City of Fontana

8353 Sierra Avenue
Fontana, CA 92335

Action Report

Planning Commission

File #: 21-2217
Agenda #: PH-A

Agenda Date: 6/20/2023
Category: Public Hearing

FROM:
Planning Department

TITLE:
Master Case No. 22-053: General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002 and Development Agreement (DA) No. 23-005, Tentative Parcel Map (TPM) No. 22-009 (Building No. 1), Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 22-030 (Building No. 2), Design Review No. 22 -061 (Building No. 2), Tentative Parcel Map (TPM) No. 22-031 (Building No. 3), Design Review No. 22-062 (Building No. 3), and Final Environmental Impact Report for the development of three (3) industrial commerce buildings totaling approximately 540,849 square feet within a project area totaling 29.4 acres.

RECOMMENDATION:
Based on the information contained in this staff report, staff recommends that the Planning Commission adopt Resolution No. PC 2023-___, and forward a recommendation to the City Council to:

1. Adopt a resolution to certify the EIR, adopt a Statement of Overriding Consideration, a Mitigation Monitoring and Reporting Program, and a Statement of Facts and Findings, and direct staff to file a Notice of Determination;

2. Adopt a resolution approving General Plan Amendment No. 22-004; and,

3. Adopt an ordinance approving Specific Plan Amendment No. 22-002; and,

4. Adopt an ordinance approving Zone Change No. 22-005; and,

5. Adopt an ordinance approving Development Agreement No. 23-005; and,

6. Adopt a resolution approving Tentative Parcel Map (TPM) No. 20709, Design Review No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20708, Design Review No. 22-061 (Building No. 2), and Tentative Parcel Map (TPM) No. 20707, Design Review No. 22-062 (Building No. 3) subject to the attached Findings and Conditions of Approval.

APPLICANT:
Acacia Real Estate Group, Inc.
David Pittman
260 Newport Center Drive, Suite No. 100
Newport Beach, CA 92626

LOCATION:
The project site includes property located on the north side of Santa Ana Avenue between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

REQUEST:

1. General Plan Amendment No. 22-004 - a request to amend the General Plan land use designation of 29.4-acres from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G).

2. Specific Plan Amendment No. 22-002 - a request to amend the Southwest Industrial Park (SWIP) Specific Plan Land Use Plan to expand the SWIP boundary to include the entire 29.4 acres within the SWIP's Slover East Industrial District (SED).

3. Zoning Change No. 22-005 - a request to change the zoning designation from Residential Planned Community (R-PC) and Multiple-Family Medium/High Density Residential (R-4) to Southwest Industrial Park (SWIP) Specific Plan.

4. Development Agreement No. 23-005 - An agreement for the payment of a public benefit fee.

5. Tentative Parcel Map No. 20709 (TPM No. 22-009) (Building No. 1), Tentative Parcel Map No. 20708 (TPM No. 22-030) (Building No. 2), and Tentative Parcel Map No. 20707 (TPM No. 22-031) (Building No. 3) - A request to review three seperate parcel maps which two maps include the consolidation of six (6) parcels into one parcel for the development of the project sites for Building No. 1 and Building No. 2 and the consolidation of five (5) parcels into one for the development of the project site for Building No. 3. The parcel maps encompass a total of 24.4 acres of the 29.4 acres; the project does not propose development of one existing 5 acre parcel.

6. Design Review No. 22-029 (Building No. 1), Design Review No. 22-061 (Building No. 2), and Design Review No. 22-062 (Building No. 3) - A request for review of the architecture, site design and associated improvements for Building Nos. 1 through 3 totaling 540,849 square feet on 24.4 acres. The project does not propose development for 5 acres of the overall project site.

PROJECT PLANNER:
Salvador Quintanilla, Senior Planner

BACKGROUND INFORMATION:

A. Existing Land Use Designation:

	General Plan	Zoning	Existing Land Use

Site:	Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH)	Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-4)	Vacant and Existing Single-Family Residential
North:	Public Facilities (P-PF)	Public Facilities (P-PF)	Jurupa Hills High School and Fontana Adult School
South:	General Industrial (I-G)	Slover East Industrial District within the Southwest Industrial Park Specific Plan	Industrial Commerce Buildings
East:	Residential Planned Community (R-PC)	Residential Planned Community (R-PC)	Citrus High School
West:	General Industrial (I-G)	Slover East Industrial District within the Southwest Industrial Park Specific Plan	Industrial Commerce Center Building

PROJECT DESCRIPTION:

A. Project Site Area: Approximately 29.4 acres (excluding a 5.4 acre site, APN: 0255-011-15 which will not be developed).

B. Lot Coverage:

Building No. 1	Required:	60 Percent
	Provided:	51.1 Percent
Building No. 2	Required:	60 Percent
	Provided:	51.1 Percent
Building No. 2	Required:	60 Percent
	Provided:	50.3 Percent

C. Building/Unit Analysis - Industrial Commerce Building Nos. 1 through 3:

Building No. 1:

Office Area:	Approximately 10,000	square feet
Commerce Area:	Approximately 141,618	square feet

Building No. 2

Office Area:	Approximately 16,000	square feet
Commerce Area:	Approximately 180,336	square feet

Building No. 3

Office Area:	Approximately 16,000	square feet
Commerce Area:	Approximately 176,895	square feet

D. Parking Analysis:

Building No. 1	Required:	60 Spaces
	Provided:	64 Spaces
Building No. 2	Required:	68 Spaces
	Provided:	98 Spaces
Building No. 3	Required:	68 Spaces
	Provided:	98 Spaces

E. Landscaping:

Building No. 1	Required:	15 Percent
	Provided:	21.2 Percent
Building No. 2	Required:	15 Percent
	Provided:	19.5 Percent
Building No. 3	Required:	15 Percent
	Provided:	21.3 Percent

ANALYSIS:

The applicant is proposing the development of three (3) industrial commerce center buildings totaling 540,849 square feet on three sites totaling approximately 24.4-acres. The project is located on the north side of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection.

General Plan Amendment No. 22-004 and Zone Change No. 22-005

The current general plan land use designation is Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) which do not allow for industrial commerce center uses. Therefore, the applicant has applied for a General Plan Amendment to amend the General Plan land use designation of the 29.4-acres from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G). In order to have consistency between the General Plan and Zoning designations, the applicant has additionally submitted a Zone Change request to change the zoning designation from Residential Planned Community (R-PC) and Multiple-Family Medium/High Density Residential (R-4) to Southwest Industrial Park (SWIP) Specific Plan (SP). The parcels to the west and south of the project site are within the Southwest Industrial Park Specific Plan and also zoned Slover East Industrial (SED) District. The project will be consistent with the surrounding area with regard to land use, activities, and development along Santa Ana Avenue, Citrus Avenue, and Oleander Avenue

Specific Plan Amendment No. 22-002

The Specific Plan Amendment would amend the Southwest Industrial Park (SWIP) Specific Plan Land Use Plan to expand the SWIP boundary to include the entire 29.4 acres and to designate the property with the Slover East Industrial District (SED) land use designation. As previously mentioned, no development is currently proposed on APN 0255-011-15 (5-acre site). Design Reviews and Tentative Parcel Maps (TPMs) are proposed for the 24.4-acre site on all the parcels except for parcel APN: 255-011-15.

Development Agreement No. 23-005

The application includes review of development agreement for the provision of a public benefit fee of $2,298,608.25.

Tentative Parcel Map No. 20709 (TPM No. 22-009) (Building No. 1), Tentative Parcel Map No. 20708 (TPM No. 22-030) (Building No. 2), and Tentative Parcel Map No. 20707 (TPM No. 22-031) (Building No. 3)

The applicant has filed for three tentative parcels maps to support proposed development of 24.4 acres of the overall project area. The applicant is proposing to consolidate six (6) parcels located at the northeast corner of Citrus Avenue and Santa Ana Avenue into one parcel for the development of Building No. 1. The applicant will consolidate six (6) parcels located at the northwest corner of Oleander Avenue and Santa Ana Avenue into one parcel for the development of Building No. 2. Additionally, the applicant will consolidate five (5) parcels located at the northeast corner of Oleander Avenue and Santa Ana Avenue into one for the development of Building No. 3. As part of the project the developer will construct all on-site and off-site improvements per the City Standards.

Design Review No. 22-029 (Building No. 1), Design Review No. 22-061 (Building No. 2), and Design Review No. 22-062 (Building No. 3)

The project includes the development of three industrial commerce center buildings on three separate parcels; one parcel that is included within the General Plan, Zoning, and Specific Plan amendment areas will remain undeveloped.

The industrial commerce center buildings have been designed with a combination of office and industrial areas. Building No. 1 will contain approximately 151,618 square feet of floor area, Building No. 2 will contain approximately 196,336 square feet of floor area, and Building No. 3 will contain approximately 192,895 square feet of floor area. Each building project will construct the necessary on -site and off-site improvements required by city standards.

Each building will have a gate-secured truck court. 17 loading docks are proposed on the east side of Building No. 1, 26 loading docks are proposed on the west side of Building No. 2, and 26 loading docks are proposed on the east side of Building No. 3.

The buildings' tower entry ways, clear float glass, painted bands, reveals, decorative panels, articulated window framing with glazing, and pop-outs provide structural and visual interest. The

applicant has incorporated a variety of architectural features on all sides of the buildings to meet or exceed the design guidelines of the Southwest Industrial Park Specific Plan, Slover East Industrial District design guidelines.

The project sites are physically suitable in size and shape to support the development of the proposed industrial commerce buildings. 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 sites are consistent with the standards of the Southwest Industrial Park Specific Plan, Slover East Industrial District. The proposal has been designed to be compatible with the industrial uses to the south and west of the sites, while also providing a development that has been designed with features (architectural relief, added landscaping along the north side of the property, street improvements, and lighting), to enhance the character of the area. The project has met all the requirements of the recently adopted Industrial Commerce Centers Sustainability Standards Ordinance.

Circulation/Grading

Building No. 1 (Northeast corner of Santa Ana and Oleander Avenue)
Access to and from the project site would be provided from one driveway along Citrus Avenue and one from Santa Ana Avenue. Trucks will only have access from Citrus Avenue and regular vehicles will have access from both Citrus Avenue and Santa Ana Avenue. The proposed landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. The area of Building No. 1 will drain to the south to a catch basin where it will flow to Santa Ana Avenue. Truck will be traveling south and north on Citrus Avenue to and from the project site to access the 10 freeway. No truck traffic will occur on Santa Ana Avenue.

Building Nos. 2 and 3 (Northeast corner of Santa Ana and Citrus Avenue, Northwest corner of Santa Ana and Oleander Avenue)
Access to and from the project site would be provided from one driveway along Oleander Avenue and one from Santa Ana Avenue. Trucks will only have access from Oleander Avenue and regular vehicles will have access from both Oleander Avenue and Santa Ana Avenue. The proposed landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. The area of Building No. 2 and 3 will drain to the south to a catch basin where it will flow to Santa Ana Avenue. Trucks are restricted to head south on Oleander Avenue to Jurupa Avenue and to Citrus Avenue or Sierra Avenue to access the 10 freeway. No truck traffic will occur on Santa Ana Avenue.

Walls

Building Nos.1 through 3
The project site will have an eight-foot-high sliding gate for the loading areas and a 12-foot-high screen wall surrounding the loading areas. The project does not include any retaining walls.

Industrial Commerce Centers Sustainability Standards

All new industrial commerce building development must meet the requirements of the Industrial Commerce Centers Sustainability Standards ordinance. Based on the standards, truck loading docks, truck entries, and truck drive aisles shall be oriented away from abutting sensitive receptors

(schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, etc.…) unless it is physically impossible.

The proposed buildings can only be constructed with the proposed layouts, which place truck entries/drive aisles on the northerly sides of the buildings that abut a sensitive receptor (Jarupa Hills high school facilities adjacent on the north of Building 1 and Fontana Adult School to the north of Building 3), and place loading docks abutting a sensitive receptor (Citrus High school facilities to the east of Building 3), for access and circulation reasons. Because Santa Ana Avenue adjacent to the sites is not a truck route, trucks will be required to enter and exit on the north-south streets (Citrus for Building 1, and Oleander for Buildings 2 and 3). Site access/curb cuts are not permitted in proximity to intersections, thus necessitating placement of the truck entries at the northerly portions of the site for each of the buildings. Relative to dock locations, truck queuing of 140 feet total as well as maneuvering requirements necessitate placement of the docks on the easterly sides of Buildings 1 and 2 given the site entrances on the westerly sides. For Buildings 1 and 2, the docks would face vacant land; however, for Building 3, the docks would face a sensitive receptor (Citrus High School field facilities). For each circumstance where access, driveways, and docks would be located in proximity to school facilities, the closest functions occurring on the abutting school properties would be drive aisles, athletic courts/fields, or detention facilities as opposed to classrooms.

When physically impossible, loading docks, truck entries, and drive aisles may be located nearby sensitive receptors but site design shall include measures designed to minimize overall impacts to nearby sensitive receptors. For each of the referenced areas, additional screening trees are conditioned to be installed along the affected property lines in order to more immediately provide screening and buffering between the industrial and school uses.

SB330

As currently zoned, this property would have allowed for the development of 507 residential units. To comply with California's Housing Crisis Act of 2019 (SB 330), the project will participate in the City of Fontana Municipal Code Chapter 30 Article XV "No Net Loss Density Bonus/Replacement Program." The 507 units will be available as density bonuses for other residential properties throughout the city. The program will enable, on a first come, first served basis, density bonuses of up to 20% on other residential parcels until the 507 residential units are reclaimed within future planned residential projects.

Pursuant to FMC section 30-967, the Unit Bank cannot exceed 2,200 units. The Unit Bank currently has 0 units. These 507 units will be added to the Unit Bank increasing the number of units in the Unit Bank to 507, which is less than the 2,200 units authorized by the FMC.

