at the northwest corner of Summit Avenue and Citrus Avenue

Site Area: 9.9 adjusted gross acres

WHEREAS, the subject site was annexed from San Bernardino County into the City of Fontana on October 8, 1981 (ANN0102); and

WHEREAS, pursuant to Section No. 30-116 of the City of Fontana’s, Zoning and Development Code, a residential project with five (5) dwelling units or more requires approval of a Design Review by the Planning Commission; and

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

WHEREAS, Conditions of Approval have been prepared and are attached hereto as Exhibit “A” for the Design Review; and

WHEREAS, pursuant to CEQA Guidelines, Sections 15162 through 15164 et seq, and Section 8.10 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA, staff has determined that the previously certified Final EIR (SCH No. 2003111125) for the Citrus Heights North Specific Plan has adequately identified the impacts associated with Design Review No. 19-037 and no previously reviewed impact areas have changed; a Notice of Determination is adequate for this project and has been prepared for the Planning Commission’s consideration; and

WHEREAS, the owners of property within 660 feet of the boundaries 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 February 7, 2020, posted at City Hall and at the project site; and

ATTACHMENT NO. 4
Resolution No. PC 2020-

WHEREAS, the 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 February 18, 2020; and

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

NOW, THEREFORE, the Commission RESOLVES as follows:

Section 1. The City of Fontana’s Planning Commission hereby makes the following findings for Design Review No. 19-037 in accordance with Section 30-129 “Findings for Approval” of the Fontana Zoning and Development Code:

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

Findings of Fact: The project, as proposed, is a request for the Planning Commission to review and approve the site and architectural design for the proposed 139 attached condominiums of approximately 1,295 square feet to approximately 1,924 square feet. There are twenty-five (25) condominium complexes which have five (5), six (6) or seven (7) units. The project is consistent with the General Plan designation for the project site, which is Residential Planned Community (R-PC). The R-PC land use category is used for master-planned communities within specific plan areas. The proposed project is located in the Citrus Heights North Specific Plan and is part of the overall master-planned Shady Trails area. Additionally, the proposed project is compliant with the recently amended Citrus Heights North Specific Plan as it relates to residential dwelling unit density and architectural design. The project site is within Planning Area 16, which allows a maximum of 139 dwelling units. The applicant is proposing to construct up to the maximum of 139 dwelling units. Architectural design requirements include varying roof heights, balconies, pop-out’s, window features, and veneer. These architectural features have been utilized for this project.

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

Findings of Fact: The project, as described in Finding No. 1, meets or exceeds the criteria contained in the Design Review section of the Zoning and Development Code and the requirements of the Citrus Heights North Specific Plan. The condominium complexes include different architectural styles as well as color and materials complimentary to each architectural style. The applicant is proposing contemporary architecture styles (Colonial and Spanish Colonial). The homes will not exceed the maximum height of 45 feet and will range in height from 30'-6" to 33'-6". The maximum lot coverage, required setbacks,
and all applicable development standards specified in the Citrus Heights North Specific Plan will be met. The project has a high-quality architectural design and will be an appropriate and desirable development for the local community. Each condominium complex has a contemporary architectural theme using light earth tone and warm-colors, while utilizing contrasting accent colors. Further architectural relief consists of board and batten siding, decorative window treatments, varied roof lines, architectural pop-outs, and other features appropriate to each architectural theme. The use of a variety of colors and decorative shutters will further add architectural diversity to each plan.

The proposed project will result in the construction of 139 attached condominiums. These structures will be built pursuant to all applicable building, zoning, and fire codes and standards and therefore, shall promote the public health, safety, and welfare of the surrounding community.

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

Findings of Fact: The proposed project as identified and referenced in Findings No. 1 and 2, has been determined to be aesthetically and architecturally pleasing and compatible with the surrounding area. The plans and elevations identifying the different architectural design/styles have been provided for the Planning Commission’s consideration. The proposed condominium complexes are contemporary, and are compatible with the surrounding area, resulting in a high-quality architectural design appropriate and desirable for the surrounding community. The proposed development will enhance the character of the surrounding residential area through appropriate attention to aesthetics and design.

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

Findings of Fact: The proposed development will result in appropriate improvements, not only for the project site, but the surrounding area as well. The project includes streets, sidewalks, drainage, grading, and perimeter and privacy walls to provide a safe and well-designed neighborhood. Off-site improvements have been previously reviewed for the Tract Map and will be constructed by a previous applicant (SC Fontana Development Company, LLC). The proposed homes have been reviewed by Planning, Engineering, Building and Safety, and County Fire Prevention for site circulation, access, and safety. The proposed project identified in Findings No. 1 through 4, meets or exceeds the standards of the Zoning and Development Code and Citrus Heights North Specific Plan, and will provide a safe design for public access.
Section 2. Based on the foregoing, the Planning Commission determines that the project has been reviewed under a previous Final Environmental Impact Report [EIR] (State Clearinghouse No. 20031111250), pursuant to Section 15126 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.10 of the City of Fontana’s 2019 Local CEQA Guidelines and that the previously certified Final EIR has adequately identified the impacts associated with Design Review No. 19-037 and no previously reviewed impact areas have changed.

Section 3. Based on the foregoing, the City of Fontana’s Planning Commission hereby approves Design Review No.19-037, subject to the Conditions of Approval, which are attached hereto as “Exhibit A” to this Resolution and incorporated herein by this reference; and,

Section 4. 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 Community Development Department– Planning Division, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

Section 5. 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 18th day of February 2020.

City of Fontana

Daniel Quiroga, Chairperson

ATTEST:

I, Angela Garcia, 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 18th day of February 2020, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:
Resolution No. PC 2020-

____________________________________
Angela Garcia, Secretary
EXHIBIT “A”

CITY OF FONTANA

CONDITIONS OF APPROVAL

PROJECT: Design Review Project No. 19-037
Master Case No. 19-119

DATE: February 18, 2020

LOCATION: The project site is located at the northwest corner of Summit Avenue and Citrus Avenue.

PLANNING DIVISION:

1. This approval is for Design Review No. 19-037 to construct 139 attached condominiums (within Tract Map No. 17041) as approved by the Planning Commission on February 18, 2020, and as shown in Attachments No. 2 through No. 6 of the staff report.

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 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.

3. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, 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 30-29 and 30-30 of the Municipal Code.

4. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.

5. 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.

6. 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 Community Development 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. Changes made without approval as stated herein, will prevent the occupancy of the residential structure until corrections are approved in writing by all appropriate staff.

7. Color combinations and color schemes for buildings approved under a Design Review application shall not be modified or changed without prior approval from the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Community Development. The Director of Community Development shall have the authority to refer minor hue color changes to the Planning Commission for consideration under a revision to the original application if deemed necessary. Appeals shall follow provisions of the Municipal Code.

8. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant’s proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

9. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
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10. Any foam treatment used for architecture treatments and/or projections located on the first floor (under 14 feet) shall be covered with concrete or similar durable material a minimum of ¾ inch thick, or as determined by the Director of Community Development.

11. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Community Development or his/her designee.

12. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.

13. All block walls shall be decorative and be capped with a prefabricated block cap as required in the Citrus Heights North Specific Plan.

14. 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 $300.00 sign deposit; the request shall be in writing accompanied with a W-9 tax form. The request shall be submitted to the Planning Division.

15. The developer shall provide clustered and/or individual mail box(es) for the delivery of mail to future residents of the development in a convenient location that does not block the line of sight. The mail boxes shall be made of durable material and shall be installed in a manner that is resistant to vandalism and meets the requirements of the Post Office. The Post Office currently approves freestanding mailboxes that are F-series and wall-mounted boxes that are 4C series. The developer is responsible for contacting the Post Office for the type and location of the mail boxes within their development. Any replacements of the mail boxes subsequent to the original installation shall be the responsibility of the developer, each individual homeowner and/or the homeowners association, and the Post Office.

PRIOR TO ISSUANCE OF GRADING PERMIT

16. 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 provide to the Community Development Department.

17. 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.

18. Development fees shall be paid prior to issuance of building permits.

19. Prior to issuance of grading permits, 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.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

20. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Community Development.

21. The applicant shall post the most recent City of Fontana General Plan map, size 24-inches by 36-inches, in all offices selling new homes in the subdivision, whether on-site or remote. The project site/tract boundary shall be clearly delineated on the General Plan map. Additionally, a 24-inch by 36-inch map showing the school district boundaries (for all districts in the City) shall be displayed. The General Plan information and school district boundaries may be included on the same map. The maps shall be clearly and prominently displayed and be visible to all persons entering the sales office.

**ENGINEERING LAND DEVELOPMENT:**

22. Land Development Standard Conditions from Tentative Tract Map No. 19-004 shall continue to apply to this development.

**BUILDING & SAFETY:**

23. 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

24. 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.

25. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.

26. 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
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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.

27. All lot lines, easement lines, etc. shall 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.

28. The Tract or Parcel map shall record prior to the issuance of any permits.

29. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

30. 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
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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.

31. All signs shall be Underwriters Laboratories approved, or equal.

32. Permits are required prior to the removal and/or demolition of structures.

33. All exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

34. Buildings will need to meet the requirements for Multifamily per the CBC chapter 11A.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

35. The following items shall be completed and/or submitted to Building & Safety — 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

POLICE DEPARTMENT:

36. Hostile landscaping (thorny or prickly shrubbery) shall be incorporated along the westerly property line between all 42’ walls and the existing block wall located on the property line.

37. A locator map or directory should be posted at the site entrances. The directory should be located on the site so as to be easily and quickly identified and free from visual obstruction. The directory should be illuminated from dusk until dawn. The directory should have vandal resistant glazing to minimize criminal damage and the structure should be weather resistant.

38. Community address numbers and complex numbers should be visible. Building and unit numbers should be posted and visible. Address specifications are meant to ensure identification and location of buildings. Proper posting and maintenance minimizes confusion as to location and expedites public safety response.

39. Adhere to the City standard of one-foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas (parks). Reflect all light fixtures (pole and wall-mounted) 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. A photometric layout under separate exhibit will be a condition of approval for the design review.
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   a. For all pedestrian walkways adjacent to a perimeter wall shall have a minimum light requirement of 1.5 foot candles of light. The additional light can be achieved with bollard lighting, up-lighting and/or pole lighting.

40. Full time participation in the Fontana Police Department’s Crime-Free Multi-Housing program shall be a condition of approval.

41. The installation and maintenance of the Fontana Police Department’s R.E.A.C.T. electronic gate system will be a condition of approval (in addition to the County’s Knox Box system).

42. Adhere to the Standard Building Security Specifications of the Fontana Police Department.

END OF CONDITIONS OF APPROVAL
NOTICE OF DETERMINATION

TO: ___ X ___ County Clerk, County of San Bernardino

FROM: City of Fontana
Planning Division
8353 Sierra Avenue
Fontana, CA 92335

___ X ___ Office of Planning and Research

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

Project Title: MCN 19-119, DRP 19-037 – Shady Trails Planning Area 16

State Clearinghouse Number: N/A

Project Location: The project site consists of approximately 9.9 acres, located on the northwest corner of Summit Avenue and Citrus Avenue

Project Description: A Design Review request to construct 139 attached condominiums ranging in size from approximately 1,295 square feet to approximately 1,924 square feet (all with-in two story multi-family buildings). The multi-family buildings will have two designs: Colonial, and Spanish Colonial.

This is to certify that the City of Fontana approved the above described project on February 18, 2020, made the following determinations:

1. The project ___ will ___ X ___ will not have a significant effect on the environment.
2. ___ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
   ___ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
   ___ X ___ The project was described in and fully discussed and analyzed in the Final EIR (SCH No. 2003111125) adopted by the City Council on July 27, 2004.

3. Mitigation measures ___ were ___ X ___ were not made a condition of the approval of the project.

4. A Statement of Overriding Considerations ___ was ___ X ___ was not adopted for this project.

5. Findings ___ were ___ X ___ were not made pursuant to the provisions of CEQA.

6. The location and custodian of the documents which comprise the record of proceedings for the Negative Declaration are specified as follows:

   Custodian: City of Fontana, Planning Division
   Location: 8353 Sierra Avenue, Fontana, CA 92335

   Orlando Hernandez
   Planning Manager

Date Received for Filing

ATTACHMENT NO. 5
NOTICE OF DETERMINATION AND PUBLIC HEARING

SI DESEA INFORMACION EN ESPAÑOL REFERENTE A ESTA NOTIFICACION O PROYECTO, FAVOR DE COMUNICARSE AL (909) 350-6728.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

Master Case No. 19-119; Design Review No. 19-037

A Design Review request to construct twenty-five (25) multi-family complexes with 139 attached units. The homes are proposed on lots previously subdivided pursuant to Tentative Tract Map No. 17041.

Environmental Determination: Pursuant to the Initial Study (IS) prepared for the Citrus Heights North Specific Plan, a Final EIR (SCH No. 2003111125) was prepared for the project and was certified by the City Council on July 27, 2004. Based on CEQA Guidelines, Sections 15162 through 15164 et seq, and Section 8.10 of the City of Fontana’s 2019 local CEQA Guidelines, staff has determined that the previously certified Final EIR has adequately identified the impacts associated with Design Review No. 19-037 and no previously reviewed impact areas have changed; a Notice of Determination is determined to be adequate for this project and has been prepared for the Planning Commission’s consideration.

Location of Property: The project site is an irregularly-shaped property located at the northwest corner of Summit Avenue and Citrus Avenue (APN’s: 1107-262-50). The project site totals approximately 9.9 adjusted gross acres and is located within the Citrus Heights North Specific Plan (Planning Area 16).

Date of Hearing: February 18, 2020

Place of Hearing: City Hall Council Chambers
8353 Sierra Avenue
Fontana, CA 92335

Time of Hearing: 6:00 P.M.

Should you have any questions concerning this project, please contact Alejandro Rico, Assistant Planner, at (909) 350-6558 or by e-mail at arico@fontana.org.

ANY INTERESTED PARTY MAY APPEAR AND PRESENT ANY INFORMATION WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION IN THE PLANNING DIVISION, CITY HALL. IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

ATTACHMENT NO. 6
ACTION REPORT
February 18, 2020

FROM: Community Development Department
SUBJECT: Master Case No. 19-079; Tentative Parcel Map No. 20144 (TPM No. 19-012); Design Review No. 19-027 - The applicant is requesting review and approval for the following: Tentative Parcel Map a proposal to consolidate two (2) parcels into one (1) parcel; and, the Design Review is a proposal to construct an approximately 193,433 square foot warehouse on approximately 8.9 adjusted gross acres, including approximately 10,000-square feet of office.

RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-___; and,

1. Adopt the Addendum to the Southwest Industrial Park Specific Plan Environmental Impact Report (SCH No. 2009091089) and direct staff to file a Notice of Determination; and,
2. Approve Tentative Parcel Map No. 20144 (TTM No. 19-012); and,

APPLICANT:
Black Creek Group/Christopher Sanford
4675 MacArthur Ct., Suite 625
Newport Beach, CA 92660

LOCATION:
Northeast corner of Santa Ana Avenue and Cherry Avenue (APNs: 0236-122-11 & -12).

REQUEST:
The applicant is requesting review and approval for the following:

Tentative Parcel Map No. 20144 (TPM No. 19-012) a proposal to consolidate two (2) parcels into one (1) parcel; and,

Design Review No. 19-027 is a proposal to construct an approximately 193,433 square foot warehouse on approximately 8.9 adjusted gross acres, including approximately 10,000-square feet of office.

PROJECT PLANNER:
Brett Hamilton
Associate Planner

DISCUSSION:
See attached staff report for additional information.

**FISCAL IMPACT:**
None.

**MOTION:**
Approve staff recommendation.

**ATTACHMENTS:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>Staff Report and Attachments 1-7</td>
<td>Backup Material</td>
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</tbody>
</table>

**ITEM:** PH-B
Staff Report to the Planning Commission

PLACEMENT: Public Hearing

APPLICATION: Master Case No. 19-079
Tentative Parcel Map No. 20144 (TPM No. 19-012)
Design Review No. 19-027

DATE: February 18, 2020

APPLICANT: Black Creek Group/Christopher Sanford
4675 MacArthur Ct., Suite 625
Newport Beach, CA 92660

LOCATION: Northeast corner of Santa Ana Avenue and Cherry Avenue
APNs: 0236-122-11 & -12

REQUEST: The applicant is requesting review and approval for the following:

Tentative Parcel Map No. 20144 (TPM No. 19-012) is a proposal to consolidate two (2) parcels into one (1) parcel.

Design Review No. 19-027 is a proposal to construct an approximately 193,433 square foot warehouse on approximately 8.9 adjusted gross acres, including approximately 10,000-square feet of office.

PROJECT PLANNER: Brett Hamilton, Associate Planner

II. BACKGROUND INFORMATION:

A. Land Use Designation:

<table>
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<th>General Plan</th>
<th>Zoning/Overlay</th>
<th>Existing Land Use</th>
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<td>Site:</td>
<td>General Industrial (I-G)</td>
<td>*Slover Central</td>
<td>Vacant</td>
</tr>
<tr>
<td>North:</td>
<td>General Industrial (I-G)</td>
<td>*Slover Central</td>
<td>Vacant</td>
</tr>
<tr>
<td>South:</td>
<td>General Industrial (I-G)</td>
<td>*Slover Central</td>
<td>Industrial equipment yard, non-conforming residential &amp; Industrial Warehouse</td>
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<td>Industrial Warehouse</td>
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<tr>
<td>West:</td>
<td>Light Industrial (I-L)</td>
<td>*Slover West</td>
<td>Trucking and storage yards</td>
</tr>
</tbody>
</table>

*Southwest Industrial Park Specific Plan
B. Environmental Review Finding:

An Addendum to the Southwest Industrial Park Specific Plan Final Program Environmental Impact Report (SWIP FEIR) (SCH No. 2009091089) has been prepared for this proposed project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines and the 2019 Local Guidelines for Implementing CEQA. The SWIP was adopted by the City Council on June 12, 2012. The SWIP FEIR anticipated this type of project and also adequately identified any potential impacts associated with this project and provided the necessary mitigation measures. The Addendum determined that there are no new additional impacts beyond what was anticipated in the SWIP FEIR. Based on the analysis of the Addendum, the project is not anticipated to have a significant effect on the environment.

C. Background:

- On May 11, 1970, the subject site was annexed into the City of Fontana.
- On July 17, 1979, the City Council adopted the Southwest Industrial Specific Plan.
- On June 12, 2012, the City Council adopted the Southwest Industrial Specific Plan Update, expanding the area of the specific plan and introducing new land use districts and development standards.

II. PROJECT DESCRIPTION:

A. Site Area: Approximately 8.9 adjusted gross acres

B. Building/Unit Analysis:

- Office Area: Approximately 10,000 square feet
- Warehouse Area: Approximately 183,433 square feet
- Total Area: Approximately 193,433 square feet

C. Parking Analysis:

- Vehicle Spaces Required: 61 spaces
  Provided: 64 spaces

D. Landscaping:

- Minimum Required: 15 percent (29,398 square feet)
- Proposed: 20.5 percent (40,104 square feet)

III. ANALYSIS:

The applicant, Christopher Sanford with Black Creek Group, is requesting that the Planning Commission review and approve a new warehouse/distribution facility of approximately 193,433 square feet with 183,433 square feet of warehouse space and 10,000 square feet of office space, 27 warehouse dock doors, and 64 auto parking spaces. The project includes a Tentative Parcel Map to consolidate two (2) parcels into one (1) parcel. In addition to the construction of the building and associated site improvements, the project will include improvements on Cherry Avenue and Santa Ana Avenue.
The project site is an irregular shape and has approximately 568 feet of frontage on Cherry Avenue and approximately 595 feet west of frontage on Santa Ana Avenue. The project is located within the Southwest Industrial Park Specific Plan (SWIP) and is part of the Slover Central Manufacturing District. The project site has a General Plan land use designation of Light Industrial (I-L).

_Tentative Parcel Map No. 20144 (TPM No. 19-012):_
The project site currently consists of two (2) parcels totaling approximately 8.9 adjusted gross acres. The applicant has filed Tentative Parcel Map No. 20144 and is proposing to combine the two (2) parcels into one (1) parcel for the purpose of constructing a new warehouse/distribution facility. On Santa Ana Avenue along the project site frontage, 16 feet would be dedicated to the City for additional right-of-way. There would be a 9-foot street vacation on Cherry Avenue since the City has right-of-way on Cherry Avenue that is no longer needed because the street is developed to its ultimate width.