Environmental

Technical Studies

Subsequent to the preparation and distribution of the Notice of Preparation (NOP), the Draft Environmental Impact Report (DEIR) was prepared for the projects. The environmental analysis contained in the Draft EIR is based in part on specific studies and assessments undertaken for the

City by qualified environmental scientists, specialists, and consultants. These studies address aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and services systems, and wildfire. These technical studies are contained in the Technical Appendices document of the Draft EIR and are made available for the public review. The Draft and Final EIR and Technical Appendices can be viewed at the following URL: Environmental Documents | Fontana, CA - Official Website (fontanaca.gov) <https://www.fontanaca.gov/2137/Environmental-Documents>.

The Final EIR describes the environmental impacts of the project and the mitigation measures to help minimize the project impacts on the environment. The scope of this Final EIR includes analysis of environmental issues identified and raised in response to the Notice of Preparation (IS/NOP) and during the DEIR comment period.

The Final EIR determined that 17 categories of environmental effects for the project would have impacts found not to be significant. These categories are Aesthetics, Agriculture and Forestry, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Tribal Cultural Resources, Utilities and Services Systems, and Wildfire. The potential impacts from the aforementioned topical areas are fully addressed in the DEIR and can be brought to a level of less than significant with mitigations.

The analysis in the Final EIR and supporting studies found that, even with incorporation of proposed mitigation measures, impacts to greenhouse gas emissions, noise, and transportation would remain significant and unavoidable. Because there are significant and unavoidable impacts as a result of the proposed project, a Statement of Overriding Consideration (SOC) is required.

Alternatives

As required by CEQA, an EIR shall describe a range of reasonable alternatives to the project which meets the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives. The proposed alternatives for this project include “No Project” and “Reduced Project.”

Circulation

The project Draft EIR (DEIR) was circulated for the 45-day public review period beginning on April 7, 2023 and ending on May 22, 2023. The document was submitted to the State Clearinghouse for notification to State agencies for their possible comment. The Planning Commission conducted a public hearing on the DEIR on April 18, 2023, to receive public comments. Prior to the end of the comment period of May 22, 2023, the City received comments on the DEIR from the following public agencies, organizations, and individuals:

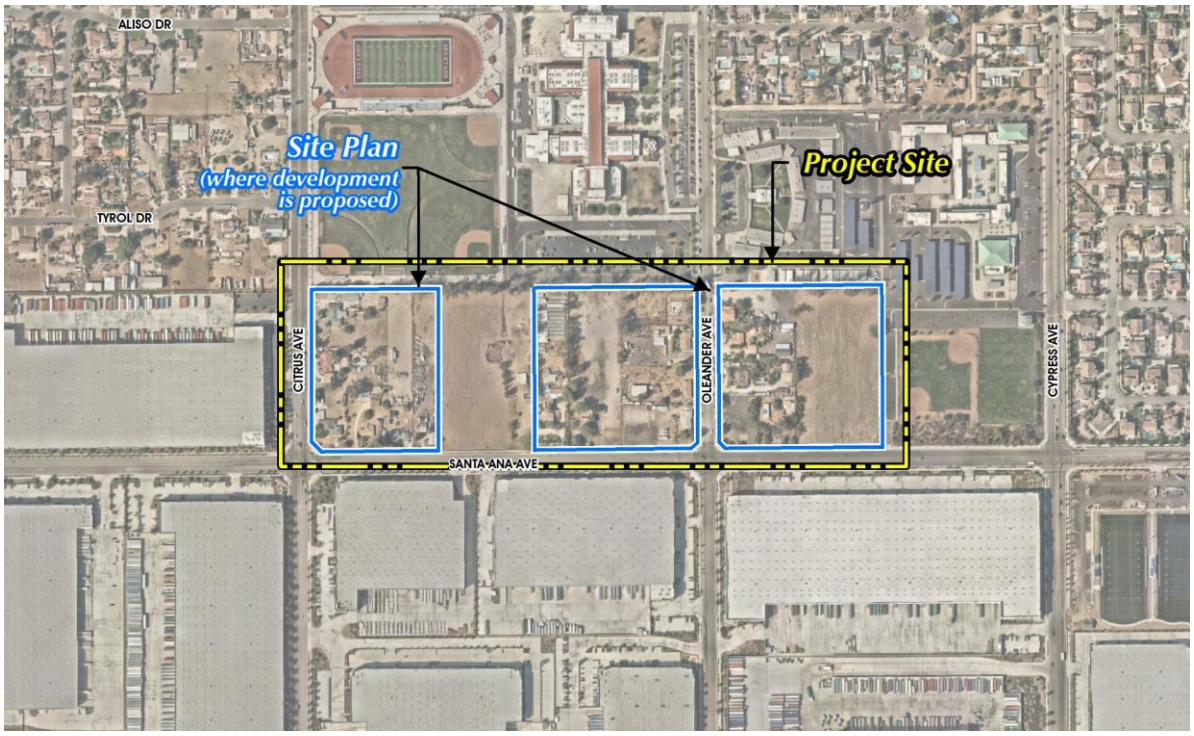
Letter	Date Received	Organization/Name
Agencies		

A.	May 11, 2023	South Coast Air Quality Management District

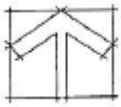
The City, along with the environmental consultant, has reviewed and provided responses to the letters/comments above; these are included in the Final EIR. The Final EIR along with errata has been included with the environmental documentation made available at the following link: Environmental Documents | Fontana, CA - Official Website (fontanaca.gov) <https://www.fontanaca.gov/2137/Environmental-Documents>. To approve the project, the City Council must adopt a Statement of Overriding Considerations indicating that the project benefits override or outweigh the project identified unavoidable environmental impacts.

MOTION:
Approve staff's recommendation.

ATTACHMENTS:
1. Vicinity Map
2. Tentative Parcel Map No. 20709 (Building No. 1)
3. Tentative Parcel Map No. 20708 (Building No. 2)
4. Tentative Parcel Map No. 20707 (Building No. 3)
5. Project Plans
6. Existing/Proposed General Plan Land Use Designation
7. Existing/Proposed Zone Change
8. Existing/Proposed Specific Plan
9. Planning Commission Resolution PC 2023-____
10. Facts and Findings of the EIR
11. Development Agreement
12. Notice of Determination
13. Public Hearing Notice



NORTH



CITY OF FONTANA PLANNING DEPARTMENT

VICINITY MAP

DATE: June 20, 2023

CASE: Master Case (MCN) No. 22-053

ATTACHMENT NO. 1

SHEET 1 OF 1
SHEET SIZE: 30" x 42"

ATTACHMENT NO. 2

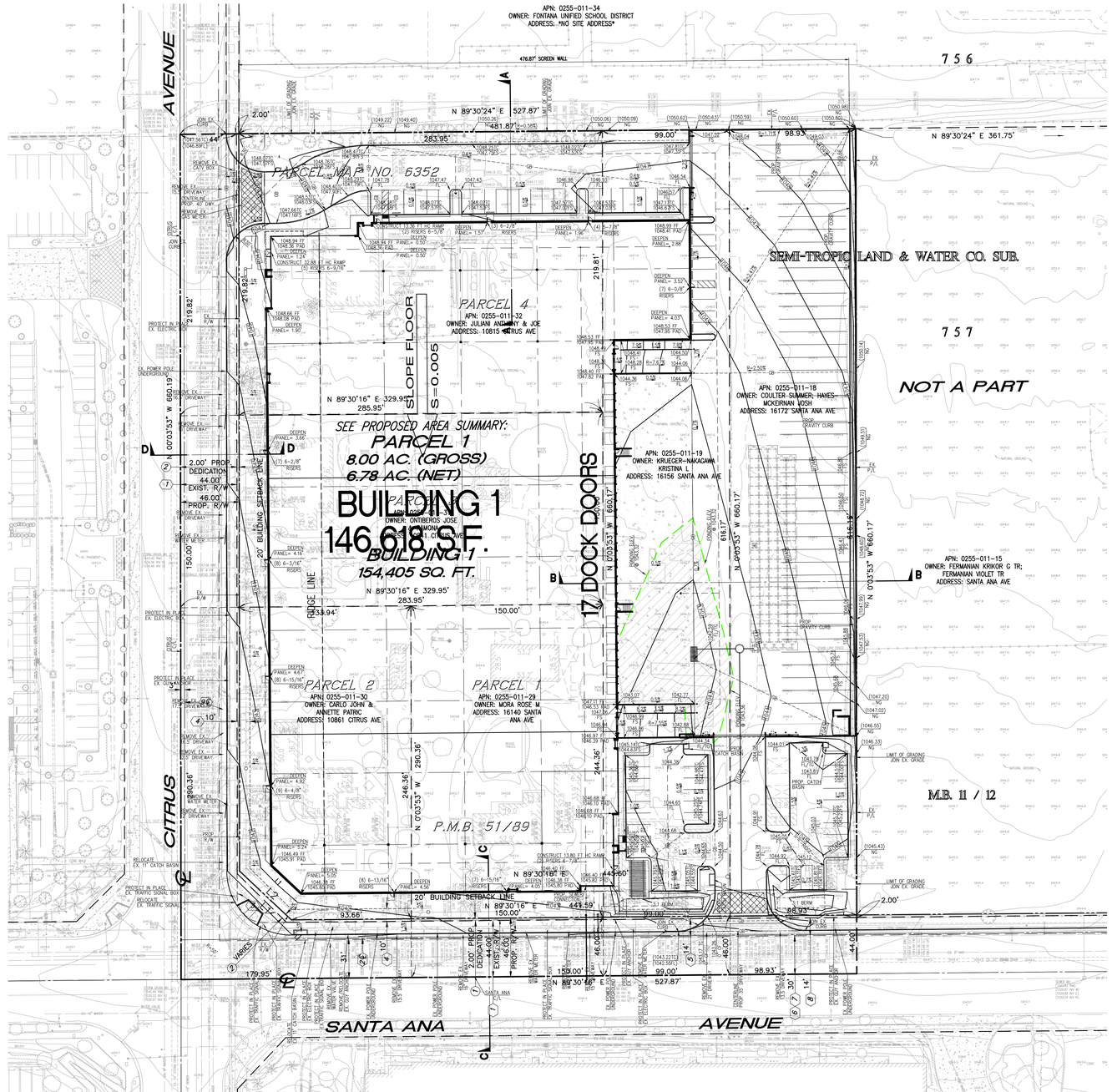
TENTATIVE PARCEL MAP NO. 20709

IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

BEING A CONSOLIDATION OF THE EAST 3 ACRES OF THE WEST 8 ACRES OF FARM LOT 757 OF MAP SHOWING SUBDIVISION OF LANDS BELONGING TO SEMITI-TRAPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, TOGETHER WITH PARCELS 1, 2, 3 AND 4 OF PARCEL MAP NO. 5352, AS PER MAP FILED IN BOOK 51, PAGE 89 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

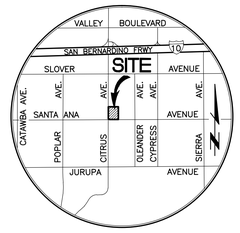
LINE TABLE		
LINE #	LENGTH	BEARING
L1	53.93'	N 45°16'48" W
L2	55.38'	N 46°44'16" W

0 20 40 80 120
SCALE:1"=40'



APN's:

0255-011-18
0255-011-19
0255-011-29
0255-011-30
0255-011-31
0255-011-32



VICINITY MAP
NOT TO SCALE

EXISTING LEGAL DESCRIPTIONS:

APN 0255-011-18:

THE EAST 1/2 OF THE EAST 3 ACRES OF THE WEST 8 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12 OF SAID COUNTY.

APN 0255-011-19:

THE WEST ONE-HALF OF THE EAST 3 ACRES OF THE WEST 8 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDS OF SAID COUNTY.

APN 0255-011-29:

PARCEL 1 OF PARCEL MAP NO. 5532, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51, PAGE 89, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255-011-30:

PARCEL 2 OF PARCEL MAP NO. 5532, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51, PAGE 89, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255-011-31:

PARCEL 3 OF PARCEL MAP NO. 5532, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51, PAGE 89, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255-011-32:

PARCEL 4 OF PARCEL MAP NO. 5532, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51, PAGE 89, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXISTING EASEMENTS NOTES:

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE RENUMBERED DUE TO MULTIPLE COPIES OF EACH.

(1) 1. CITRUS AVENUE (44' HALF WIDTH) AND SANTA ANA AVENUE (44' HALF WIDTH) INCLUDING 20.00' RADIUS CORNER CUT AS SHOWN ON PARCEL MAP NO. 5352, M.B. 51 / 89. (PLOTTED HEREON)

(2) 2. EASEMENT(S) FOR POLE LINES IN FAVOR OF: SOUTHERN SIERRAS POWER COMPANY, RECORDED MAY 24, 1935 IN BOOK BOOK 1085, PAGE 144, OF OFFICIAL RECORDS (PLOTTED HEREON – CENTERLINE, WIDTH NOT SPECIFIED)

(3) 3. GRANT DEED IN FEE FOR STREET, HIGHWAY, PUBLIC UTILITY TO: CITY OF FONTANA, RECORDED JULY 29, 2010 AS DOC. NO. 2010-304886, O.R. (PLOTTED HEREON)

(4) 4. EASEMENT FOR TEMPORARY CONSTRUCTION TO THE CITY OF FONTANA, PURPOSE: TEMPORARY CONSTRUCTION PURPOSES, RECORDED JULY 29, 2010 AS DOC. NO. 2010-304887, OF OFFICIAL RECORDS DOES NOT EXPIRE TILL 18 MONTHS AFTER ACCEPTANCE OF IMPROVEMENTS. (PLOTTED HEREON)

(5) 5. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITY, GRANTED TO: CITY OF FONTANA, RECORDED AUGUST 27, 2010 AS DOC. NO. 2010-0350147, O.R. (PLOTTED HEREON)

(6) 6. ALL EASEMENTS, OFFERS AND DEDICATIONS AS SHOWN ON THE OFFICIAL MAP TRACT OF: SEMI TOPIC LAND AND WATER COMPANY, IN BOOK 11 PAGE 12, OF MAPS (PLOTTED HEREON)

(7) 7. EASEMENT(S) FOR UTILITIES, WATER PIPES AND CONDUITS AS RESERVED IN DEED BY FONTANA LAND COMPANY, RECORDED JUNE 28, 1935 IN BOOK 1067 PAGE 336, O.R. EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE. (EASEMENTS FOR ELECTRIC AND TELEPHONE WITHIN STREETS AND ALLEYS AND AVENUES PLOTTED HEREON) (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

(8) 8. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITIES GRANTED TO: CITY OF FONTANA, RECORDED AUGUST 6, 2010 AS DOC. NO. 318939, O.R. (PLOTTED HEREON)

(9) 9. EASEMENT(S) FOR POLE LINES IN FAVOR OF: SOUTHERN SIERRA POWER COMPANY, RECORDED AUGUST 6, 1927 IN BOOK 253, PAGE 351, OF OFFICIAL RECORDS (PLOTTED HEREON – CENTERLINE, WIDTH NOT SPECIFIED)

EXISTING EASEMENTS NOTES (NOT PLOTABLE):

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE ASSIGNED A "LETTER DESIGNATION" AS OPPOSED TO A "NUMBER DESIGNATION" DUE TO MULTIPLE COPIES OF EACH.