_Design Review No. 19-027:_
The proposed building is approximately 193,433 square feet. The warehouse/distribution facility has been designed with office totaling approximately 10,000 square feet. A gate-secured truck court with 27 loading docks would be provided on the north side of the building. The building’s trash enclosures would be located inside the secured truck court area. Sixty-four (64) automobile parking spaces are distributed on the east and south sides of the building. A total of 46 trailer stalls are provided along the northern property line within the truck court area. Where required, there will be an 8-foot-high tubular steel fencing and 12’ high screen walls to secure the property and the truck court area. The use of glazing, parapets, canopies, accent colors 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 and be consistent with the surrounding warehouse buildings.

Access to and from the project site would be provided from two driveways connecting to Santa Ana Avenue and one driveway connecting to Cherry Avenue. Truck traffic would be required to enter/exit from the proposed driveway connecting to Cherry Avenue and from the easternmost proposed driveway connecting with Santa Ana Avenue. The westernmost driveway connecting to Santa Ana Avenue is expected to be used by passenger automobiles only.

Proposed landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. Landscaping would also occur at building entries and in and around the automobile parking areas. The truck court would be devoid of plant materials to avoid interference with truck movements. Prior to building permit issuance, the project applicant would be required to submit final planting and irrigation plans to the city for review and approval.

The project site is physically suitable in size and shape to support the development of the proposed warehouse/distribution facility. The applicable building codes, zoning codes, and fire codes and 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 specifically and the requirements in the Slover Central Manufacturing District (SCD) of SWIP. The character of the surrounding area reflects industrial uses. The proposal has been designed to be compatible with the surrounding uses while also providing a
development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

IV. RECOMMENDATION:

Based on the information in the staff report and subject to the attached Findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-____; and,

1. Adopt the Addendum to the Southwest Industrial Park Specific Plan Environmental Impact Report (SCH No. 2009091089) and direct staff to file a Notice of Determination; and,

2. Approve Tentative Parcel Map No. 20144 (TTM No. 19-012); and,


Project Planner: [Signature] Reviewed by: [Signature]
Brett Hamilton  Orlando Hernandez
Associate Planner  Planning Manager

Approved by: [Signature]
Zai AbuBakar  
Director of Community Development

Attachments:
1. Vicinity Map
2. Site Plan
3. Tentative Parcel Map No. 20144
4. Elevations
5. P.C. Resolution, Findings and Conditions of Approval
6. Notice of Determination
7. Public Hearing Notice

Under Separate Cover:
1. Full size plans
2. Reduced color plans
3. EIR Addendum (technical studies included as an appendix on a CD)
RESOLUTION PC NO. 2020-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA ADOPTING AN ADDENDUM TO THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT (SCH NO. 2009091089) AND APPROVING TENTATIVE PARCEL MAP NO. 20144 TO CONSOLIDATE TWO PARCELS INTO ONE PARCEL AND APPROVING DESIGN REVIEW NO. 19-027 FOR A 193,433 SQUARE FOOT WAREHOUSE ON APPROXIMATELY 8.9 ADJUSTED GROSS ACRES.

WHEREAS, the City of Fontana received an application on July 8, 2019, for a Tentative Parcel Map and Design Review for the construction of a 193,433 square foot warehouse on approximately 8.9 adjusted gross acres.

Project Applicant: Black Creek Group
Christopher Sanford
4675 MacArthur Ct., Suite 625
Newport Beach, CA 92660

Project Location: Northeast corner of Cherry Avenue and Santa Ana Avenue
APN: 0236-122-11, -12; The project site is within the Slover Central Manufacturing District (SCD) of the Southwest Industrial Park (SWIP) Specific Plan.

Site Area: 8.9 adjusted gross acres

WHEREAS, all of the notices required by statute or the City Municipal Code have been given as required; and

WHEREAS, the Southwest Industrial Park (SWIP) Specific Plan includes approximately 3,111-acres, located within the southwestern portion of the City of Fontana within the County of San Bernardino, California; and

WHEREAS, the SWIP Specific Plan Update and Annexation Area site has been divided into a total of nine (9) districts, one (1) of which is the Slover Central Manufacturing District where the proposed warehouse building is located; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City determined that a Program Environmental Impact Report (FEIR) should be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the SWIP Specific Plan Update and Annexation Area; and

WHEREAS, the City prepared and certified the Final Program EIR (FEIR) on June 12, 2012 for the SWIP Specific Plan Update, consisting of comments received during the 45-day public review and comment period on the Draft FEIR, written responses to those

ATTACHMENT NO. 5
comments, and revisions and errata to the Draft FEIR. For the purposes of this Resolution, the “FEIR” shall refer to the Draft FEIR, as revised by the Final FEIR’s errata section, together with the other sections of the Final FEIR; and

WHEREAS, the SWIP Specific Plan Update was approved and adopted by the City of Fontana (City) on June 12, 2012 pursuant to the certified FEIR; and

WHEREAS, pursuant to CEQA, when taking subsequent discretionary actions in furtherance of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines Section 15162 require additional environmental review; and

WHEREAS, by way of preparation of an addendum for each project site, staff evaluated the proposed projects in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166, State CEQA Guidelines section 15162 and City of Fontana’s 2019 Local Guidelines for Implementing CEQA by preparing an Initial Study and accompanying technical reports (Addendum); and

WHEREAS, based on that evaluation, staff concluded that the FEIR fully analyzed and mitigated, where feasible, all potentially significant environmental impacts, if any, that would result from the Proposed Projects, and therefore, no subsequent EIR or mitigated negative declaration is required; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the FEIR; and

WHEREAS, the subject site includes two (2) parcels that were annexed from San Bernardino County into the City of Fontana on May 11, 1970 (Annex 040); and

WHEREAS, pursuant to the Slover Central Manufacturing District (SCD) of the Southwest Industrial Park Specific Plan, Table No. 9-2, a warehousing facility would be permitted, provided that all development standards are met; and

WHEREAS, pursuant to Section 30-280 of the Zoning & Development Code, Tentative Parcel Maps require approval by the Director of Community Development. When a project is processing multiple entitlements concurrently, if any one (1) of the entitlements requires Planning Commission approval, all entitlements for the project shall be heard by the Planning Commission; and

WHEREAS, pursuant to the Fontana Zoning and Development Code, industrial facilities of 50,000 square feet or more require approval of a Design Review by the Planning Commission; and

WHEREAS, Conditions of Approval have been prepared and are attached hereto as Exhibit “A” for Tentative Parcel Map No. 20144 (TPM No. 19-012) and as Exhibit “B” for Design Review No. 19-027 incorporated herein; 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, 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 February 7,
2020, posted at City Hall, and onsite at the project site; and

WHEREAS, on February 18, 2020, a duly noticed public hearing on Tentative
Parcel Map No. 20144 and Design Review No. 19-027 was held by the Planning
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 February 18,
2020; and

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

NOW, THEREFORE, the Planning Commission RESOLVES as follows:

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

Section 2. Compliance with California Environmental Quality Act. As the
approving body for the Project, the Planning Commission has reviewed and considered
the Southwest Industrial Park Specific Plan FEIR and Addendum, any oral or written
comments received, and the administrative record prior to making any decision on the
Proposed Project. The Planning Commission finds that the Addendum and SWIP FEIR
contain a complete and accurate reporting of all the environmental impacts associated
with the Project. The Planning Commission further finds that the Addendum has been
completed in compliance with the State CEQA Guidelines and Section 6.21 of the 2019
Local Guidelines for Implementing CEQA.

Section 3. Findings on the Necessity for a Subsequent or Supplemental
Environmental Impact Report. Based on the substantial evidence set forth in the record,
including but not limited to, the SWIP FEIR, the Addendum, and all related information
presented to the Planning Commission, the Commission finds an Addendum to the SWIP
FEIR is the appropriate document for the project.

The Planning Commission further finds that the preparation of a subsequent or
supplemental EIR is not required for the proposed Project because the Project:

A. will not result in substantial changes that would require major revisions of the SWIP
FEIR due to the involvement of new significant environmental effects or a
substantial increase in the severity of previously identified significant effects; and
B. will not result in substantial changes with respect to the circumstances under which the Proposed Project is developed that would require major revisions of the SWIP FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

C. does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the SWIP FEIR documents were certified showing any of the following:

(i) the proposed Project would have one or more significant effects not discussed in the EIR;

(ii) That significant effects previously examined would be substantially more severe than shown in the EIR;

(iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the lead agency declined to adopt such measures; and

(iv) that mitigation measures or alternatives considerably different from those analyzed would substantially reduce one or more significant effects on the environment, but which the lead agency declined to adopt.

Section 4. Findings on Environmental Impacts. Having considered the Addendum, the administrative record, the SWIP FEIR and all written and oral evidence presented to the Planning Commission, the Commission finds that all environmental impacts of the Project has been addressed within the SWIP FEIR and the Addendum. The Planning Commission finds that no new or additional mitigation measures or alternatives are required. The Planning Commission further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in any significant environmental impacts beyond those analyzed in the SWIP FEIR. The Planning Commission finds that the Addendum contains a complete, objective, and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment and analysis of the Planning Commission.

Section 5. Adoption of the Addendum to the SWIP FEIR. The Planning Commission hereby adopts the Addendum to the EIR for the Southwest Industrial Park Specific Plan Program Environmental Impact Report (SWIP PEIR) (SCH No. 2009091089) and Mitigation, Monitoring, and Reporting Program (MMRP) that have been prepared pursuant State CEQA Guidelines Sections 15162 and 15164 along with the City of Fontana’s 2019 Local Guidelines for Implementing CEQA.

Section 6. The City of Fontana Planning Commission hereby makes the following findings for Tentative Parcel Map No. 20144 (TPM No. 19-012) in accordance with Section No. 26-219(e) “Processing of application,” of the Fontana Subdivision Code:

Finding No. 1: The proposed parcel map is consistent with the City’s General Plan.
Finding of Fact: Tentative Parcel Map No. 20144 (TPM No. 19-012), is a request to consolidate two (2) parcels of approximately 8.9 adjusted gross acres, into one (1) parcel to allow for the development of an industrial warehouse. On Santa Ana Avenue along the project site frontage, 16 feet would be dedicated to the City for additional right-of-way. On Cherry Avenue along the project site frontage, there would be a 9-foot vacation. The 9 feet on Cherry Avenue is no longer needed because the street is developed to its ultimate width. The proposed parcels are located within the Slover Central Manufacturing District (SCD) of the Southwest Industrial Park Specific Plan (SWIP). The General Plan Land Use Designation on all the properties is General Industrial (I-G) which allows warehouses when they are designed in ways that limit off-site impacts. The project has been designed to limit off-site impacts by provided needed infrastructure improvements to the area such as ultimate street widening, lighting, and sidewalks.

Finding No. 2: The design and improvements of the proposed tentative parcel map is consistent with the General Plan.

Finding of Fact: The design of the proposed Tentative Parcel Map No. 20144 is consistent with the General Plan as mentioned in Finding No. 1. The proposed tentative parcel map would consolidate two (2) parcels into one (1) parcel on approximately 8.9 adjusted gross acres. As indicated in the Planning Commission staff report, the lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design Element, Community Mobility and Circulation Element, Subdivisions (Chapter No. 26), and SWIP Specific Plan. The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as zoning requirements. Improvements consist of public sewer, public storm drain, streets, gutter, sidewalks, drainage, and grading to provide a safe and well-designed project for the area.

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

Finding of Fact: The project site is approximately 8.9 adjusted gross acres and can accommodate the proposed warehouse, including building setbacks, parking, site circulation, landscaping, and access to and from the project site. The site will be consistent with surrounding industrial development and conform to the requirements in the Zoning and Development Code and the Slover Central Manufacturing District of SWIP.

Finding No. 4: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.
Finding of Fact: The design of the proposed parcel map is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The area surrounding the project site has been developed with trucking facilities, industrial, outside storage, and non-conforming residential uses.

An Addendum to the SWIP PEIR has been prepared for the proposed project. The aforementioned EIR adopted by the City Council on June 12, 2012 anticipated various types of warehouse uses. The proposed project does not represent significant changes to the approved SWIP PEIR relative to CEQA since it does not change the assumptions, analysis, conclusions, or mitigation. The components of the proposed project do not alter the EIR project's significance conclusions or represent significant new information. Additionally, the proposed project does result in new significant environmental effect nor does not lead to substantial increase in the severity of previously identified significant effects.

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

Finding of Fact: Tentative Parcel Map No. 20144 (TPM No. 19-012) will not cause serious public health problems. The proposed development complies with the Fontana City Codes, SWIP Specific Plan and General Plan. Improvements will be made on the project site that includes, access and site circulation, landscaping, building and site lighting, streets, sidewalks, drainage, connection to sewer and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

Finding No. 6: The design of the subdivision or the types of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Finding of Fact: The design of Tentative Parcel Map No. 20144 and public improvements will not conflict with access easements acquired by the public. The project site is accessed from Cherry Avenue and Santa Ana Avenue which are both publicly maintained streets. Currently, there are no other public access easements through or within the proposed project site.

Section 7: The City of Fontana's Planning Commission hereby makes the following findings for Design Review No. 19-027 in accordance with Section No. 30-120 "Findings for approval" of the City of Fontana's 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: This project, as proposed, is a request for the Planning Commission to review and approve the site and architectural design for the construction of a 193,433 square foot industrial warehouse with 10,000 square feet of office interior to the building on approximately 8.9 adjusted gross acres. A gate-secured truck court with 27 loading docks would be provided on the north side of the building. The building’s trash enclosures would be located inside the secured truck court area. 64 automobile parking spaces are distributed on the east and south sides of the building. Tubular steel fencing is proposed along the perimeters of the property.

The use of embellished architectural elements on the facades and pop outs create depth and interest, and glass entryways will add structural and visual interest to the building that conforms to the Design Guidelines in Section 9.9 of SWIP.

The project site’s zoning is designated as Slover Central Manufacturing District (SCD) of the SWIP. The SCD allows for Warehousing Facilities. The site and building design comply with the criteria contained in the design review section of the Fontana Zoning and Development Code and SWIP. 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 proposed General Plan Land Use Designation for the project site, because the proposed project is for a warehouse use, which is allowed in the General Industrial (I-G) 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 Designation and SWIP.

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 proposed project as identified and referenced in Finding No. 1, has been designed in a manner consistent with the Zoning and Development Code and SWIP design guidelines that results in a safe and desirable community. The applicable building codes, zoning codes, and fire codes, will make for a safe and well-designed project. The use of glazing, trellises and painted panels will add structural and visual interest to the building. Variations to the building and roof lines will be architecturally pleasing and consistent with surrounding
buildings.

The character of the surrounding neighborhood reflects some industrial uses consisting of industrial equipment yards, industrial warehouses, trucking and storage yards and non-conforming residential uses. The proposal has been designed to be compatible with the surrounding uses while also providing a development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

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 on site will use glazed windows, pop outs, reveals, decorative metal elements, and enhanced entryways to add structural and visual interest to the building. Additionally, variations to the building roofline are incorporated to add architectural interest. Tower elements along the corners of building will break up the massing and create a vibrant and aesthetically pleasing design.

In addition, the landscaping and trees along the public right-of-way will soften the elevations to create a more visually aesthetic streetscape. The project includes a 12-foot high screening wall in the truck dock area for screening/buffering the dock area from the public right of way. The surrounding neighborhood is currently developed with a combination of industrial, warehouse, outdoor storage, trucking, and non-conforming residential uses. Thus, the proposed warehouse that includes an articulated design, loading dock that is screened on the rear portion of the site, and additional landscaping will be an improvement to the site and 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 1 through 3 will result in the construction of a 193,433 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. The loading dock area is located in the interior of the site and there is sufficient stacking distance along all the driveways. All other proposed improvements such as landscaping, grading, drainage, sewer, road widening, lighting, etc. will result in a safe and well-designed facility.
**Section 8.** Based on the foregoing, the City of Fontana’s Planning Commission hereby approves Tentative Parcel Map No. 20144 (TPM No. 19-012) and approves Design Review No. 19-027 subject to the findings listed in Sections No. 6 and No. 7 and the Conditions of Approval listed under Exhibit “A” and Exhibit “B”, respectively.

**Section 9.** Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Community Development Department—Planning Division, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

**Section 10.** 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 18th day of February 2020.

City of Fontana

__________________________
Daniel Quiroga, Chairperson

**ATTEST:**

I, Angela Garcia, 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 18th day of February 2020, by the following vote, to-wit:

**AYES:**
**NOES:**
**ABSENT:**
**ABSTAIN:**

__________________________
Angela Garcia, Secretary
EXHIBIT “A”

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 19-079
Tentative Parcel Map No. 20144 (TPM No. 19-012)

LOCATION: Northeast corner of Cherry Ave and Santa Ana Ave
(APN: 0236-122-11, and -12)

PLANNING DIVISION:

1. The approval is for Tentative Parcel Map No. 20144 a request to consolidate two (2) parcels into one (1) parcel on approximately 8.9 adjusted gross acres for development of an industrial warehouse building, as approved by the Planning Commission on February 18, 2020, and as shown in Attachment No. 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. The applicant/developer shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

4. This tentative parcel map shall comply with all applicable development standards of Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development), SWIP Specific Plan, and the Subdivision Map Act.

5. 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.

6. The applicant/developer shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Community Development. A note to this effect shall be placed on the map prior to recordation of the final map.

7. This tentative parcel map 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.

8. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum (SCH No. 2009091089) Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission on February 18, 2020.

9. After the fifteen (15) day appeal period, the applicant/developer shall remove the notice of filing sign from the project site. The applicant may request a refund of the sign deposit by submitting a written request to the Planning Division.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

10. Prior to issuance of grading permits, the applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to
control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.

11. All 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.

ENGINEERING DEPARTMENT:

12. 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.

13. 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.

14. 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.

15. Project streets fronting Cherry Ave shall be right in/out with no median breaks provided.

PRIOR TO ISSUANCE OF GRADING PERMIT


PRIOR TO MAP RECORDATION

17. 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.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

18. The applicant shall record any maps required for the development.

19. 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
20. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.

21. 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).

22. 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.

23. 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 (BMP) Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

**FIRE DEPARTMENT:**

24. 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.

25. 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 (In south east corner of parking lot, fire department access lane shall not exceed 159’ in length).

26. 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.
27. **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. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways and within 300 feet of all portions of the building. The Fire Flow for this project shall be: 3000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a maximum 190,000 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.

28. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.

29. **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.

30. **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.

31. **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.

32. **Commercial (large facility) Addressing.** Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1½) 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.

33. **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.

34. **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.*

35. **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*

36. **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*

**BUILDING & SAFETY:**

37. Any temporary building, trailer, commercial coach, etc. installed and/or used in
connection with a construction project shall comply with City Code.

38. 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.

39. All lot lines, easement lines, etc. shall 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.

40. The Parcel map shall record prior to the issuance of any building construction permits.

41. **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.

42. 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

43. 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

44. The existing parcels shall be combined into a single parcel 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.

END OF CONDITIONS
EXHIBIT “B”

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT:  Design Review Project No. 19-027
           Master Case No. 19-079

LOCATION:  Northeast corner of Cherry Ave and Santa Ana Ave
           (APN: 0236-122-11, and -12)

PLANNING DIVISION:

1. This approval is for Design Review No. 19-027, a request for site and architectural
   review for the development of a 193,433 square foot industrial warehouse on
   approximately 8.9 adjusted gross acres, as approved by the Planning Commission
   on February 18, 2020 and as shown in Attachment No. 2 and Attachment No. 4 in
   the accompanying staff report.

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 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;
   B. All other Conditions of Approval imposed by this project have been fulfilled.

3. In the event that one or more of the Conditions of Approval for this project needs to
   be amended and/or deleted due to health, safety or welfare concerns, the City
   Manager is authorized to approve or conditionally approve such
   amendment/deletion, provided that City manager shall bring such proposed
   amendment/deletion to the City Council at the next available meeting for City Council
   ratification, but in no event later than sixty (60) days following the City Manager’s
   decision. The noticing of such City Council meeting for possible ratification shall be
   pursuant to Section No. 30-30 and Section No. 30-31 of the Municipal Code.

4. 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 California Environmental Quality Act (CEQA) actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

5. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.

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. 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.

8. 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 Community Development. The Director of Community Development may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
9. 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.

10. This project will comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code and the Slover Central Manufacturing District of the Southwest Industrial Park Specific Plan.

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. Prior to issuance of grading permits, 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.

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 Director of Community Development.

17. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Community Development or his/her designee.

18. The transformer 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 Division.
20. The applicant/developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 2009091089) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission on February 18, 2020.

21. The current Development fees, service fees and Planning Division final inspection fee must be paid prior to issuance of certificate of occupancy.