A. PERTAINS TO CC&R'S RECORDED FEBRUARY 13, 1948 AS BOOK 2146, PAGE 395 OF OFFICIAL RECORDS. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

B. PERTAINS TO CC&R'S RECORDED JUNE 4, 1945 IN BOOK 1775, PAGE 367 OF OFFICIAL RECORDS. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

C. EASEMENT(S) FOR WATER PIPELINES AND PUBLIC UTILITIES AS RESERVED IN DEED BY FONTANA FARMS COMPANY RECORDED JANUARY 10, 1925, IN BOOK 877, PAGE 316, OF DEEDS (SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE, NOTHING PLOTTED HEREON) (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

D. EASEMENT(S) FOR PIPELINES, WATER CONDUITS AS RESERVED IN DEED BY FONTANA DEVELOPMENT COMPANY, RECORDED OCTOBER 10, 1913 IN BOOK 340, PAGE 125, OF DEEDS (SAID EASEMENT IS BLANKET IN NATURE, NOTHING PLOTTED)

E. PERTAINS TO CC&R'S RECORDED JUNE 21, 1951, AS DOC. NO. 34 IN BOOK 2782 PAGE 492, OF OFFICIAL RECORDS (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

6. PERTAINS TO CC&R'S RECORDED JANUARY 22, 1946 IN BOOK 1859 PAGE 368, O.R. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

TABULATION:

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	295,174	379,168	380,469	1,054,811 s.f.
In acres	6.78	8.70	8.73	24.22 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	144,405	183,395	198,080	525,880 s.f.
TOTAL	154,405	199,395	200,500	554,300 s.f.
LOT COVERAGE	50.6%	50.5%	50.6%	
FAR	0.52	0.53	0.53	
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	39	39	108 stalls
TOTAL	60	69	69	198 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	62	101	100	263 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	47	48	47	142 stalls
LANDSCAPE PROVIDED				
Percentage -	22.1%	21.7%	21.3%	
in s.f.	31,068	38,987	38,309	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			
MAXIMUM BUILDING HEIGHT ALLOWED				
Height - 60'				
MAXIMUM FLOOR AREA RATIO				
FAR - 0.55 Max				
ZONING ORDINANCE FOR CITY				
Current Zoning Designation - Residential - Planned Community				
Proposed Zoning Designation - Southwest Industrial Park/Slover East Industrial District (SIED)				
SETBACKS				
Building/Landscape				
Santa Ana Ave - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None				
Adjacent to Residential Truck District - 50'				

PROPOSED AREA SUMMARY:

PARCEL 1 (BUILDING 1) "GROSS" AREA:	348,480 SQ. FT.,	8.00 ACRES
EXIST. CITRUS AVENUE AND SANTA ANA AVE. EASEMENTS:	51,071 SQ. FT.,	1.17 ACRES (1)(3)(6)(8)
PROP. CITRUS AVENUE AND SANTA ANA AVE. EASEMENTS:	2,235 SQ. FT.,	0.05 ACRES (1)(2)
TOTAL STREET EASEMENTS:	53,306 SQ. FT.,	1.22 ACRES
PARCEL 1 (BUILDING 1) "NET" AREA:	295,174 SQ. FT.,	6.78 ACRES

SURVEYOR'S NOTES (CONTINUED):

1. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   APN 0255-011-18:
   SUMMER COULTER, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY; AS TO AN UNDIVIDED 50% INTEREST AND JOSH HAYES-MCKEIRNAN AND MICHALA MCKEIRNAN, HUSBAND AND WIFE, AS TO AN UNDIVIDED 25% INTEREST AND THOMAS E. TAYLOR AND VICKY ROJANO TAYLOR, AS CO-TRUSTEES OF THEIR COMMUNITY PROPERTY TRUST DATED APRIL 23, 1999, AS TO AN UNDIVIDED 25% INTEREST.

   APN 0255-011-19:
   KRISTINA L. KRUEGER-NAKAGAWA, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY.

   APN 0255-011-29:
   ROSE MARIE MORA, A WIDOW.

   APN 0255-011-30:
   JOHN CARLO AND ANNETTE CARLO, HUSBAND AND WIFE, AS JOINT TENANTS.

   APN 0255-011-31:
   JOSE ONTIBEROS AND RAMONA ONTIBEROS, HUSBAND AND WIFE AS JOINT TENANTS.

   APN 0255-011-32:
   ANTHONY JULIANI, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND JOE JULIANI AND HEATHER JULIANI, HUSBAND AND WIFE AS JOINT TENANTS, ALL AS JOINT TENANTS.

2. PROJECT ADDRESS: 10815, 10841 & 10861 CITRUS AVENUE
   16140, 16156 & 16172 SANTA ANA AVENUE
   FONTANA, CALIFORNIA 92337

3. ASSESSOR'S PARCEL NUMBERS:
   0255-011-18, 19, 29, 30, 31 & 32.

4. PARCEL AREAS: SEE PROPOSED AREA SUMMARY

5. ZONING INFORMATION:
   (THE FOLLOWING ZONE DESIGNATIONS ARE PER CITY OF FONTANA DEPARTMENT OF ENGINEERING / MAPPING)
   CURRENT ZONES:
   GENERAL PLAN DESIGNATION: RESIDENTIAL PLANNED COMMUNITY (R-PC)
   ZONE DESIGNATION: RESIDENTIAL PLANNED COMMUNITY (R-PC)

   PROPOSED ZONING DESIGNATION:
   SOUTHWEST INDUSTRIAL PARK/SLOVER EAST INDUSTRIAL DISTRICT

6. SUBJECT SITE CONSISTS OF 17 SEPARATE PARCELS. SIXTEEN PARCELS HAVE SINGLE OR MULTIPLE RESIDENTIAL AND/OR STORAGE TYPE STRUCTURES THAT ARE PLANNED TO BE DEMOLISHED IN THE COURSE OF THIS PROJECT. ONE PARCEL IS AN UNDEVELOPED VACANT LOT.

LEGEND:

ABAN	ABANDONED	DCV	DETECTOR CHECK VALVE	FDW	FACE OF WALL	M.B.	MAP BOOK	P.O.B.	POINT OF BEGINNING	GAW	SPWE & WATHER	TR	TRACT
AC	ASPHALTIC CONCRETE	DED	DEDICATION	FS	FINISH PAVEMENT	MH	MANHOLE	PGL	POINT ON CURVE	SES	SOUTHERN CALIFORNIA EDISON CO.	TRANS	TRANSFORMER
ACC	ASPHALTIC CONCRETE	DESC	DESCRIBED	FS	FINISH SURFACE	MIN	MINIMUM	P.O.C.	POINT OF CONNECTION	SCO	SEWER CLEAN OUT	TRMP	TOP OF RAMP
AP	ANGLE POINT	DI	DROP INLET	FW	FRONT OF WALK	MON	MONUMENT	P.O.L.	POINT ON LINE	SD	STORM DRAIN	TS	TRAFFIC SIGN
ARV	AIR RELEASE VALVE	DIST	DISTANCE		DIRECTION OF DRAINAGE FLOW	MS	MOM STRIP	POW	POINTON	SDMH	STORM DRAIN MANHOLE	TSCB	TRAFFIC SIGNAL CONTROL BOX
BC	BEGINNING OF CURVE	DN	DOWN	G	GAS LINE	MW	MONITORING WELL	POS	POINT ON SLOPE	SE	SOUTHEAST	TSPB	TRAFFIC SIGNAL PULL BOX
BET	BETWEEN	DOC. NO	DOCUMENT NO.	GA	GUY ANCHOR	N	NORTH	PP	POWER POLE	SESLY	SOUTHEASTERLY	TSTP	TOP STEP
BFP	BACKFLOW PREVENTION DEVICE	DRWY	DRIVEWAY	GB	GRADE BREAK	NBT	NAIL AND TIN	PRC	POINT OF REVERSE CURVE	SEC	SOUTHEAST CORNER	TVLT	TELEPHONE VAULT
BM	BENCH	DS	DOWN SPOUT	GBF	GAS BLOW OFF AREA	NGS	NAT. GRND.	PRC	PROJECT NO. 7	SECT	SECTION	TW	TOP OF WALL
BLDG	BUILDING	E,LY	EASTERLY	GM	GAS METER	NLA	NOT A PART	PROP	PROPOSED	SF	SQUARE FEET	TWB	TOP OF BLOCK WALL
BOB	BASIS OF BEARINGS	EB	ESTABLISHED BETWEEN	GP	GUARD POST	NE	NORTHEAST	PT	POINT	SFN	SEARCHED, FOUND NOTHING	TX	TOP OF "X"
BR	BRASS	EBFM	ESTABLISHED BETWEEN	GTE	GENERAL TELEPHONE CONDUIT	NEC	NORTHEAST CORNER	PTS	POINTS	SLCB	STREET LIGHT CONTROL BOX	TYP	TYPICAL
BRMP	BOTTOM OF RAMP		FOUND MONUMENTS	GTE MH	GENERAL TELEPHONE MANHOLE	NE,LY	NORTHEASTERLY	PT,COM	POINT OF COMMENCEMENT	SLPB	STREET LIGHT PULL BOX	U.D.	UTILITY DROP
BSTP	BOTTOM STEP	EBP	ESTABLISHED BY PRORATION	GTE VLT	GENERAL TELEPHONE VAULT	NF	NOTHING FOUND	PTR	PRELIMINARY TITLE REPORT	SMH	SEWER MANHOLE	UEC	UNDERGROUND CONDUIT
BW	BACK OF WALK	EC	EDGE OF CONCRETE	GV	GAS VALVE	NG	NATURAL GROUND	PUN	PUNCHED	S/O	SHUT OFF	ULT	ULTIMATE
BV	BLOW OFF VALVE	EF	EDGE OF PAVEMENT	HC	HANDICAP	NLY	NORTHERLY	PVC	POLYVINYL CHLORIDE	SPL	SPLICE POST	UP	UTILITY POLE
	COMPACT PARKING STALL	ES	ESTABLISHED FROM	HC	HANDICAP	PWB	PUBLIC WORKS FIELD BOOK	PWB	PUBLIC WORKS FIELD BOOK	ST, LT	STREET LIGHT	UTL B	UTILITY BOX
CAB	CABINET	ELEC	ELECTRIC	HCR	HANDICAP RAMP	N.T.S.	NOT TO SCALE	R	RECORD	SW	SOUTHWEST	UTL CAB	UTILITY CABINET
CALT	CALIF. DEPT. OF TRANSPORTATION	EM	ELECTRIC METER	HWF	HOG WIRE FENCE	NW	NORTHWEST	R	RADIUS	SWC	SOUTHWEST CORNER	V	VALVE
CATV	CABLE TELEVISION	EMH	ELECTRIC MAN HOLE	ICB	IRRIGATION CONTROL BOX	NWC	NORTHWEST CORNER	R 11 W	RANGE 11 WEST	SW,LY	SOUTHWESTERLY	VAC	VACATION
C&G	CURB AND GUTTER	EOP	EDGE OF PAVEMENT	ICV	IRRIGATION CONTROL VALVE	NW,LY	NORTHWESTERLY	RAD	RADIUS	SWB#	SPWE WATHER & TN	VC	VALLEY GUTTER
CB	CATCH BASIN	EPP	ELECTRIC PULL BOX	ILLEG	ILLEGAL	OH	OVERHEAD	R.C.E.	REGISTERED CONCRETE BOX	S/W	SIDEWALK	VLT	VAULT
CC & R's	CONDITIONS, CONDITIONS	EQUIP	EQUIPMENT NUMBER	INV	INVERT NO	O.W.M.	OVERHEAD WATER LINE	R.C.E.	REGISTERED CIVIL ENGINEER	T	TANGENT	W	WATER LINE
	AND RESTRICTIONS	EST	ESTABLISHED		INTERSECTION	OLR	OFFICIAL RECORDS	REWM	REGARDED WATER LINE	T, 2 S	TOWNSHIP 2 SOUTH	WF	WEST
CEFB	CITY ENGINEER'S FIELD BOOK	ESTAB	ESTABLISH	INV	INVERT	O/S	OFF SET	RD	ROOF DRAIN	TB	TOP OF BERM	W/C	WITH
CF	CURB FACE	EXIST	EXISTING	IP	IRON PIPE	PA	PLANTER AREA	R.D.	ROAD DEPARTMENT	T&T	TACK & TAG	W'LY	WESTERLY
C.F.	CALCULATED FROM	FAR	FLOOR AREA RATIO	L	LENGTH	PB	PULL BOX	RDFB	ROAD DEPARTMENT FIELD BOOK	TC	TOP OF CURB	WA	WATER ASSEMBLY
CHKD	CHECKED	FB	FIELD BOOK	LACE	LOS ANGELES COUNTY ENGINEER	PCC	POINT COMPOUND CURVE	REF	REFERENCE	TEN	TENANT	WGT	WEIGHT
CL	CENTERLINE	FD	FOUND	LACS	LOS ANGELES COUNTY SURVEYOR	PC	PARCEL	REC	RECEIVED	TE	TRASH ENCLOSURE	WIRE	WIRE MESH FENCE
CLF	CHAIN LINK FENCE	FG	FINISH GRADE	LD	LAND DESCRIPTION	PEDESTAL	PEDESTAL	RET	RETAINING	TELE	TELEPHONE	WM	WATER METER
CMP	CORRUGATED METAL PIPE	FDC	FIRE DEPARTMENT CONNECTION	LP	LIP OF GUTTER	PGE	PAGE	RR	RAILROAD	TELE SW B	TELEPHONE SWITCH BOX	WSO	WATER SHUT OFF VALVE
CO,ENG,FB	COUNTY ENGINEER'S FIELD BOOK	FF	FINISHED FLOOR ELEVATION	LS	LICENSED SURVEYOR	PI	POINT OF INTERSECTION	R.S.B.	RECORD OF SURVEY BOOK	TG	TOP OF GRATE	WV	WATER VALVE
CONC	CONCRETE	FH	FIRE HYDRANT	L&T	LEAD AND TACK	PIV	POST INDICATOR VALVE	R/W	RIGHT OF WAY	10" TR	10" DIAMETER TREE	W VLT	WATER VAULT
COR	CORNER	FL	FLOW LINE	LT&T	LEAD TACK AND TAG	PKWY	PARKWAY	S	SIDEWALK	TMH	TELEPHONE MANHOLE	X-ARM	CROSS ARM
COR,SR	CORNER SURVEYOR'S FIELD BOOK	FL, IFOB	FL AT INSIDE WALL CB	LT	LIGHT	PL	PROPERTY LINE	SBL	SETBACK LINE	TOB	TOP OF BERM		
CSFB	CURB DRAIN	FNC	FENCE	LT STD	LIGHT STANDARD	PM	PROPORTIONATE MEASUREMENT	SCB	SEWER CLEAN OUT	TOG	TOP OF GRATE	EXISTING	(1047) CONTOUR
CL	DELTA-CENTRAL ANGLE	FOC	FIBER OPTIC CABLE	M	MEASURED	P.M.	PARCEL MAP	S.B.M.	SAN BERNARDINO MERIDIAN	TP	TELEPHONE POLE	PROPOSED	1047 CONTOUR
Δ	DELTA-CENTRAL ANGLE			MAX	MAXIMUM	P.M.B.	PARCEL MAP BOOK	S1,Y	SOUTHERLY	TPOB	TRUE POINT OF BEGINNING		