22. The applicant/developer shall be required to coordinate with adjacent property owners to ensure that the project site is secured by walls and/or tubular steel fencing that is a minimum of eight (8) feet in height and placed on the shared property line. Chain link fencing shall not be permitted.

ENGINEERING DEPARTMENT:

23. 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.

24. 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.

25. 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.

26. Project streets fronting Cherry Ave shall be right in/out with no median breaks.

PRIOR TO ISSUANCE OF GRADING PERMIT

27. 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 MAP RECORDATION

28. 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.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

29. The applicant shall record any maps required for the development.

30. 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

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

32. 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).

33. 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.

34. 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 (BMP) Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

FIRE DEPARTMENT:

35. 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.

36. 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 (In south east corner of parking lot, fire department access lane shall not exceed 159’ in length).

37. 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.
38. **Water System Commercial.** Prior to map recodertion, 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. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways and within 300 feet of all portions of the building. The Fire Flow for this project shall be: 3000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a maximum 190,000 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.

39. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.

40. **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.

41. **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.

42. **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.

43. **Commercial (large facility) Addressing.** Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 1/2) 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.

44. **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.

45. **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.

46. **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*

47. **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*

**BUILDING & SAFETY:**

48. 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*

49. 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.

50. The requirements of the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

51. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.

52. 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.

53. All lot lines, easement lines, etc. shall 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.

54. The Parcel map shall record prior to the issuance of any permits.

55. 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.);
   2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.);
   3. All proposed drainage structures;
   4. Any proposed and/or required walls or fencing.

56. All signs shall be Underwriters Laboratories approved, or equal.
57. 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

58. 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

59. 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.

60. The existing parcels shall be combined 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.

POLICE DEPARTMENT:

61. To assist in mitigating for the high graffiti concern, the use of concrete block screen walls shall be at a minimum. For the overall security of the site, tubular steel view fencing with pilasters is recommended in all other areas where concrete block screen walls are not required.
   A. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.

62. Incorporate hostile landscape (prickly or thorny shrubbery) into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.

63. 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.

64. Adhere to the Standard Building Security Specifications of the Fontana Police
Department.

END OF CONDITIONS OF APPROVAL
NOTICE OF DETERMINATION

TO: X County Clerk, County of San Bernardino

__ Office of Planning and Research

FROM: City of Fontana Planning Division 8353 Sierra Avenue Fontana, CA 92335

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title: Master Case No. 19-079; Tentative Parcel Map No.20144; Design Review No. 19-027

State Clearinghouse Number: 2009091089

Project Location: Northeast corner of Cherry Ave & Santa Ana Ave; APN’s: 0236-122-11, -12

Project Description: Tentative Parcel Map to consolidate two (2) parcels into one (1) parcel of approximately 8.9 adjusted gross acres and a design review to construct an industrial warehouse building totaling approximately 193,433 square feet. In addition, an Addendum to the Southwest Industrial Park Specific Plan (SWIP) Environmental Impact Report.

This is to certify that the City of Fontana approved the above described project on February 18, 2020, and made the following determinations:

1. The project will not have a significant effect on the environment.

2. The SWIP Environmental Impact Report (EIR) was previously prepared and certified. The SWIP EIR thoroughly analyzed and discussed all potential environmental impacts. None of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent EIR or MND have occurred. Additionally, this action does not include any additional impacts beyond those impacts already disclosed in the previous EIR and no further environmental review is required.

3. Mitigation measures were made a condition of the approval of the project.

4. A Statement of Overriding Considerations was not adopted for this project.

5. Findings were made pursuant to the provisions of CEQA.

The Addendum to the SWIP EIR is available to the General Public at:
City of Fontana
8353 Sierra Avenue
Fontana, CA 92335

The Addendum is also on the city’s website at https://www.fontana.org/2137/Environmental-Documents

Signature (Public Agency): ___________________________ Date: ________________
Orlando Hernandez, Planning Manager

Date Received for Filing: ________________

ATTACHMENT NO. 6
NOTICE OF PUBLIC HEARING

SI DESEA INFORMACION EN ESPAÑOL REFERENTE A ESTA NOTIFICACION O PROYECTO, FAVOR DE COMUNICARSE AL (909) 350-6728.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

Master Case No. 19-079; Tentative Parcel Map No. 20144 (TPM19-012); Design Review No. 19-027

A request by the project applicant, Christopher Sanford with Black Creek Group, requesting that the Planning Commission review and approve a design review for a new warehouse facility of approximately 193,433 square feet with 183,433 square feet of warehouse space and 10,000 square feet of office space. The project includes a Tentative Parcel Map to consolidate two (2) parcels into one (1) parcel. The project will include improvements on Cherry Avenue and Santa Ana Avenue.

Environmental Determination: An Addendum to the Southwest Industrial Park Specific Plan Final Program Environmental Impact Report (SWIP FEIR) (SCH NO. 2009091089) has been prepared for this project pursuant to Section 15164 of the California Environmental Quality Act (CEQA) guidelines and the 2019 Local Guidelines for Implementing CEQA. The SWIP FEIR anticipated this type of project and adequately identified any potential impacts and provided the necessary mitigation measures. The Addendum determined there are no new additional impacts beyond what was anticipated in the SWIP FEIR. The project is not anticipated to have a significant effect on the environment. A Notice of Determination has been prepared for the Planning Commission’s consideration.

Location of Property: Northeast corner of Cherry Ave & Santa Ana Ave
APN's: 0236-122-11, -12

Date of Hearing: February 18, 2020

Place of Hearing: City Hall Council Chambers
8353 Sierra Avenue
Fontana, CA 92335

Time of Hearing: 6:00 pm

Should you have any questions concerning this project, please contact Brett Hamilton, Associate Planner, at (909) 350-6656 or by email at bhamilton@fontana.org

ANY INTERESTED PARTY MAY APPEAR AND PRESENT ANY INFORMATION WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION IN THE PLANNING DIVISION, CITY HALL.

IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.
FROM: Community Development Department

SUBJECT: Master Case No. 19-036; Specific Plan Amendment No. 19-004; Conditional Use Permit No. 19-015; Administrative Site Plan No. 19-024 - Specific Plan Amendment is a request to amend the Southwest Industrial Park Specific Plan to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products within the Speedway Industrial District (FID); the Conditional Use Permit is a request to operate the outdoor storage of finished concrete products; and, the Administrative Site Plan is a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.

RECOMMENDATION:

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-______, and forward a recommendation to the City Council to:

1. Adopt the Negative Declaration (ND) and direct staff to file a Notice of Determination; and,
2. Adopt an Ordinance approving Specific Plan Amendment No. 19-004; and,
3. Adopt a Resolution approving Conditional Use Permit No. 19-015 and approving Administrative Site Plan No. 19-024

APPLICANT:
Thatcher Engineering
Vicky Valenzuela
1461 Ford Street, Suite 105
Redlands, CA 92373

LOCATION:
The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

REQUEST:
A request for the Planning Commission to forward a recommendation of approval to the City Council for the following:

1. Specific Plan Amendment No. 19-004, a request to amend the Southwest Industrial Park Specific Plan to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products within the Speedway Industrial District (FID).
2. Conditional Use Permit No. 19-015, a request to operate the outdoor storage of finished concrete products.
3. Administrative Site Plan No. 19-024 a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.

PROJECT PLANNER:
Dawn Rowe
Senior Planner

DISCUSSION:
See attached staff report for additional information.

FISCAL IMPACT:
None.

MOTION:
Approve staff recommendation.

REVIEWED BY:  APPROVED BY:

Orlando Hernandez  Zai AbuBakar
Planning Manager  Director of Community Development

ATTACHMENTS:

<table>
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<td>Staff Report and Attachments 1-7</td>
<td>Backup Material</td>
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ITEM: PH-C
Staff Report to the Planning Commission

PLACEMENT: Public Hearing

APPLICATION: Master Case No. 19-036
Specific Plan Amendment No. 19-004
Conditional Use Permit No. 19-015
Administrative Site Plan No. 19-024

DATE: February 18, 2020

APPLICANT: Thatcher Engineering
Vicky Valenzuela
1461 Ford Street, Ste. 105
Redlands, CA 92373

LOCATION: The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

REQUEST: A request for the Planning Commission to forward a recommendation of approval to the City Council for the following:

1) Specific Plan Amendment No. 19-004, a request to amend the Southwest Industrial Park Specific Plan to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products within the Speedway Industrial District (FID).

2) Conditional Use Permit No. 19-015, a request to operate the outdoor storage of finished concrete products.

3) Administrative Site Plan No. 19-024 a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.

PROJECT PLANNER: Dawn Rowe, Senior Planner
I. **BACKGROUND INFORMATION:**

A. **Existing Land Use Designation:**

<table>
<thead>
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<th>General Plan</th>
<th>Zoning</th>
<th>Existing Land Use</th>
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<td>Site:</td>
<td>Light Industrial (I-L)</td>
<td>Speedway Industrial District (SID)/SWIP</td>
<td>Vacant</td>
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<td>General Industrial (I-G)</td>
<td>General Industrial (M-2)</td>
<td>Industrial Uses (Jensen Pre-Cast)</td>
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<td>Speedway Industrial District (SID)/SWIP</td>
<td>Truck Fueling Station</td>
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<td>Light Industrial (I-L)</td>
<td>Speedway Industrial District (SID)/SWIP</td>
<td>Trucking Business</td>
</tr>
<tr>
<td>West:</td>
<td>Light Industrial (I-L)</td>
<td>Speedway Industrial District (SID)/SWIP</td>
<td>Trucking Business</td>
</tr>
</tbody>
</table>

B. **Previous Approvals/Special Circumstances:**

- On May 11, 1970, the City of Fontana annexed the project area from the County of San Bernardino.

- On July 17, 1979, the City Council adopted the Southwest Industrial Specific Plan.

- On May 8, 2012, the City Council adopted the Southwest Industrial Specific Plan Update, expanding the area of the specific plan, introducing new land use districts, modernizing the list of permitted and conditionally permitted uses, and revising development standards.

- On May 26, 2015, the City Council approved an amendment to the Speedway Industrial District (SID) to allow the outdoor storage of construction equipment, materials and special event apparatus as a conditional use permit.

- On February 28, 2017, the City Council approved an amendment to the Southwest Industrial Park Specific Plan (SWIP), to replace all references to "slag and/or gravel" with "asphalt and/or concrete" in the entire SWIP area.

II. **PROJECT DESCRIPTION:**

A. **Site Area:**

Approximately 9.5 adjusted gross acres

B. **Building/Unit Analysis:**

Office Building—Approximately 597 square feet
C. **Parking Analysis:**

   Office       Required: 3 spaces  
   Provided: 49 spaces

D. **Landscaping:**

   Minimum Required: 15 percent  
   Proposed: 15 percent

III. **ANALYSIS:**

The applicant, Vicky Valenzuela, representing the owner, is requesting that the Planning Commission recommend approval to the City Council for an amendment to the Southwest Industrial Park Specific Plan (SWIP) in the Speedway Industrial District (SID), to allow for slag, gravel, or other similar dustproof surfacing material for outdoor storage. The project is located on the west side of Almond Avenue, north of Valley Boulevard. The project includes a Specific Plan Amendment text change to allow for surfacing material that would accommodate large-scale concrete finished products, a Conditional Use Permit to allow for the use of outdoor storage, and an Administrative Site Plan that includes site and architectural review of an approximate 597 square foot office building with a 262,973 square foot outdoor storage area, to be located on approximately 9.5 adjusted gross acres.

**Specific Plan Amendment:**

The project site is located within the Speedway Industrial District (SID) of the Southwest Industrial Park Specific Plan (SWIP). In 2017, the City of Fontana adopted an ordinance to regulate, develop standards and conditionally permit pallet yards in certain land use districts in SWIP. As part of the adopted ordinance, all references to slag and/or gravel surfacing material in the SWIP development standards was removed and replaced with “asphalt and/or concrete.” The staff report supporting this revision to the development standards states “Thus, requiring asphalt/concrete versus slag/gravel, which is considered a more durable product, for future development projects within SWIP, would improve the aesthetic standards for the City.”

The owner of the project is Jensen’s PreCast Concrete Manufacturing. The proposal is to use this site as an outdoor storage facility for finished concrete products that are produced on an adjacent site. The nature of business for Jensen’s Pre-Cast is the manufacturing of utility vaults that weigh an average of 20-30 tons each. The applicant maintains that if the vaults are stored on a paved surface required by the code, such as asphalt or concrete, then unequal load bearing will occur that will compromise the integrity of the product, which in turn will cause structural cracks to the product. However, the use of slag or gravel for surfacing material will compress to the shape of the product being stored, which will prevent structural cracks from occurring. For this reason, the applicant is requesting an amendment to the Speedway Industrial District (SID) to add additional text that will include the allowance of using slag and/or gravel surfacing material to outdoor storage areas for operations that store heavy duty products.
Conditional Use Permit:

The specific plan allows the proposed use of outdoor storage with the review and approval of a Conditional Use Permit. The Zoning and Development Code states the following regarding conditional use permits:

"The City recognizes that certain types of land uses require individual review by the Planning Commission to determine whether the type of use proposed, or the location of the use, is compatible with, or can be compatible with surrounding land uses."

The site is surrounded by industrial related uses mainly trucking terminals and yards. The operational characteristics of the requested use will not create any conflicts with existing land uses. Additionally, the project will be conditioned not to be used as a registered vehicle storage and/or truck, trailer storage yard.

Administrative Site Plan:

The proposed project is a request to develop a 9.5 adjusted gross acre site to establish an outdoor storage facility for Jensen Precast Concrete Manufacturer. The proposed site improvements include constructing an approximate 597 square foot office building that will include an office, storage room, and two restrooms. The construction of a 49-space paved parking lot is proposed to accommodate additional employee parking for the existing Jensen Precast facility located directly north of the project site, and the balance of the property is proposed to be utilized as an outdoor storage facility for finished concrete products. All product proposed to be stored onsite is non-flammable and will be screened behind an eight-foot (8') high block wall. The northerly driveway will provide primary access into the site, and the southerly driveway has been accommodated to provide for emergency access only.

The building is proposed with a modern type of architecture. The office area provides an aluminum storefront glazing system with insulating glass. The building also includes steel-framed cantilevered canopies that provide additional aesthetic features.

The project site is physically suitable in size and shape to support the development of the proposed business. The applicable building codes, zoning codes, and fire codes and standards, will make for a safe, attractive, and well-designed project. As proposed and with the approval of the specific plan amendment, the project is consistent with the standards of the SWIP specific plan and Fontana City Code. The character of the surrounding neighborhood reflects industrial uses consisting primarily of trucking related businesses. The proposal has been designed to be compatible with the surrounding uses while also providing a development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

Environmental:

An Initial Study (IS) and a Negative Declaration has been prepared for this project pursuant to the California Environmental Quality Act (CEQA), and Section 6.16 of the City of Fontana’s 2019 Local CEQA Guidelines for Implementing CEQA. Based on the information in the IS/ND,
the project could not have a significant effect on the environment. A Notice of Determination has been prepared for the Planning Commission’s consideration and recommendation to the City Council.

IV. RECOMMENDATION:

Based on the information contained within this staff report, and subject to the attached findings and Conditions of Approval, staff recommends that the Planning Commission adopt Resolution PC No. 2020-____, and forward a recommendation to the City Council to:

1. Adopt the Negative Declaration (ND) and direct staff to file a Notice of Determination; and,

2. Adopt an Ordinance approving Specific Plan Amendment No. 19-004; and,

3. Adopt a Resolution approving Conditional Use Permit No. 19-015 and approving Administrative Site Plan No. 19-024

Project Planner: Dawn Rowe
Senior Planner

Reviewed by: Orlando Hernandez
Planning Manager

Approved by: Zai AbuBakar
Director of Community Development

Attachments:
1. Vicinity Map
2. Site Plan
3. Elevations
4. PC Resolution, Findings and Conditions of Approval
5. Negative Declaration
6. Notice of Determination
7. Notice of Intent to Adopt a Negative Declaration and Notice of Public Hearing

Under Separate Cover:
1. Full Size Plans
2. 11"x17" color plans
3. Specific Plan Amendment
SITE PLAN

DATE: February 18, 2020

CASE: Master Case No. 19-036
Specific Plan Amendment No. 19-004
Conditional Use Permit No. 19-015
Administrative Site Plan No. 19-024
Regular Planning Commission Meeting - February 18, 2020

DATE: February 18, 2020

CASE: Master Case No. 19-036
Specific Plan Amendment No. 19-004
Conditional Use Permit No. 19-015
Administrative Site Plan No. 19-024

CITY OF FONTANA
PLANNING DIVISION

ELEVATIONS

ATTACHMENT NO. 3
RESOLUTION PC NO. 2020-____


WHEREAS, the City of Fontana received an application on March 19, 2019, for a Specific Plan Amendment No. 19-004 (SPA No. 19-004) Conditional Use Permit No. 19-015, and Administrative Site Plan No. 19-024 to establish a new office building and outdoor storage facility on one (1) parcel (APN: 0234-061-04) on approximately 9.5 gross adjusted gross acres.

Project Applicant: Thatcher Engineering
P.O. Box 670
1156 N. Mountain Avenue
Upland, CA 91786

Project Location: The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

Site Area: 9.5 adjusted gross acres

WHEREAS, all of the notices required by statute or the City Municipal Code have been given as required; and

WHEREAS, the subject site includes one (1) parcel (APN: 0234-061-04) that was annexed from San Bernardino County into the City of Fontana on December 22, 1983; and

WHEREAS, pursuant to the California Environmental Act (CEQA) and the 2019 Local Guidelines for Implementing CEQA, an Initial Study, and Negative Declaration was prepared and concluded that no significant impacts would be caused by the project; and

WHEREAS, pursuant to the Speedway Industrial District of the Southwest Industrial Specific Plan the outdoor storage area is allowed with the approval of a Conditional Use Permit; and

WHEREAS, pursuant to the Fontana Zoning and Development Code and the Southwest Industrial Specific Plan, office buildings under 24,999 square feet require approval of an Administrative Site Plan that is required to be approved by the Planning

ATTACHMENT NO. 4
Resolution PC No. 2020-______

Commission since it is a companion application to the Specific Plan Amendment No. 19-004 and CUP 19-015; and

WHEREAS, on February 18, 2020, the Planning Commission received public testimony and considered Specific Plan Amendment No. 19-004 (SPA No. 19-004), Conditional Use Permit No. 19-015 (CUP 19-015) and Administrative Site Plan No. 19-024 ASP No. 19-024); and,

WHEREAS, Specific Plan Amendment No. 19-004, Conditional Use Permit No. 19-015 and Administrative Site Plan No. 19-024, are in compliance with the General Plan and the Southwest Industrial Park Specific Plan; and,

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

WHEREAS, Conditions of Approval have been prepared and are attached hereto as Exhibit “A” for Conditional Use Permit and Exhibit “B” for Administrative Site Plan; 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 Sun Telegram newspaper on January 30, 2020, posted at City Hall and at the project site; and

WHEREAS, the Commission carefully considered all information pertaining to the proposed project, including the staff report, findings, and all the information, evidence, and testimony presented at its public hearing on February 18, 2020; and

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

NOW, THEREFORE, the Planning Commission RESOLVES as follows:

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

Section 2. Compliance with California Environmental Quality Act. As recommendation to the decision-making body for the Project, the Planning Commission has reviewed and considered the Negative Declaration, any oral or written comments received, and the administrative record prior to making any recommendation to the City Council on the proposed project. The Planning Commission finds that the Initial Study/ Negative Declaration contain a complete and accurate reporting of all the environmental impacts associated with the Project. The Planning Commission further finds that the Negative Declaration has been completed in compliance with the State CEQA Guidelines and the 2019 Local Guidelines for Implementing CEQA.

Section 3. The City of Fontana’s Planning Commission hereby makes the following findings for Conditional Use Permit No. 19-015 in accordance with Section No.
30-150 “Findings for approval of Conditional Use Permit” 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 consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan. The project site is located within the Speedway Industrial District, which allows for the proposed use with approval of a Conditional Use Permit.

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 and the Freeway Industrial District of the Southwest Industrial Park Specific Plan. This facility will be built pursuant to all applicable building, zoning, and fire codes and standards. The project includes streets improvements and sidewalks, grading, drainage, and perimeter walls to provide a safe and well-designed facility.