PROPOSED DEDICATION NOTES:

(1) 2' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP.
(46' WIDE ULTIMATE WIDTH – SANTA ANA AVENUE).

(2) 2' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP INCLUDING CORNER CUT.
(46' WIDE ULTIMATE WIDTH – CITRUS AVENUE).

UTILITY PROVIDERS:

SEWER:
CITY OF FONTANA
8353 SIERRA AVENUE
FONTANA, CA 92335
PHONE: (909) 350-7610
CONTACT: CARLOS MORAN HERNANDEZ

WATER:
SAN GABRIEL VALLEY WATER CO.
15966 ARROW ROUTE
FONTANA, CA 92335
PHONE: (909) 201-7348
CONTACT: KAROLINA GUZMAN

GAS:
SO. CALIF. GAS COMPANY
1981 W. LUGONIA AVENUE, P.O. BOX 3003
REDLANDS, CA 92373-0306
PHONE: (800) 427-2200
CONTACT: RANDOLPH DARNELL

ELECTRIC:
SCE PLANNING
7651 REDWOOD AVENUE
FONTANA, CA 92336
PHONE: (909) 357-6103
CONTACT: KIM GURULE

TELEPHONE:
A. T. & T.
1452 EDINGER AVE., 3rd Floor
TUSTIN, CA 92780
PHONE: (951) 359-2629
CONTACT: MARC POOLE

CABLE:
CHARTER COMMUNICATIONS
7337 CENTRAL AVENUE
RIVERSIDE, CA 92504
PHONE: (951) 406-1613
CONTACT: JAMES MOCK

DEVELOPER:

ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640-9995

OWNER:

SEE SURVEYOR'S NOTES No. 1
c/o ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640-9995

ARCHITECT:

HPA
18831 BARDEEN AVENUE, SUITE 100
IRVINE, CA 92612
PHONE: (949) 863-1770

PREPARED BY / APPLICANT:

Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14349 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH:(714)521-4811 FAX:(714)521-4173

SURVEYOR:

PREPARED UNDER THE DIRECTION OF:

BRIAN L. THIENES
P.L.S. NO. 5750
LIC. EXP. 12/31/23

02 / 01 / 23
DATE

PROFESSIONAL LAND SURVEYOR BRIAN L. THIENES NO. 5750 STATE OF CALIFORNIA

Last Update:2/1/23
O:\3600-3699\3615\TPM\TPM1\3615_A-TPM.dwg

SHEET 1 OF 1
SHEET SIZE: 30" x 42"

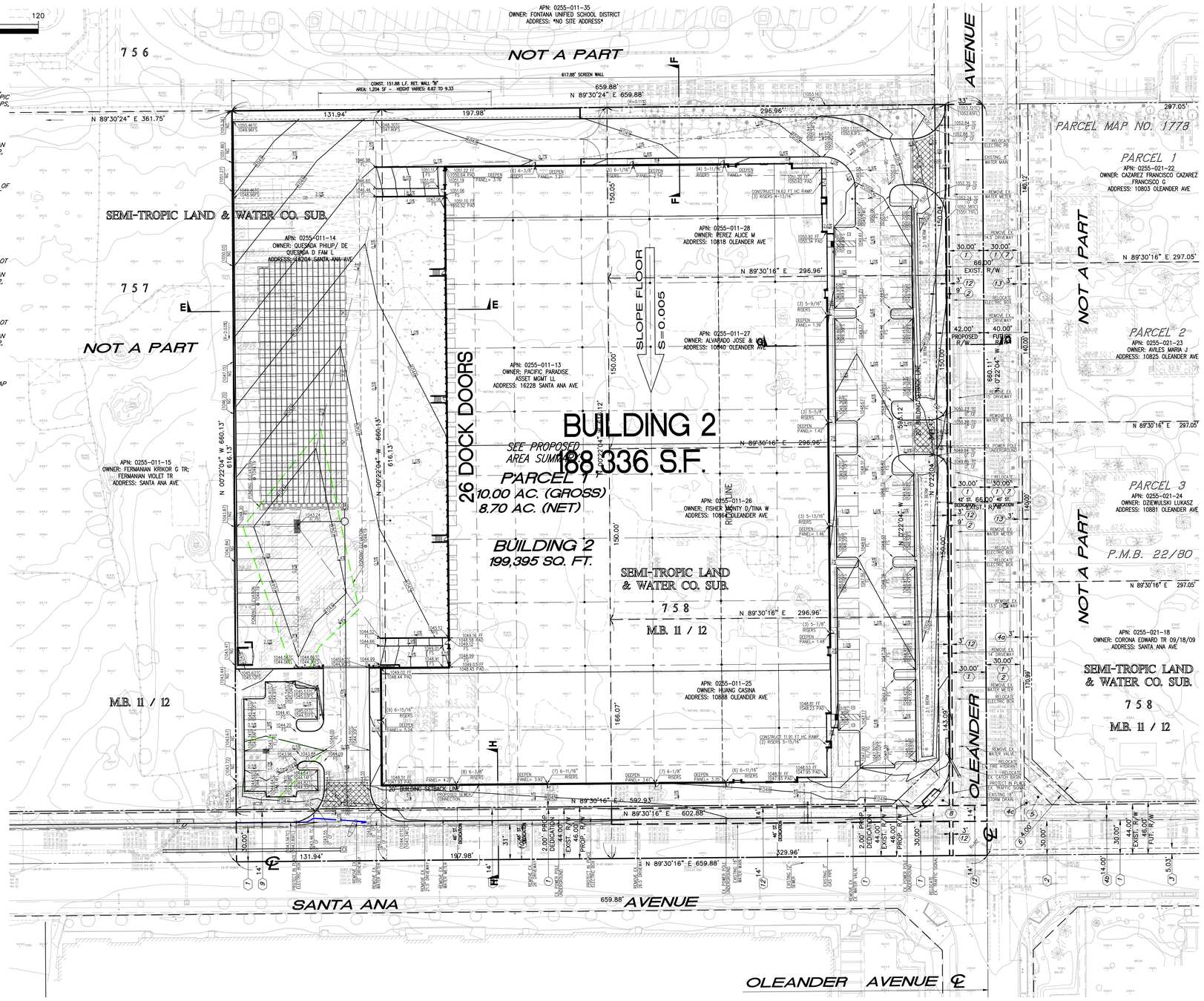
ATTACHMENT NO. 3

TENTATIVE PARCEL MAP NO. 20708

IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

BEING A CONSOLIDATION OF THE EAST 10 ACRES OF FARM LOT 757 OF MAP SHOWING SUBDIVISION OF LANDS BELONGING TO SEMTI–TRAPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0 20 40 80 120
SCALE:1"=40'



EXISTING LEGAL DESCRIPTIONS:

APN 0255–011–13:

THE EAST 3 ACRES OF THE WEST 5 ACRES OF THE EAST 10 ACRES OF FARM LOT 757, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI–TROPIC LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255–011–14:

THE WEST 2 ACRES OF THE WEST 5 ACRES OF THE EAST 10 ACRES OF LOT 757, SEMI–TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDS OF SAID COUNTY.

APN 0255–011–25:

THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISIONS OF LANDSBELONGING TO THE SEMI–TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPTING THEREFROM THE NORTH 450 FEET.
ALSO EXCEPTING THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.
ALSO EXCEPTING THEREFROM THE NORTH 14 FEET OF THE SOUTH 44 FEET.

APN 0255–011–26:

THE SOUTH 150 FEET OF THE NORTH 450 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI–TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11, PAGE 12, RECORDS OF SAID COUNTY.
EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.

APN 0255–011–27:

THE SOUTH 150 FEET OF THE NORTH 300 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI–TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDS OF SAID COUNTY.
EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET THEREOF.

APN 0255–011–28:

THE NORTH 150 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO SEMI–TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS SHOWN ON A MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.

EXISTING EASEMENTS NOTES:

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE RENUMBERED DUE TO MULTIPLE COPIES OF EACH.

(1) 1. SANTA ANA AVENUE (60' WIDE) AND OLEANDER AVENUE (60' WIDE) AS SHOWN ON MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI–TROPIC LAND AND WATER CO. (PLOTTED HEREON)

(2) 2. RIGHTS OF WAY FOR PUBLIC UTILITIES AS RESERVED IN THE DEED FROM LAGUNA LAND COMPANY TO SECURITY FIRST NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 28, 1935, IN BOOK 1067, PAGE 336 OFFICIAL RECORDS. (PLOTTED HEREON)

(3) 3. AN EASEMENT FOR LAYING AND MAINTAINING PIPES FOR DOMESTIC WATER AND INCIDENTAL PURPOSES, RECORDED JANUARY 19, 1955 AS BOOK 3549, PAGE 326, O.R.
IN FAVOR OF: PETE NOZERO, A MARRIED MAN
(PLOTTED HEREON)

(4) 4. AN EASEMENT FOR STREET AND HIGHWAY PURPOSES AND INCIDENTAL PURPOSES, RECORDED JUNE 23, 1975 AS BOOK 8705, PAGE 475 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF FONTANA, A MUNICIPAL CORPORATION
(SAID 3'–WIDE EASEMENT PLOTTED HEREON AS 4a)
(SAID 14'–WIDE EASEMENT PLOTTED HEREON AS 4b)
(SAID TRIANGULAR EASEMENT PLOTTED HEREON AS 4c)

(5) 5. AN EASEMENT FOR STREET, HIGHWAY AND PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED MARCH 12, 2010 AS INSTRUMENT NO. 2010–0098754 OF OFFICIAL RECORDS.
IN FAVOR OF: CITY OF FONTANA, A MUNICIPAL CORPORATION
(PLOTTED HEREON)

(6) 6. AN EASEMENT FOR DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE DATA AND/OR COMMUNICATIONS AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 11, 2019 AS INSTRUMENT NO. 2019–322501 OF OFFICIAL RECORDS.
IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION.
(PLOTTED HEREON)

(7) 7. PERTAINS TO CC&R'S RECORDED JUNE 28, 1935 AS BOOK 1067, PAGE(S) 336 AND FEBRUARY 13, 1948 IN BOOK 2146, PAGE(S) 395, BOTH OF OFFICIAL RECORDS.
(SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE.
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD)
(PLOTTED HEREON – EASEMENTS FOR ELECTRIC AND TELEPHONE)
(BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. 6/8/1951, BK 2777, PG 19, O.R.

(8) 8. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITY
GRANTED TO: THE CITY OF FONTANA, RECORDED MARCH 18, 2010, AS DOC. NO. 2010–0106144, OF OFFICIAL RECORDS
(PLOTTED HEREON)

(9) 9. EASEMENT(S) FOR PUBLIC UTILITIES GRANTED
TO: FONTANA LAND COMPANY, RECORDED FEBRUARY 18, 1932, IN BOOK 805 PAGE 29, O.R.
(SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE.
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)
(PLOTTED HEREON – EASEMENTS FOR ELECTRIC AND TELEPHONE)
(BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. 6/8/1951, BK 2777, PG 19, O.R.