There are two (2) proposed driveways on Almond Avenue. The northerly driveway is designed to accommodate passenger vehicle traffic and service vehicle as necessary. An additional Emergency Vehicle Access (EVA) driveway is also provided on the southerly portion of Almond Avenue to allow for appropriate emergency access. The EVA driveway will be constructed of tuff-block with an emergency roll-over curb. 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 project. The applicable building codes, zoning codes, and fire codes and standards, will make for a well-designed project. As proposed, the project is consistent with the standards of the Zoning and Development Code and specifically the Speedway Industrial District of the Southwest Specific Plan Specific Plan. The proposal has been designed to be compatible with the surrounding uses.
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, property. The on-site circulation is adequate. All drive aisle widths meet both the Zoning and Development Code and Fontana Fire Prevention District minimums for access. The site will be accessed from the northerly driveway on Almond Avenue. An additional Emergency Vehicle Access (EVA) driveway is also provided on Almond Avenue to allow for appropriate emergency access. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and Fontana Fire Prevention for site circulation, access, and safety. Almond Avenue is classified as an Industrial Collector Street within the City’s General Plan, Community, Mobility, and Circulation Element. Additionally, adequate utilities and services exist on-site and off-site. Furthermore, an Initial Study was prepared in compliance with the State CEQA Guidelines and the 2019 Local Guidelines for Implementing CEQA and the Initial Study recommends the adoption of the Negative Declaration.

Section 3. The City of Fontana’s, Planning Commission hereby makes the following findings for Administrative Site Plan No. 19-024 in accordance with Section 30-081 “Findings for Approval” of the Fontana Zoning and Development Code:

Finding No. 1: This proposal meets or exceeds the criteria contained in Section 30-81 of the Municipal Code and will result in an appropriate and desirable development.

Findings of Fact: This project, as proposed, is a request for the Planning Commission to review and forward a recommendation to the City Council to approve site and architectural design for the proposed 597 square foot office building, with an approximate 262,973 square foot outdoor storage area. This project meets or exceeds the criteria contained in the Administrative Site Plan section of the Zoning and Development Code and the requirements of the Southwest Industrial Specific Plan.

The project site is physically suitable in size and shape to support the development of the proposed business. The applicable building codes, zoning codes, and fire codes and standards, will make for a safe, attractive, and well-designed project. As proposed and with the approval of the specific plan amendment, the project is consistent with the standards of the SWIP specific plan and Fontana City Code.
The character of the surrounding neighborhood reflects industrial uses consisting primarily of trucking related businesses. The proposal has been designed to be compatible with the surrounding uses while also providing a development that has been designed with features (architectural relief, added landscaping, street improvements, and lighting), to enhance the character of the surrounding neighborhood.

Finding No. 2: The proposal is in its design and appearance is aesthetically and architecturally pleasing while enhancing the character of the surrounding neighborhood.

Findings of Fact: The proposed project as identified and referenced in Finding No. 1, has been determined to be aesthetically and architecturally compatible with the neighborhood. The building is proposed with a modern type of architecture. The office area provides an aluminum storefront glazing system with insulating glass. The building also includes steel-framed cantilevered canopies that provide additional aesthetic features. The proposed development will enhance the character of the surrounding area.

Finding No. 3: The site improvements are appropriate and will result in a safe, well designed facility.

Findings of Fact: The proposed development will result in much needed and appropriate improvements, not only for the project site, but the surrounding area as well. The project includes streets, sidewalks, drainage, grading, and perimeter walls to provide a safe and well-designed neighborhood. The proposed project has been reviewed by Planning, Engineering, Building and Safety, and County Fire Prevention for site circulation, access, and safety. The proposed project identified in Finding No. 1, meets or exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

Finding No. 4: The proposal is consistent with the General Plan

Findings of Fact: The project as described in Finding No. 1, is consistent with the General Plan designation for the project site which is General Industrial (I-G). The General Plan, which sets the framework for the City of Fontana is a document that provides the overall policies for development within the community and does not specifically regulate development standards. Furthermore, Land Use Element Goal No. 2, of the 2018 City of Fontana General Plan states that “Fontana development patterns support a high quality of life and economic prosperity” (page 15.34). The proposed office building and outdoor storage area are consistent with the City’s General Plan and the City of Fontana development standards, as well as the Southwest
Industrial Park Specific Plan, as set forth by Goal No. 7, which states that "public and private development meets high design standards" (page 15.40). Therefore, the proposed project is consistent with the General Plan.

Section 3. The Planning Commission has reviewed and considered the Initial Study/ Negative Declaration, any oral or written comments received, and the administrative record prior to making any decision on the proposed project. The Planning Commission finds that the Negative Declaration contains a complete and accurate reporting of all the environmental impacts associated with the Project. The Planning Commission further finds that the Negative Declaration has been completed in compliance with the 2019 Local Guidelines for Implementing CEQA and the State CEQA Guidelines.

Section 4. Based on the foregoing, the City of Fontana Planning Commission recommends that the City Council adopts a resolution adopting the Initial Study/ Negative Declaration and direct staff to file the Notice of Determination and approving Specific Plan Amendment No. 19-004, approving Conditional Use Permit No. 19-015, and approving Administrative Site Plan No. 19-024 and subject to the findings as indicated herein and the Conditions of Approval as attached in Exhibit "A" and Exhibit "B".

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 Community Development Department – Planning Division, 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 18th day of February 2020.

City of Fontana

Daniel Quiroga, Chairperson

ATTEST:

I, Angela Garcia, 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 18th day of February 2020, by the following vote, to-wit:
AYES:
NOES:
ABSENT:
ABSTAIN:

Angela Garcia, Secretary
Exhibit “A”

PROJECT: Master Case No. 19-036
Conditional Use Permit No. 19-015

DATE: February 18, 2020

LOCATION: The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

PLANNING DIVISION:

1. Conditional Use Permit No. 19-015 is a request to operate an outdoor storage area of finished concrete product on one parcel (APN: 0234—61-04) on approximately 9.5 adjusted gross acres.

2. 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.

3. The applicant shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Community Development. A note to this effect shall be placed on the map prior to recordation of the final map.

4. There shall be no combination wall over three (3) feet retaining wall and six (6) feet freestanding; the maximum height of any combination shall not exceed nine (9) feet.

5. Solid masonry walls of a minimum of six feet in height measured from finished grade shall have a decorative cap and shall be required at all interior, rear and side property lines.

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. A Register of Professional Archaeologists (RPA)-qualified archeologist experienced with Native American artifact identification and approved by the City of Fontana shall be present to monitor the first two (2) days of site preparation/ grubbing; the first two (2) days of mass grading; and the first two (2) days of utility trenching. Such monitoring activities may be reduced or terminated depending on the findings and recommendations of the archeologist. In the event that prehistoric or historic cultural resources be uncovered during these activities, representatives of the tribal entity(s) whom consider the project site to be within their traditional use area shall be contacted and invited to the site to review the find, and monitoring shall be continued at the discretion of archeologist.

8. The applicant shall remove the notice boards after the item has been approved and the 15-day appeal period has lapsed. The date in which the boards shall be removed is Wednesday March 4, 2020, so be it that there has not been an appeal filed with the City of Fontana Planning Division.
9. 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.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:

10. A Planning Division final inspection fee shall be paid prior to issuance of the Certificate of Occupancy for Industrial and Commercial Developments.

11. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

12. Fire department access roads throughout shall be a solid surface capable of supporting fire department equipment such as pavement or concrete.

END OF CONDITIONS OF APPROVAL
EXHIBIT “B”

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. 19-036
Administrative Site Plan No. 19-024

DATE: February 18, 2020

LOCATION: The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

PLANNING DIVISION:

1. Administrative Site Plan No. 19-024 a request for the site and architectural review for a new office building of approximately 597 square feet located on approximately 9.5 adjusted gross acres.

2. This Administrative Site Plan shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.

3. 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.

4. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Zoning and Development Code.

5. Any foam treatment used for architecture treatments and/or projections located on the first floor shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Community Development.

6. 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.

7. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions, signed by the property owner or legal representative, shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.

8. The current development fees must be paid prior to issuance of building/construction permits.

9. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager’s decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-30 and Sections No. 30-31 of the Municipal Code.
10. A Register of Professional Archæologists (RPA)-qualified archæologist experienced with Native American artifact identification and approved by the City of Fontana shall be present to monitor the first two (2) days of site preparation/ grubbing; the first two (2) days of mass grading; and the first two (2) days of utility trenching. Such monitoring activities may be reduced or terminated depending on the findings and recommendations of the archæologist. If prehistoric or historic cultural resources be uncovered during these activities, representatives of the tribal entity(s) whom consider the project site to be within their traditional use area shall be contacted and invited to the site to review the find, and monitoring shall be continued at the discretion of archæologist.

PRIOR TO CERTIFICATE OF OCCUPANCY

11. The applicant shall have fully provided, constructed, or otherwise meet all Planning Division’s requirements per approved plans, and shall have addressed all punch list items to the satisfaction of the Director of Community Development.

12. The applicant shall remove the notice boards after the item has been approved and the 15-day appeal period has lapsed. The date in which the boards shall be removed is Wednesday, March 4, 2020, so be it that there has not been an appeal filed with the City of Fontana Planning Division.

POLICE DEPARTMENT:

13. The Standard Building Security Specifications of the Fontana Police Department shall be adhered to.

14. To discourage graffit i, apply an anti-graffiti coating to all block walls on-site.

ENGINEERING LAND DEVELOPMENT

15. Proposed On-site septic system must be reviewed and Approved by the Santa Ana Regional Water Quality Board. A copy of such approvals must be provided to the City at time of plan submittal.

16. 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.

PRIOR TO ISSUANCE OF GRADING PERMIT

17. Applicant shall submit and gain approval of a complete WQMP Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

PRIOR TO MAP RECORDATION
18. 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.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

19. Record easement required for the development.

20. 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

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

22. 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).

23. 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 BMP Completion must be submitted to the City Project Engineer.

BUILDING & SAFETY:

24. 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

25. 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.

26. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.

27. All perimeter/boundary walls shall be designed and constructed so that the outer/outer face of the wall is as close as possible to the lot line. In any case, the outer/outer 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.

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

   H. 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.,
Regular Planning Commission Meeting - February 18, 2020

Resolution PC No. 2020-_____

   type of pavement, plant material, etc.); and
3. All proposed drainage structures; and
4. Any proposed and/or required walls or fencing.

24. Permits are required prior to the removal and/or demolition of structures.

25. 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

26. The following items shall be completed and/or submitted to Building & Safety – 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

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

27. Fire department access roads throughout shall be a solid surface capable of supporting fire department equipment such as pavement or concrete.