(10) 10. EASEMENT(S) FOR PUBLIC UTILITIES, GRANTED TO: SOUTH SIERRAS POWER COMPANY, RECORDED JUNE 25, 1935 IN BOOK 1064 PAGE 362, OF OFFICIAL RECORDS
(PLOTTED HEREON – CENTERLINE, WIDTH NOT SPECIFIED)

(11) 11. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITIES, GRANTED
TO: CITY OF FONTANA, RECORDED NOVEMBER 24, 2010 AS DOC. NO. 2010–0500972, O.R.
AND RE–RECORDING DATE: DECEMBER 2, 2010
AND RE–RECORDING NO: 2010–0512265, OF OFFICIAL RECORDS
(PLOTTED HEREON)

(12) 12. 3' WIDE PORTION IN OLEANDER AVENUE AND 14' WIDE PORTION IN SANTA ANA AVENUE "EXCEPTIONS IN LEGAL DESCRIPTIONS" ARE SHOWN ON THE ASSESSOR PARCEL MAP AS DEDICATED PUBLIC STREET RIGHT–OF–WAYS.

(13) 13. 3' WIDE DEDICATION FOR STREET PURPOSES PER BOOK 8153, PAGE 980, O.R. AND SHOWN ON PARCEL MAP NO. 1778, P.M.B. 22 / 80.

EXISTING EASEMENTS NOTES (NOT PLOTABLE):

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE ASSIGNED A "LETTER DESIGNATION" AS OPPOSED TO A "NUMBER DESIGNATION" DUE TO MULTIPLE COPIES OF EACH.

A. PERTAINS TO CC&R'S RECORDED FEBRUARY 13, 1948 AS BOOK 2146, PAGE 395 OF OFFICIAL RECORDS.
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)
(SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

B. PERTAINS TO CC&R'S RECORDED JUNE 4, 1945 IN BOOK 1775, PAGE 367 OF OFFICIAL RECORDS.
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)
(SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

C. EASEMENT(S) FOR WATER PIPELINES AND PUBLIC UTILITIES AS RESERVED IN DEED BY FONTANA FARMS COMPANY
RECORDED JANUARY 10, 1925, IN BOOK 877, PAGE 316, OF DEEDS
(SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE, NOTHING PLOTTED HEREON)
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

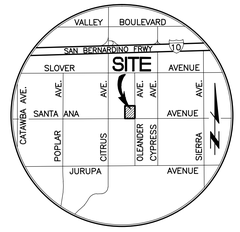
D. EASEMENT(S) FOR PIPELINES, WATER CONDUITS AS RESERVED IN DEED BY FONTANA DEVELOPMENT COMPANY, RECORDED OCTOBER 10, 1913 IN BOOK 540, PAGE 125, OF DEEDS
(SAID EASEMENT IS BLANKET IN NATURE, NOTHING PLOTTED)

E. PERTAINS TO CC&R'S RECORDED JUNE 21, 1951, AS DOC. NO. 34 IN BOOK 2782 PAGE 492, OF OFFICIAL RECORDS
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

6. PERTAINS TO CC&R'S RECORDED JANUARY 22, 1946 IN BOOK 1859 PAGE 368, O.R.
(SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)
(SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19. O.R., NOTHING PLOTTED)

APN's:

0255–011–13
0255–011–14
0255–011–25
0255–011–26
0255–011–27
0255–011–28



VICINITY MAP
NOT TO SCALE

TABULATION:

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	295,174	379,168	380,469	1,054,811 s.f.
In acres	6.78	8.70	8.73	24.22 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	144,405	183,395	198,080	525,880 s.f.
TOTAL	154,405	199,395	200,500	554,300 s.f.
LOT COVERAGE	50.6%	50.5%	50.6%	
FAR	0.52	0.53	0.53	
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	39	39	108 stalls
TOTAL	60	69	69	198 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	62	101	100	263 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	47	48	47	142 stalls
LANDSCAPE PROVIDED				
Percentage -	22.1%	21.7%	21.3%	
in s.f.	31,068	38,987	38,309	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			

MAXIMUM BUILDING HEIGHT ALLOWED
Height - 60'

MAXIMUM FLOOR AREA RATIO
FAR - 0.55 Max

ZONING ORDINANCE FOR CITY
Current Zoning Designation - Residential - Planned Community
Proposed Zoning Designation - Southwest Industrial Park/Slover East Industrial District (SIED)

SETBACKS
Building/Landscape
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None
Adjacent to Residential Truck District - 50'

PROPOSED AREA SUMMARY:

PARCEL 1 (BUILDING 2) "GROSS" AREA:	435,601 SQ. FT.,	10.00 ACRES
EXIST. OLEANDER AVE. AND SANTA ANA AVE. ESMTS:	49,642 SQ. FT.,	1.14 ACRES (1)(8)(11)(12)
PROP. OLEANDER AVE. AND SANTA ANA AVE. ESMTS:	6,791 SQ. FT.,	0.16 ACRES (1)(2)
TOTAL STREET EASEMENTS:	56,433 SQ. FT.,	1.30 ACRES
PARCEL 1 (BUILDING 2) "NET" AREA:	379,168 SQ. FT.,	8.70 ACRES

SURVEYOR'S NOTES (CONTINUED):

1. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   APN 0255–011–13:
   PACIFIC PARADISE ASSET MANAGEMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY.

   APN 0255–011–14:
   DELIA G. DE QUESADA, SURVIVING TRUSTEE OF THE PHILIP QUESADA AND DELIA DE QUESADA FAMILY LIVING TRUST.

   APN 0255–011–25:
   CASINA HUANG, A SINGLE WOMAN.

   APN 0255–011–26:
   MONTY D. FISHER, THE SUCCESSOR TRUSTEE OF FISHER TRUST DATED NOVEMBER 16, 1988, SUB–TRUST A.

   APN 0255–011–27:
   JOSE ALVARADO AND LUZ ALVARADO, HUSBAND AND WIFE AS JOINT TENANTS.

   APN 0255–011–28:
   ALICE MARIE PEREZ, AN UNMARRIED WOMAN.

2. PROJECT ADDRESS: 10818, 10840, 10864 & 10888 OLEANDER AVENUE
   16204 & 16228 SANTA ANA AVENUE
   FONTANA, CALIFORNIA 92337

3. ASSESSOR'S PARCEL NUMBERS:
   0255–011–13, 14, 25, 26, 27 & 28.

4. PARCEL AREAS: SEE PROPOSED AREA SUMMARY

5. ZONING INFORMATION:
   (THE FOLLOWING ZONE DESIGNATIONS ARE PER CITY OF FONTANA DEPARTMENT OF ENGINEERING / MAPPING)
   CURRENT ZONES:
   GENERAL PLAN DESIGNATION: RESIDENTIAL PLANNED COMMUNITY (R–PC)
   ZONE DESIGNATION: RESIDENTIAL PLANNED COMMUNITY (R–PC)

   PROPOSED ZONING DESIGNATION:
   SOUTHWEST INDUSTRIAL PARK/SLOVER EAST INDUSTRIAL DISTRICT

6. SUBJECT SITE CONSISTS OF 6 SEPARATE PARCELS. ALL 6 PARCELS HAVE SINGLE OR MULTIPLE RESIDENTIAL AND/OR STORAGE TYPE STRUCTURES THAT ARE PLANNED TO BE DEMOLISHED IN THE COURSE OF THIS PROJECT.

PREPARED BY / APPLICANT:

Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14349 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH:(714)521–4811 FAX(714)521–4173

LEGEND:

TRASH ENCLOSURE
LANDSCAPE
CONCRETE
TREE
PALM TREE
IRON FENCE
BLOCK WALL
1015 — INDICATES PROPOSED CONTOUR
1015 — INDICATES EXISTING CONTOUR
1013.73 EC — INDICATES PROPOSED ELEVATION/DESCRIPTION
NG (1013.73) — INDICATES EXISTING DESCRIPTION/ELEVATION
INDICATES PROPOSED STREET LIGHT
INDICATES PROPOSED FIRE HYDRANT

PROPOSED DEDICATION NOTES:

(1) 2' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP.
(46' WIDE ULTIMATE WIDTH – SANTA ANA AVENUE).

(2) 9' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP.
(42' WIDE ULTIMATE WIDTH – OLEANDER AVENUE).

UTILITY PROVIDERS:

SEWER:
CITY OF FONTANA
8353 SIERRA AVENUE
FONTANA, CA 92335
PHONE: (909) 350–7610
CONTACT: CARLOS MORAN HERNANDEZ

WATER:
SAN GABRIEL VALLEY WATER CO.
15966 ARROW ROUTE
FONTANA, CA 92335
PHONE: (909) 201–7348
CONTACT: KAROLINA GUZMAN

GAS:
SO. CALIF. GAS COMPANY
1981 W. LUGONIA AVENUE, P.O. BOX 3003
REDLANDS, CA 92373–0306
PHONE: (800) 427–2200
CONTACT: RANDOLPH DARNELL

ELECTRIC:
SCE PLANNING
7651 REDWOOD AVENUE
FONTANA, CA 92336
PHONE: (909) 357–6103
CONTACT: KIM GURULE

TELEPHONE:
A. T. & T.
1452 EDINGER AVE., 3rd Floor
TUSTIN, CA 92780
PHONE: (951) 359–2629
CONTACT: MARC POOLE

CABLE:
CHARTER COMMUNICATIONS
7337 CENTRAL AVENUE
RIVERSIDE, CA 92504
PHONE: (951) 406–1613
CONTACT: JAMES MOCK

DEVELOPER:
ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640–9995

OWNER:
SEE SURVEYOR'S NOTES No. 1
c/o ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640–9995

ARCHITECT:
HPA
18831 BARDEEN AVENUE, SUITE 100
IRVINE, CA 92612
PHONE: (949) 863–1770

SURVEYOR:

PREPARED UNDER THE DIRECTION OF:

BRIAN L. THIENES
P.L.S. NO. 5750
LIC. EXP. 12/31/23

02 / 01 / 23
DATE

PROFESSIONAL LAND SURVEYOR BRIAN L. THIENES NO. 5750 STATE OF CALIFORNIA

Last Update:2/1/23
O:\3600–3699\3615\TPM\TPM2\3615_B–TPM.dwg

SHEET 1 OF 1
SHEET SIZE: 30" x 42"

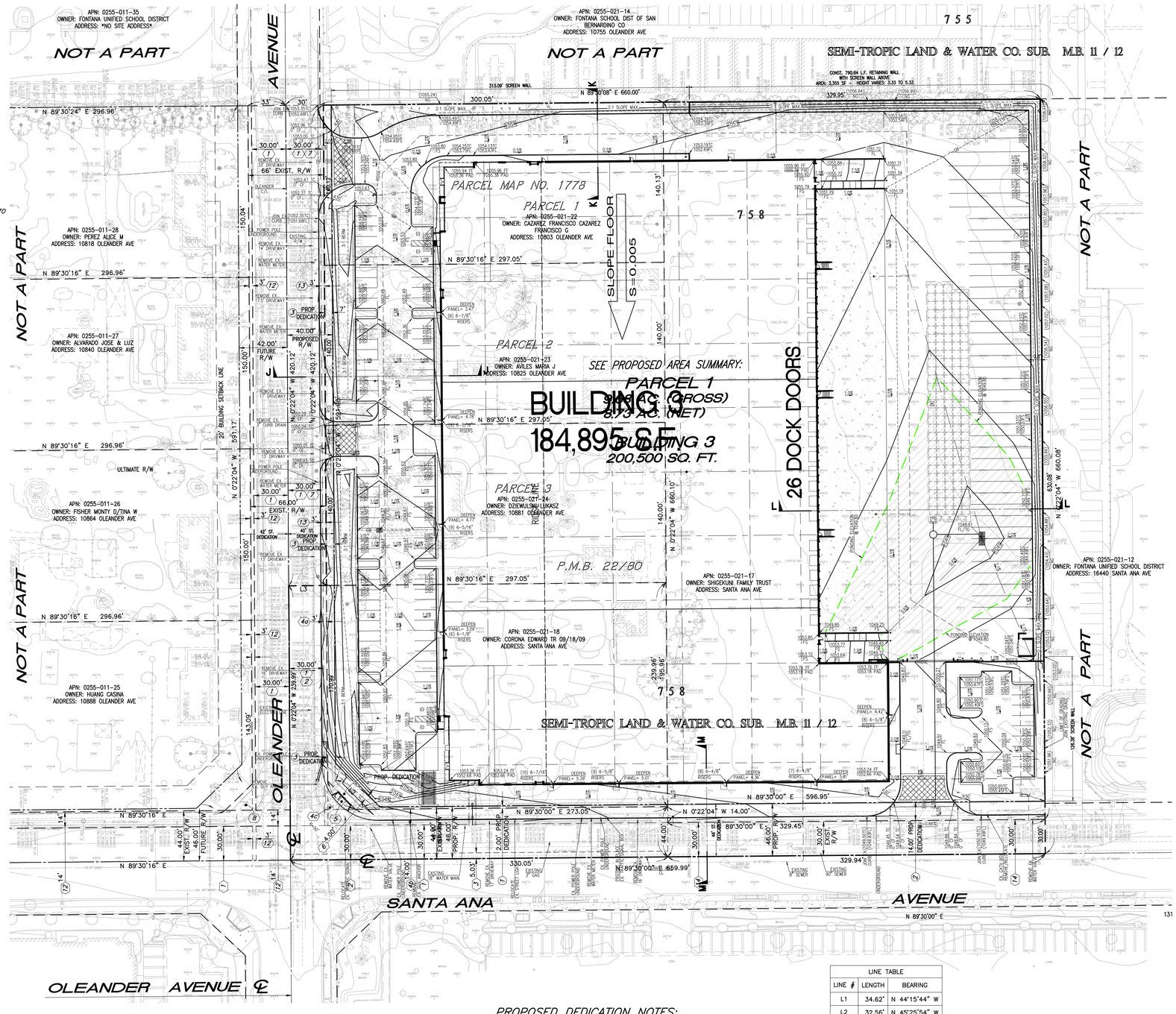
ATTACHMENT NO. 4

TENTATIVE PARCEL MAP NO. 20707

IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

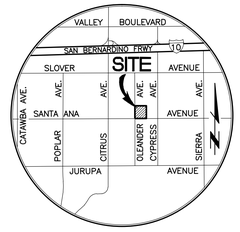
BEING A CONSOLIDATION OF PARCELS 1, 2 AND 3 OF PARCEL MAP 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 22, PAGE 80 OF PARCEL MAPS, TOGETHER WITH A PORTION OF THE WEST HALF OF FARM LOT 758 OF MAP SHOWING SUBDIVISION OF LANDS BELONGING TO SEMTI-TROPIC LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, BOTH IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0 20 40 80 120
SCALE: 1"=40'



APN's:

0255-021-17
0255-021-18
0255-021-22
0255-021-23
0255-021-24



VICINITY MAP
NOT TO SCALE

EXISTING LEGAL DESCRIPTIONS:

APN 0255-021-17:

THE EAST ONE HALF OF THE WEST ONE HALF OF FARM LOT 758, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDS OF SAID COUNTY.

APN 0255-021-18:

THE SOUTH 240 FEET OF THE WEST 1/2 OF THE WEST 1/2 OF LOT 758, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER CO., AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA.

APN 0255-021-22:

PARCEL 1 OF PARCEL MAP 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 22, PAGE 80, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255-021-23:

PARCEL 2 OF PARCEL MAP 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 22, PAGE 80, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN 0255-021-24:

PARCEL 3 OF PARCEL MAP 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 22, PAGE 80, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXISTING EASEMENTS NOTES:

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE RENUMBERED DUE TO MULTIPLE COPIES OF EACH.

(1) *1. SANTA ANA AVENUE (60' WIDE) AND OLEANDER AVENUE (60' WIDE) AS SHOWN ON MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER CO. (PLOTTED HEREON)*

(2) *2. RIGHTS OF WAY FOR PUBLIC UTILITIES AS RESERVED IN THE DEED FROM FONTANA LAND COMPANY TO SECURITY FIRST NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 28, 1935, IN BOOK 1067, PAGE 336 OFFICIAL RECORDS. IN FAVOR OF: FONTANA LAND COMPANY. (PLOTTED HEREON)*

(3) *3. AN EASEMENT FOR LAYING AND MAINTAINING PIPES FOR DOMESTIC WATER AND INCIDENTAL PURPOSES, RECORDED JANUARY 19, 1955 AS BOOK 3549, PAGE 326, O.R. IN FAVOR OF: PETE NOZERO, A MARRIED MAN (PLOTTED HEREON)*

(4) *4. AN EASEMENT FOR STREET AND HIGHWAY PURPOSES AND INCIDENTAL PURPOSES, RECORDED JUNE 23, 1975 AS BOOK 8705, PAGE 475 OF OFFICIAL RECORDS. IN FAVOR OF: CITY OF FONTANA, A MUNICIPAL CORPORATION (SAID 3'-WIDE EASEMENT PLOTTED HEREON AS 4a) (SAID 14'-WIDE EASEMENT PLOTTED HEREON AS 4b) (SAID TRIANGULAR EASEMENT PLOTTED HEREON AS 4c)*

(5) *5. AN EASEMENT FOR STREET, HIGHWAY AND PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED MARCH 12, 2010 AS INSTRUMENT NO. 2010-0098754 OF OFFICIAL RECORDS. IN FAVOR OF: CITY OF FONTANA, A MUNICIPAL CORPORATION (PLOTTED HEREON)*

(6) *6. AN EASEMENT FOR DISTRIBUTING ELECTRICAL ENERGY AND FOR TRANSMITTING INTELLIGENCE DATA AND/OR COMMUNICATIONS AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 11, 2019 AS INSTRUMENT NO. 2019-322501 OF OFFICIAL RECORDS. IN FAVOR OF: SOUTHERN CALIFORNIA EDISON COMPANY, A CORPORATION. (PLOTTED HEREON)*

(7) *7. PERTAINS TO CC&R'S RECORDED JUNE 28, 1935 AS BOOK 1067, PAGE(S) 336 AND FEBRUARY 13, 1948 IN BOOK 2146, PAGE(S) 395, BOTH OF OFFICIAL RECORDS, (SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD) (PLOTTED HEREON – EASEMENTS FOR ELECTRIC AND TELEPHONE) (BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. 6/8/1951, BK 2777, PG 19, O.R.*

(8) *8. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITY GRANTED TO: THE CITY OF FONTANA, RECORDED MARCH 18, 2010, AS DOC. NO. 2010-0106144, OF OFFICIAL RECORDS (PLOTTED HEREON)*

(9) *9. EASEMENT(S) FOR PUBLIC UTILITIES GRANTED TO: FONTANA LAND COMPANY, RECORDED FEBRUARY 18, 1932, IN BOOK 805 PAGE 29, O.R. (SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (NOT PLOTTED – EASEMENTS FOR ELECTRIC AND TELEPHONE OFF-SITE IN SANTA ANA AVE.) (BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. 6/8/1951, BK 2777, PG 19, O.R.*

(10) *10. EASEMENT(S) FOR PUBLIC UTILITIES, GRANTED TO: SOUTH SIERRAS POWER COMPANY, RECORDED JUNE 25, 1935 IN BOOK 1064 PAGE 362, OF OFFICIAL RECORDS (NOT PLOTTED – CENTERLINE EASEMENT OFF-SITE IN SANTA ANA AVENUE)*

(11) *11. EASEMENT(S) FOR STREET, HIGHWAY AND PUBLIC UTILITIES, GRANTED TO: CITY OF FONTANA, RECORDED NOVEMBER 24, 2010 AS DOC. NO. 2010-0500972, O.R. AND RE-RECORDING DATE: DECEMBER 2, 2010 AND RE-RECORDING NO: 2010-0512265, OF OFFICIAL RECORDS (NOT PLOTTED – 14' WIDE EASEMENT OFF-SITE IN SANTA ANA AVENUE)*

(12) *12. 3' WIDE PORTION IN OLEANDER AVENUE AND 14' WIDE PORTION IN SANTA ANA AVENUE "EXCEPTIONS IN LEGAL DESCRIPTIONS" ARE SHOWN ON THE ASSESSOR PARCEL MAP AS DEDICATED PUBLIC STREET RIGHT-OF-WAYS. (PLOTTED HEREON)*

(13) *13. 3' WIDE DEDICATION FOR STREET PURPOSES PER BOOK 8153, PAGE 980, O.R. AND SHOWN ON PARCEL MAP NO. 1778, P.M.B. 22 / 80. (PLOTTED HEREON)*

(14) *14. RIGHTS OF WAY OF UNDISCLOSED ROADS AND WIDTH FOR PUBLIC UTILITIES AS RESERVED IN THE DEED FROM FONTANA LAND COMPANY TO SECURITY FIRST NATIONAL BANK OF LOS ANGELES, RECORDED JUNE 28, 1935, IN BOOK 1067, PAGE 336 OFFICIAL RECORDS. IN FAVOR OF: FONTANA LAND COMPANY. (PLOTTED HEREON)*

EXISTING EASEMENTS NOTES (NOT PLOTABLE):

THE FOLLOWING EASEMENTS WERE COMPILED BY VARIOUS TITLE REPORTS FOR EACH OF THE SEPARATE PROPERTIES AND WERE ASSIGNED A "LETTER DESIGNATION" AS OPPOSED TO A "NUMBER DESIGNATION" DUE TO MULTIPLE COPIES OF EACH.

A. PERTAINS TO CC&R'S RECORDED FEBRUARY 13, 1948 AS BOOK 2146, PAGE 395 OF OFFICIAL RECORDS. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19, O.R., NOTHING PLOTTED)

B. PERTAINS TO CC&R'S RECORDED JUNE 4, 1945 IN BOOK 1775, PAGE 367 OF OFFICIAL RECORDS. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19, O.R., NOTHING PLOTTED)

C. EASEMENT(S) FOR WATER PIPELINES AND PUBLIC UTILITIES AS RESERVED IN DEED BY FONTANA FARMS COMPANY RECORDED JANUARY 10, 1925, IN BOOK 877, PAGE 316, OF DEEDS (SAID EASEMENTS FOR PIPES AND WATER CONDUITS ARE BLANKET IN NATURE, NOTHING PLOTTED HEREON) (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

D. EASEMENT(S) FOR PIPELINES, WATER CONDUITS AS RESERVED IN DEED BY FONTANA DEVELOPMENT COMPANY, RECORDED OCTOBER 10, 1913 IN BOOK 540, PAGE 125, OF DEEDS (SAID EASEMENT IS BLANKET IN NATURE, NOTHING PLOTTED)

E. PERTAINS TO CC&R'S RECORDED JUNE 21, 1951, AS DOC. NO. 34 IN BOOK 2782 PAGE 492, OF OFFICIAL RECORDS (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION)

6. PERTAINS TO CC&R'S RECORDED JANUARY 22, 1946 IN BOOK 1859 PAGE 368, O.R. (SAID 10" PIPE NOT PLOTTABLE FROM RECORD INFORMATION) (SAID BUILDING RESTRICTION WAS QUITCLAIMED PER DOC. REC. JUNE 8, 1951, BK 2777, PG 19, O.R., NOTHING PLOTTED)

TABULATION:

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	295,174	379,168	380,469	1,054,811 s.f.
In acres	6.78	8.70	8.73	24.22 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	144,405	183,395	198,080	525,880 s.f.
TOTAL	154,405	199,395	200,500	554,300 s.f.
LOT COVERAGE	50.6%	50.5%	50.6%	
FAR	0.52	0.53	0.53	
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	39	39	108 stalls
TOTAL	60	69	69	198 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	62	101	100	263 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	47	48	47	142 stalls
LANDSCAPE PROVIDED				
Percentage -	22.1%	21.7%	21.3%	
in s.f.	31,068	38,987	38,309	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			
MAXIMUM BUILDING HEIGHT ALLOWED				
Height - 60'				
MAXIMUM FLOOR AREA RATIO				
FAR - 0.55 Max				
ZONING ORDINANCE FOR CITY				
Current Zoning Designation - Residential - Planned Community				
Proposed Zoning Designation - Southwest Industrial Park/Slover East Industrial District (SED)				
SETBACKS				
Building/Landscape				
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None				
Adjacent to Residential Truck District - 50'				

PROPOSED AREA SUMMARY:

PARCEL 1 (BUILDING 3) "GROSS" AREA:	*421,795 SQ. FT., 9.68 ACRES*	
EXIST. OLEANDER AVE. AND SANTA ANA AVE. EASEMENTS:	*31,188 SQ. FT., 0.72 ACRES*	(1)(4a)(4c)(5)(13)
PROP. OLEANDER AVE. AND SANTA ANA AVE. EASEMENTS:	*10,138 SQ. FT., 0.23 ACRES*	(1)(2)(3)
TOTAL STREET EASEMENTS:	*41,326 SQ. FT., 0.95 ACRES*	
PARCEL 1 (BUILDING 3) "NET" AREA:	*380,469 SQ. FT., 8.73 ACRES*	

SURVEYOR'S NOTES (CONTINUED):

1. *TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:*

   APN 0255-021-17:
   VICKI LYNN WONG, TRUSTEE, THE EXEMPTION TRUST OF THE SHIGEKUNI FAMILY TRUST DATED DECEMBER 10, 2019 AND VICKI LYNN WONG, TRUSTEE, THE SURVIVOR'S TRUST OF THE SHIGEKUNI FAMILY TRUST DATED DECEMBER 10, 2019, EACH AS TO AN UNDIVIDED 50% INTEREST.

   APN 0255-021-18:
   EDWARD CORONA, TRUSTEE OF THE EDWARD CORONA TRUST DATED SEPTEMBER 18, 2009

   APN 0255-021-22:
   FRANCISCO CAZAREZ, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY AND FRANCISCO G. CAZAREZ, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY, AS JOINT TENANTS.

   APN 0255-021-23:
   MARIA J. AVILES, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY.

   APN 0255-021-24:
   LUKASZ DZIEWULSKI, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY.

2. *PROJECT ADDRESS:* *10803, 10825, 10881 & 10899 OLEANDER AVENUE NO ADDRESS FOR VACANT LOT APN 0255-021-17 FONTANA, CALIFORNIA 92337*
3. *ASSESSOR'S PARCEL NUMBERS:* *0255-021-17, 18, 22, 23 & 24.*
4. *PARCEL AREAS:* *SEE PROPOSED AREA SUMMARY*
5. *ZONING INFORMATION:*
   (THE FOLLOWING ZONE DESIGNATIONS ARE PER CITY OF FONTANA DEPARTMENT OF ENGINEERING / MAPPING)
   CURRENT ZONES:
   GENERAL PLAN DESIGNATION: *RESIDENTIAL PLANNED COMMUNITY (R-PC)*
   ZONE DESIGNATION: *RESIDENTIAL PLANNED COMMUNITY (R-PC)*

   PROPOSED ZONING DESIGNATION:
   SOUTHWEST INDUSTRIAL PARK/SLOVER EAST INDUSTRIAL DISTRICT
6. *SUBJECT SITE CONSISTS OF 5 SEPARATE PARCELS. FOUR PARCELS HAVE SINGLE OR MULTIPLE RESIDENTIAL AND/OR STORAGE TYPE STRUCTURES THAT ARE PLANNED TO BE DEMOLISHED IN THE COURSE OF THIS PROJECT. ONE PARCEL IS AN UNDEVELOPED VACANT LOT.*

LEGEND:

- TRASH ENCLOSURE
- LANDSCAPE
- CONCRETE
- TREE
- PALM TREE
- IRON FENCE
- BLOCK WALL
- 1015 — INDICATES PROPOSED CONTOUR
- 1015 — INDICATES EXISTING CONTOUR
- 1013.73 — INDICATES PROPOSED ELEVATION/DESCRIPTION
- NG (1013.73) EC — INDICATES EXISTING DESCRIPTION/ELEVATION
- INDICATES PROPOSED STREET LIGHT
- INDICATES PROPOSED FIRE HYDRANT

LINE TABLE		
LINE #	LENGTH	BEARING
L1	34.62'	N 44°15'44" W
L2	32.56'	N 45°25'54" W
L3	33.00'	N 89°30'16" E

PROPOSED DEDICATION NOTES:

(1) *2' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP. (46' WIDE ULTIMATE WIDTH – SANTA ANA AVENUE).*