END OF CONDITIONS OF APPROVAL
## NEGATIVE DECLARATION

<table>
<thead>
<tr>
<th></th>
<th>Name or description of project:</th>
<th>MCN 19-036, SPA 19-004, CUP 19-015 and ASP 19-024 of the Southwest Industrial Park Specific Plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Location:</td>
<td>The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.</td>
</tr>
</tbody>
</table>

### 3. Entity or Person undertaking project:

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<thead>
<tr>
<th></th>
<th>City of Fontana</th>
<th>X</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Community Development Department</td>
<td>A</td>
</tr>
<tr>
<td>(1)</td>
<td>Name: Dawn Rowe, Senior Planner</td>
<td></td>
</tr>
<tr>
<td>(2)</td>
<td>Address: 8353 Sierra Avenue, Fontana, California 92335</td>
<td></td>
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</tbody>
</table>

The Planning Commission, having reviewed the Initial Study of this proposed project and having reviewed the written comments received prior to the public meeting of the Planning Commission, including the recommendation of the City’s Staff, does hereby find and declare that the proposed project will not have a significant effect on the environment. Brief statements of the reasons supporting the Community Director’s findings are as follows: This project is a proposed office building with outdoor storage on a previously developed site. The project is subject to City ordinances governing the subdivision of land, mitigation measures, and development standards and is consistent with these ordinances and standards.

The Director of Community Development hereby finds that the Negative Declaration reflects its independent judgment. A copy of the Initial Study may be obtained at: 8353 Sierra Avenue, Fontana, California

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<th></th>
<th>Phone No.: 909-350-6694</th>
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The location and custodian of the documents and any other material which constitute the record of proceedings upon which the City based its decision to adopt this Negative Declaration are as follows: 8353 Sierra Avenue, Fontana, California

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<th>Phone No.: 909-350-6694</th>
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</table>

Staff: Orlando Hernandez  
Planning Manager

Date Received for Filing

---

ATTACHMENT NO. 5
NOTICE OF DETERMINATION

TO: X County Clerk, County of San Bernardino

FROM: City of Fontana
Planning Division
6353 Sierra Avenue
Fontana, CA 92335

Office of Planning and Research

SUBJECT: Filing of Notice of Determination in Compliance with Section 21152 of the Public Resources Code.

Project Title: MCN 19-036, SPA 19-004, CUP 19-015 and ASP 19-024 of the Southwest Industrial Park Specific Plan.

State Clearinghouse Number: NA

Project Applicant: City of Fontana 8353 Sierra Avenue Fontana CA 92335
Project Location: The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres located on the west side of Almond Avenue, approximately 650 feet north of Valley Boulevard within the Southwest Industrial Park Specific Plan.

Project Description: Specific Plan Amendment No. 19-004 is a request to amend the Southwest Industrial Park Specific Plan (Speedway Industrial District) to allow for slag, gravel, or similar dustproof surfacing material for outdoor storage of large-scale concrete finished products. Conditional Use Permit No. 19-015 is a request to operate the outdoor storage of finished concrete products, and Administrative Site Plan No. 19-024. The project site consists of one (1) parcel (APN: 0234-061-04) of approximately 9.5 adjusted gross acres.

This is to advise that the City of Fontana will hold a public hearing on February 18, 2020.

1. The project ___ will ___ will not have a significant effect on the environment.

2. ___ An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

   ___ X A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.

3. Mitigation measures ___ were ___ were not made a condition of the approval of the project.

4. A Statement of Overriding Considerations ___ was ___ was not adopted for this project.

5. Findings ___ were ___ were not made pursuant to the provisions of CEQA.

6. The location and custodian of the documents which comprise the record of proceedings for the Final Environmental Impact Report are specified as follows:

   Custodian: City of Fontana, Planning Division
   Location: 8353 Sierra Avenue, Fontana, CA 92335

Orlando Hernandez
Planning Manager

Date Received for Filing

ATTACHMENT NO. 6
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION AND NOTICE OF PUBLIC HEARING

SI DESEA INFORMACION EN ESPAÑOL REFERENTE A ESTA NOTIFICACION O PROYECTO, FAVOR DE COMUNICARSE AL (909) 350-6728.

A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE PLANNING COMMISSION OF THE CITY OF FONTANA FOR THE FOLLOWING:

Master Case No.19-036-Specific Plan Amendment No. 19-004 Conditional Use Permit No. 19-015 and Administrative Site Plan No. 19-024

A Specific Plan Amendment proposes to change the text in Southwest Industrial Specific Plan (SWIP), in the Speedway Industrial District (SID) that would allow the use of slag, gravel, or other similar dustproof surfacing material for outdoor storage of large-scale concrete finished products. Conditional Use Permit No. 19-015 is for the conditionally permitted use of outdoor storage, and Administrative Site Plan No. 19-024 is for site and architectural review for an approximate 597 square foot office building on-site.

Environmental Determination: An Initial Study has been prepared for this project pursuant to the California Environmental Quality Act (CEQA). Based on the information in the IS, no significant impact is anticipated as a result of project implementation, and a Negative Declaration has been prepared for the Planning Commissions’ consideration.

Location of Property: The proposed project site is located west of Almond Avenue, and south of San Bernardino Avenue. (APN: 0234-061-04). The project site totals approximately 10 adjusted gross acres and is located within the Southwest Industrial Specific Plan (Speedway Industrial District SID).

Date of Hearing: February 18, 2020

Place of Hearing: City Hall Council Chambers 8353 Sierra Avenue Fontana, CA 92335

Time of Hearing: 6:00 P.M.

Should you have any questions concerning this project, please contact Dawn Rowe, Senior Planner, at (909) 350-6694 or by e-mail at drowe@fontana.org.

ANY INTERESTED PARTY MAY APPEAR AND PRESENT ANY INFORMATION WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION IN THE PLANNING DIVISION, CITY HALL. IF YOU CHALLENGE IN COURT ANY ACTION TAKEN CONCERNING A PUBLIC HEARING ITEM, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE CITY AT, OR PRIOR TO, THE PUBLIC HEARING.

ATTACHMENT NO. 7
Staff Report to the Planning Commission

PLACEMENT: New Business
APPLICATION: 2019 General Plan Annual Progress Report
DATE: February 18, 2020
APPLICANT: City of Fontana
8353 Sierra Avenue
Fontana, CA 92335
LOCATION: Citywide
PROJECT MANAGER: Dawn Rowe, Senior Planner

PURPOSE:

The General Plan is mandated by the State. California Government Code Section 65300 which requires that each city and county to adopt a comprehensive plan for the physical development of their jurisdictions. The General Plan addresses land use, transportation routes, population growth, open space, air and water quality, noise, safety issues and other related physical, social, and economic development factors. Through the identification of goals, objectives, and policies, a General Plan creates a strategy framework for implementation.

In addition to serving as a basis for local decision making, the General Plan establishes a clear set of development rules for citizens, developers, decision-makers, neighboring cities and counties, and provides the community with an opportunity to participate in the planning decision-making process.

Subsequently, Government Code Section 65400 mandates that all cities and counties submit to their legislative bodies an annual report on the status of their General Plan and progress in its implementation. Only charter cities are exempt from the requirement to prepare progress reports. A copy of this progress report must be sent to the Governor’s Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD) by April 1st of each year.

Annual Progress Reports (APRs) provide local legislative bodies with information regarding the status and implementation of the General Plan for their city or county. The annual progress report also allows the City of Fontana to determine the effectiveness of the Housing Element and identify necessary “course adjustments” to implement the goals,
programs, policies, and implementation measures of the Element as required by the State. Staff will be starting the planning process for the adoption of the next Housing Element (Period 2021-2029) during this and next fiscal years. The next housing element must be adopted by the City and certified by the State Housing and Community Development in October 2021. The City received $625,000.00 from the State under its SB 2 grant funding. This funding will be used to look at opportunities to streamline the development review process in the Downtown area to accelerate the production of housing.

**ANALYSIS:**

There is no standardized form or format for the preparation of the General Plan APR. The APR is not required to incorporate all of the General Plan elements and need not to be an elaborate and time-consuming endeavor. The APR should provide enough information for decision makers to assess how the General Plan was implemented during the 12-month reporting period. More specifically, APRs explain how land use decisions relate to adopted goals, policies, and implementation measures of the City's General Plan. Once approved, the APR must be filed with the Governor's Office of Planning and Research (OPR) and the Housing and Community Development (HCD) by April 1 of each year.

**RECOMMENDATION:**

That the Planning Commission recommend that the City Council receive the report and direct staff to send the report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Development before April 1, 2020.

Project Planner: Dawn Rowe
Senior Planner

Reviewed by: Orlando Hernandez
Planning Manager

Approved by: Zai AbuBakar
Director of Community Development

**Under Separate Cover:**

1. 2019 General Plan Progress Report
MEMORANDUM

TO: Zai AbuBakar, Director of Community Development

FROM: Maria Torres, Administrative Secretary

RE: Agenda for Upcoming City Council Items

DATE: February 18, 2020

The items listed below are for agenda forecast purposes. The listed items are subject to change.

<table>
<thead>
<tr>
<th>CITY COUNCIL FEBRUARY 25, 2020</th>
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<tbody>
<tr>
<td>1. MCN#19-027; DRP#19-011 GPA#19-003; CUP#19-009 Arrowhead Medical Center 16888 Baseline Ave.</td>
<td>Jon S. Dille</td>
<td>Public Hearing</td>
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<td>No items listed for this meeting as of the date of this memo.</td>
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</table>
MEMORANDUM

TO: Zai AbuBakar, Director of Community Development

FROM: Maria Torres, Administrative Secretary

RE: Future Planning Commission Agenda Items

DATE: February 18, 2020

The items listed below are for agenda forecast purposes. The listed items are subject to change.

PLANNING COMMISSION MARCH 3, 2020

Meeting has been CANCELLED due to the League of California Cities Conference.

PLANNING COMMISSION MARCH 17, 2020

1. MCN#16-061; TTM#20078 (16-015)
   Subdivision of 20 lots into Single-Family Homes
   NEC of Labrador Ave. and Moncton Ave.
   Jon Dille
   Public Hearing

2. MCN#19-055; DRP#19-022
   Boyle Warehouse of approx. 126,655 sq. ft.
   15950 Boyle Ave.
   Rina Leung
   Public Hearing

3. MCN#13-021R1; CUP#06-021R1
   Upgrade from a Type 20 to Type 21 ABC License
   10115 Sierra Ave.
   Alexia De La Torre
   Public Hearing

PLANNING COMMISSION APRIL 7, 2020

No items listed for this meeting as of the date of this memo.