(2) *14' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP. (46' WIDE ULTIMATE WIDTH – SANTA ANA AVENUE).*

(3) *7' WIDE EASEMENT FOR STREET AND HIGHWAY PURPOSES TO BE DEDICATED TO THE CITY OF FONTANA ON PARCEL MAP. (40' WIDE ULTIMATE WIDTH – OLEANDER AVENUE).*

UTILITY PROVIDERS:

SEWER:
CITY OF FONTANA
8353 SIERRA AVENUE
FONTANA, CA 92335
PHONE: (909) 350-7610
CONTACT: CARLOS MORAN HERNANDEZ

WATER:
SAN GABRIEL VALLEY WATER CO.
15966 ARROW ROUTE
FONTANA, CA 92335
PHONE: (909) 201-7348
CONTACT: KAROLINA GUZMAN

GAS:
SO. CALIF. GAS COMPANY
1981 W. LUGONIA AVENUE, P.O. BOX 3003
REDLANDS, CA 92373-0306
PHONE: (800) 427-2200
CONTACT: RANDOLPH DARNELL

ELECTRIC:
SCE PLANNING
7651 REDWOOD AVENUE
FONTANA, CA 92336
PHONE: (909) 357-6103
CONTACT: KIM GURULE

TELEPHONE:
A. T. & T.
1452 EDINGER AVE., 3rd Floor
TUSTIN, CA 92780
PHONE: (951) 359-2629
CONTACT: MARC POOLE

CABLE:
CHARTER COMMUNICATIONS
7337 CENTRAL AVENUE
RIVERSIDE, CA 92504
PHONE: (951) 408-1613
CONTACT: JAMES MOCK

DEVELOPER:

ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640-9995

OWNER:

SEE SURVEYOR'S NOTES No. 1
c/o ACACIA REAL ESTATE GROUP, INC.
P.O. BOX 12665
NEWPORT BEACH, CA 92658
PHONE: (949) 640-9995

ARCHITECT:

HPA
18831 BARDEEN AVENUE, SUITE 100
IRVINE, CA 92612
PHONE: (949) 863-1770

PREPARED BY / APPLICANT:

Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14349 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH.(714)521-4811 FAX(714)521-4173

SURVEYOR:

PREPARED UNDER THE DIRECTION OF:

BRIAN L. THIENES — *02 / 01 / 23* *DATE*
P.L.S. NO. 5750
LIC. EXP. 12/31/23

PROFESSIONAL LAND SURVEYOR BRIAN L. THIENES NO. 5750 STATE OF CALIFORNIA

Last Update: 2/1/23
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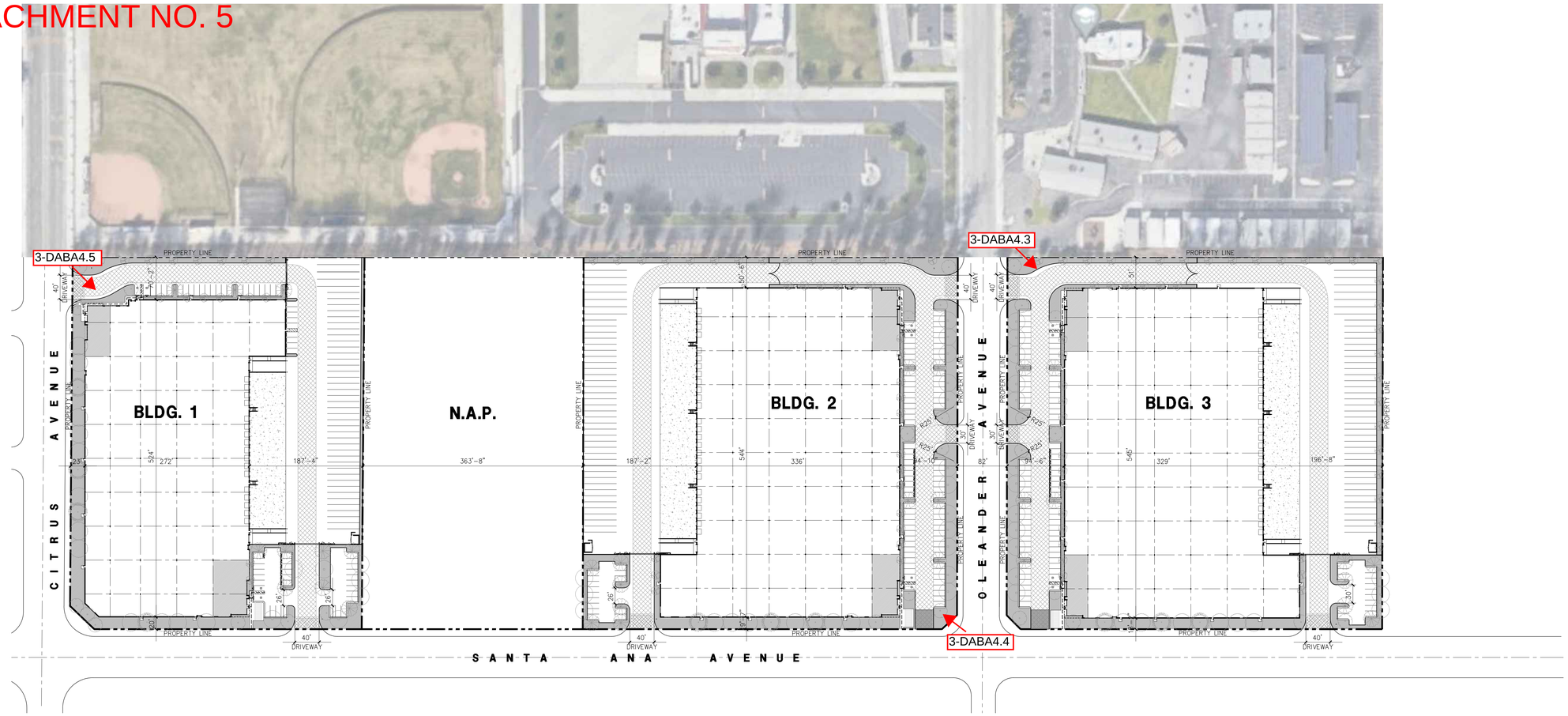
ATTACHMENT NO. 5



MASTER SITE PLAN (A)
scale: 1"= 80'-0"

SCALE: 1"= 80'-0"
0 80' 160' 240'
TRUE NORTH

PROJECT INFORMATION

OWNER/APPLICANT

ACACIA REAL ESTATE
260 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660
TEL: (949) 640-9995
CONTACT: DAVID PITTMAN

PROJECT ADDRESS

SANTA ANA AVENUE, CITRUS AVENUE, OLEANDER AVENUE
FONTANA, CA

ASSESSOR'S PARCEL NUMBER

0255-021-17	0255-011-25
0255-021-18	0255-011-26
0255-021-22	0255-011-27
0255-021-23	0255-011-28
0255-021-24	0255-011-29
0255-011-13	0255-011-30
0255-011-14	0255-011-31
0255-011-18	0255-011-32
0255-011-19	

CODE ANALYSIS

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS

ZONING

CURRENT ZONING DESTINATION-RESIDENTIAL-PLANNED COMMUNITY
PROPOSED ZONING DESTINATION-SOUTHWEST INDUSTRIAL
PARK/SLOVER EAST INDUSTRIAL DISTRICT (SED)

FILE NUMBER

22-013

CONSTRUCTION TYPE

CONCRETE TILT-UP BUILDING
BUILDING OCCUPANCY: S-1/B
CONSTRUCTION TYPE: III-B
ESFR SYSTEM

APPLICANT'S REPRESENTATIVE

HPA, INC.
18831 BARDEEN AVE.-SUITE 100
IRVINE, CA 92612
PHONE: (949)-862-2173
FAX: (949)-863-0851
CONTACT: DOUG HINRICHS

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
17. ALL SIGNAGE SHALL BE LEGIBLE, DURABLE, AND WEATHERPROOF.
18. EACH PROPOSED OFFICE AREA WILL REQUIRE ITS OWN TRASH ENCLOSURE.

SITE LEGEND

- CONCRETE PAVING. SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- LANDSCAPED AREA
- 26' WIDE FIRELANE
- ACCESSIBLE PARKING STALL (9' X 19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12' X 19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL

PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	296,421	384,113	383,631	1,064,165 s.f.
In acres	6.80	8.82	8.81	24.43 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	141,618	180,336	176,895	498,849 s.f.
TOTAL	151,618	196,336	192,895	540,849 s.f.
LOT COVERAGE	51.1%	51.1%	50.3%	50.8%
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	38	38	106 stalls
TOTAL	60	68	68	196 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	64	98	98	260 stalls
TRAILER PARKING PROVIDED (12' x 70')				
(12' x 70')	4	7	7	18 stalls
TRAILER PARKING PROVIDED (12' x 53')				
(12' x53')	1	1	1	3 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	42	42	42	126 stalls
LANDSCAPE PROVIDED				
Percentage -	21.2%	19.5%	21.3%	
in s.f.	30,630	36,702	40,659	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			

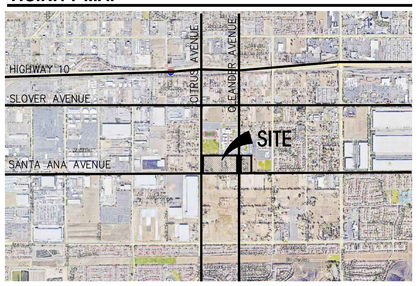
MAXIMUM BUILDING HEIGHT ALLOWED
Height - 60'

MAXIMUM FLOOR AREA RATIO
FAR - 0.55 Max

ZONING ORDINANCE FOR CITY
Current Zoning Designation - Residential - Planned Community
Proposed Zoning Designation - Southwest Industrial Park/Slover East Industrial District (SED)

SETBACKS
Building/Landscape
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None
Adjacent to Residential Truck District - 50'

VICINITY MAP



OFFICIAL USE ONLY

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.
TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:
–
CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

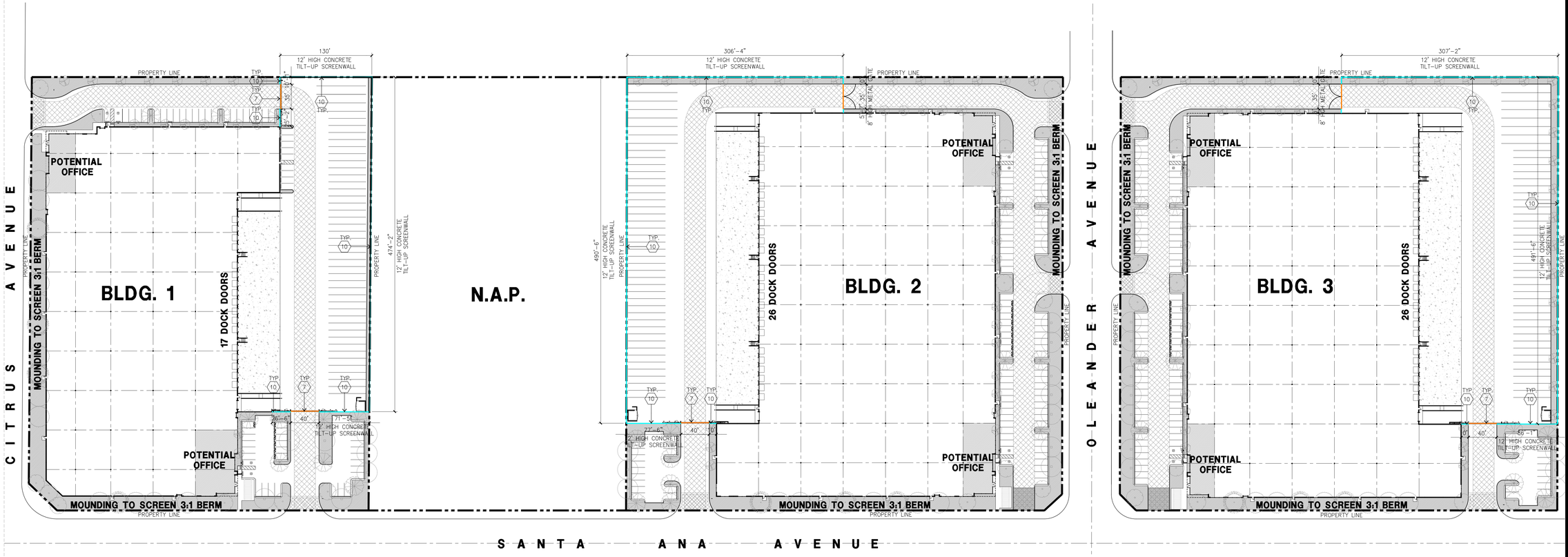
Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: MASTER SITE PLAN

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

Sheet:
DAB-A1.0



FENCE PLAN (A)
scale: 1"= 60'-0"

SCALE: 1"= 60'-0"
0 60' 120' 180'
TRUE NORTH

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT.
2. ASPHALT CONCRETE (AC) PAVING.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. DRIVEWAY APRONS TO BE CONSTRUCTED
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. APPROXIMATE LOCATION OF TRANSFORMER. CONTRACTOR TO VERIFY WITH S.C.E.
7. PROVIDE 8' HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
8. CONCRETE RAMP W/ 42" HIGH CONCRETE WALL.
9. EXTERIOR BIKE RACK TYPICAL.
10. 12' HIGH CONCRETE TILT-UP SCREEN WALL.
11. EXTERIOR CONCRETE STAIR.
12. CONCRETE CURB. SEE CIVIL DRAWINGS.
13. LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
14. PRE-CAST CONCRETE WHEEL STOP.
15. CONCRETE FILLED GUARD POST "6 DIA. U.N.O. 42" H,
16. TRASH ENCLOSURE PER CITY STANDARD.
17. ACCESSIBLE ENTRY SIGN.
18. ACCESSIBLE PARKING STALL SIGN.
19. TRUNCATED DOME.
20. APPROXIMATE LOCATION OF FIRE HYDRANT.
21. 8' H METAL FENCE.
22. ADD SIGN "TRUCK PROHIBITED".
23. LUNCH TRELLIS - PROPOSED BREAK AREA

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hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:
–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: FENCE PLAN

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:
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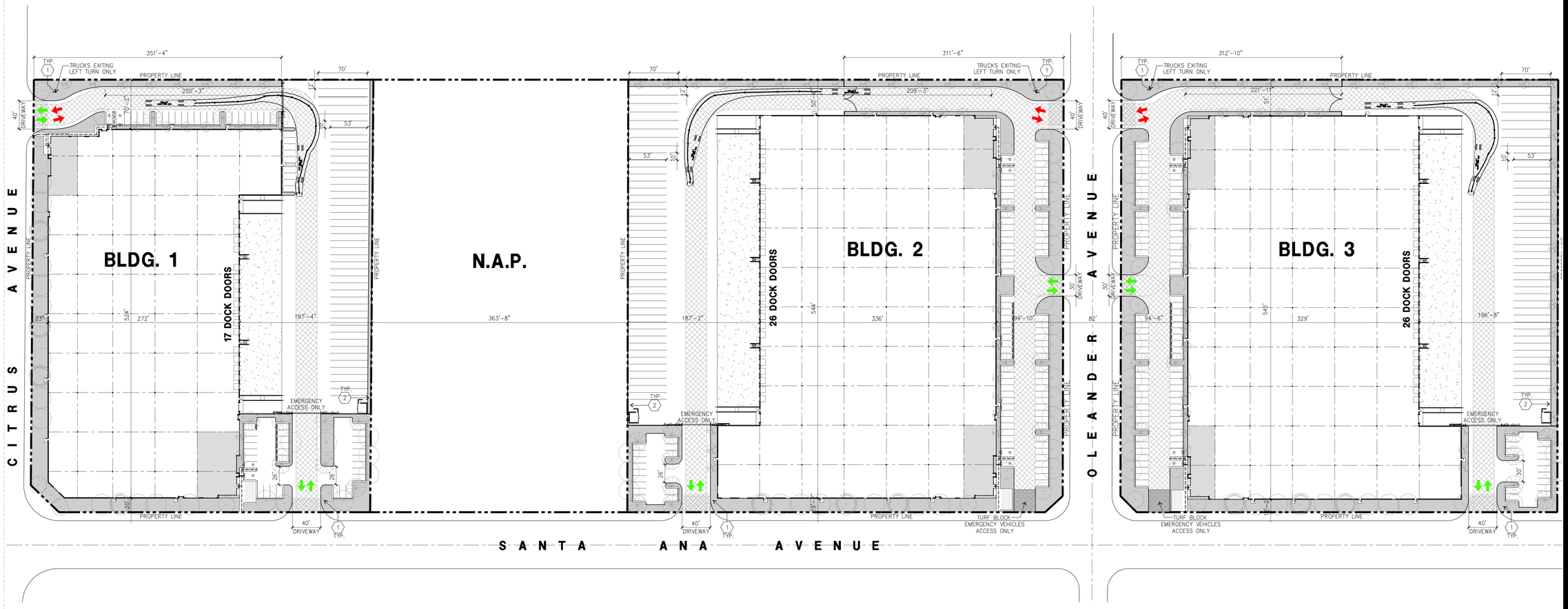

SIGNAGE & TRUCK TURNING PLAN

scale: 1"= 60'-0"

SCALE: 1"= 60'-0"

0 60' 120' 180'

TRUE NORTH

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
17. ALL SIGNAGE SHALL BE LEGIBLE, DURABLE, AND WEATHERPROOF.
18. EACH PROPOSED OFFICE AREA WILL REQUIRE ITS OWN TRASH ENCLOSURE.

SITE LEGEND

- CONCRETE PAVING. SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- LANDSCAPED AREA
- 26' WIDE FIRELANE
- ACCESSIBLE PARKING STALL (9' X 19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12' X 19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL
- FOR AUTOS
- FOR TRUCKS

SIGNAGE & TRUCK TURNING PLAN KEYNOTES

1. NO TRUCK IDLING SIGN.
2. SIGN INDICATING "OFF - SITE PARKING FOR ANY EMPLOYEE, TRUCK OR OTHER OPERATION RELATED VEHICLE IS STRICTLY PROHIBITED.

OFFICIAL USE ONLY

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:

ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:

–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: SIGNAGE & TRUCK TURNING PLAN

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:

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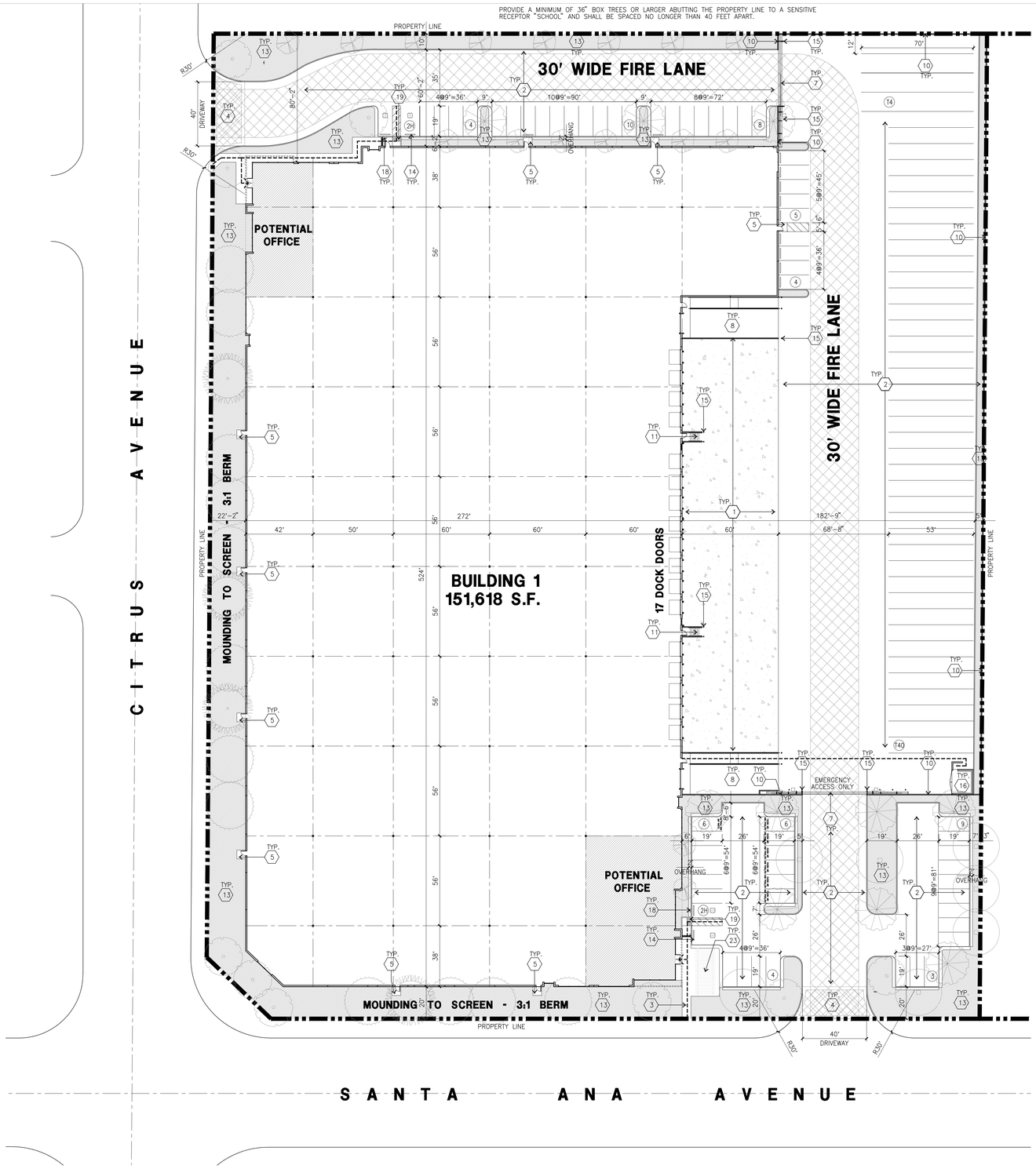


OVERALL SITE PLAN (A)
scale: 1" = 30'-0"

SCALE: 1" = 30'-0"
0 30' 60' 90'
TRUE NORTH

PROPERTY OWNER

ACACIA REAL ESTATE
260 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660
TEL: (949) 640-9995
CONTACT: DAVID PITTMAN

ADDRESS OF THE PROPERTY

TBD

ASSESSOR'S PARCEL NUMBER

0255-011-18
0255-011-19
0255-011-29
0255-011-30
0255-011-31
0255-011-32

ZONING

CURRENT ZONING DESTINATION-RESIDENTIAL-PLANNED COMMUNITY
PROPOSED ZONING DESTINATION-SOUTHWEST INDUSTRIAL PARK/SLOVER EAST INDUSTRIAL DISTRICT (SED)

APPLICANT

–
–
–
–
–

APPLICANT'S REPRESENTATIVE

HPA, INC.
18831 BARDEEN AVE.-SUITE 100
IRVINE, CA 92612
PHONE: (949)-862-2173
FAX: (949)-863-0851
CONTACT: DOUG HINRICHS

PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	296,421	384,113	383,631	1,064,165 s.f.
In acres	6.80	8.82	8.81	24.43 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	141,618	180,336	176,895	498,849 s.f.
TOTAL	151,618	196,336	192,895	540,849 s.f.
LOT COVERAGE	51.1%	51.1%	50.3%	50.8%
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	38	38	106 stalls
TOTAL	60	68	68	196 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	64	98	98	260 stalls
TRAILER PARKING PROVIDED (12' x 70')				
(12' x 70')	4	7	7	18 stalls
TRAILER PARKING PROVIDED (12' x 53')				
(12' x53')	1	1	1	3 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	42	42	42	126 stalls
LANDSCAPE PROVIDED				
Percentage -	21.2%	19.5%	21.3%	
in s.f.	30,630	36,702	40,659	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			
MAXIMUM BUILDING HEIGHT ALLOWED				
Height - 60'				
MAXIMUM FLOOR AREA RATIO				
FAR - 0.55 Max				
ZONING ORDINANCE FOR CITY				
Current Zoning Designation - Residential - Planned Community				
Proposed Zoning Designation - Southw est Industrial Park/Slover East Industrial District (SED)				
SETBACKS				
Building/Landscape				
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None				
Adjacent to Residential Truck District - 50'				

LEGAL DESCRIPTION

0255-011-19

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST ONE-HALF OF THE EAST 3 ACRES OF THE WEST 8 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDED OF SAID COUNTY.

0255-011-18

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE EAST 1/2 OF THE EAST 3 ACRES OF THE WEST 8 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDED OF SAID COUNTY.

NOTE: THE MAP OF THE ABOVE DECRIBED SUBDIVISION RECITES THAT THE SAME ARE COMPUTED TO STREET CENTERS.

0255-011-29

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 OF PARCEL MAP NO. 5352, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51 OF PARCEL MAPS, PAGE 89, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0255-011-30

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARCEL MAP NO. 5352, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51 OF PARCEL MAPS, PAGE 89, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0255-011-31

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

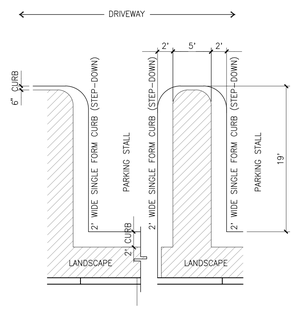
PARCEL 3 OF PARCEL MAP NO. 5352, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51 PAGE(S) 89 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0255-011-32

LEGAL DESCRIPTION:

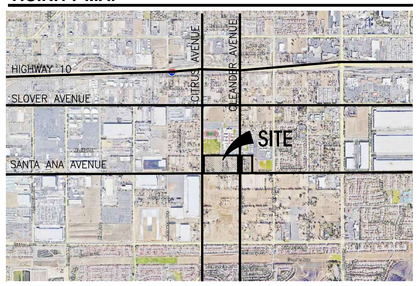
THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 4 OF PARCEL MAP NO. 5532, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 51 OF PARCEL MAPS, PAGE 89, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



STEP-DOWN AT END PARKING STALL (B)
scale: 1/8" = 1'-0"

VICINITY MAP



SITE LEGEND

- CONCRETE PAVING. SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- LANDSCAPED AREA
- 26' WIDE FIRELANE
- ACCESSIBLE PARKING STALL (9' X 19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12' X 19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT.
2. ASPHALT CONCRETE (AC) PAVING.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. DRIVEWAY APRONS TO BE CONSTRUCTED
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. APPROXIMATE LOCATION OF TRANSFORMER. CONTRACTOR TO VERIFY WITH S.C.E.
7. PROVIDE 8' HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
8. CONCRETE RAMP W/ 42" HIGH CONCRETE WALL.
9. EXTERIOR BIKE RACK TYPICAL.
10. 12' HIGH CONCRETE TILT-UP SCREEN WALL.
11. EXTERIOR CONCRETE STAIR.
12. CONCRETE CURB. SEE CIVIL DRAWINGS.
13. LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
14. PRE-CAST CONCRETE WHEEL STOP.
15. CONCRETE FILLED GUARD POST "6 DIA, U.N.O, 42" H,
16. TRASH ENCLOSURE PER CITY STANDARD.
17. ACCESSIBLE ENTRY SIGN.
18. ACCESSIBLE PARKING STALL SIGN.
19. TRUNCATED DOME.
20. APPROXIMATE LOCATION OF FIRE HYDRANT.
21. 8' H METAL FENCE.
22. ADD SIGN "TRUCK PROHIBITED".
23. LUNCH TRELLIS - PROPOSED BREAK AREA

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF **1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.**
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
17. ALL SIGNAGE SHALL BE LEGIBLE, DURABLE, AND WEATHERPROOF.
18. EACH PROPOSED OFFICE AREA WILL REQUIRE ITS OWN TRASH ENCLOSURE.

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hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.
TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:
–
CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

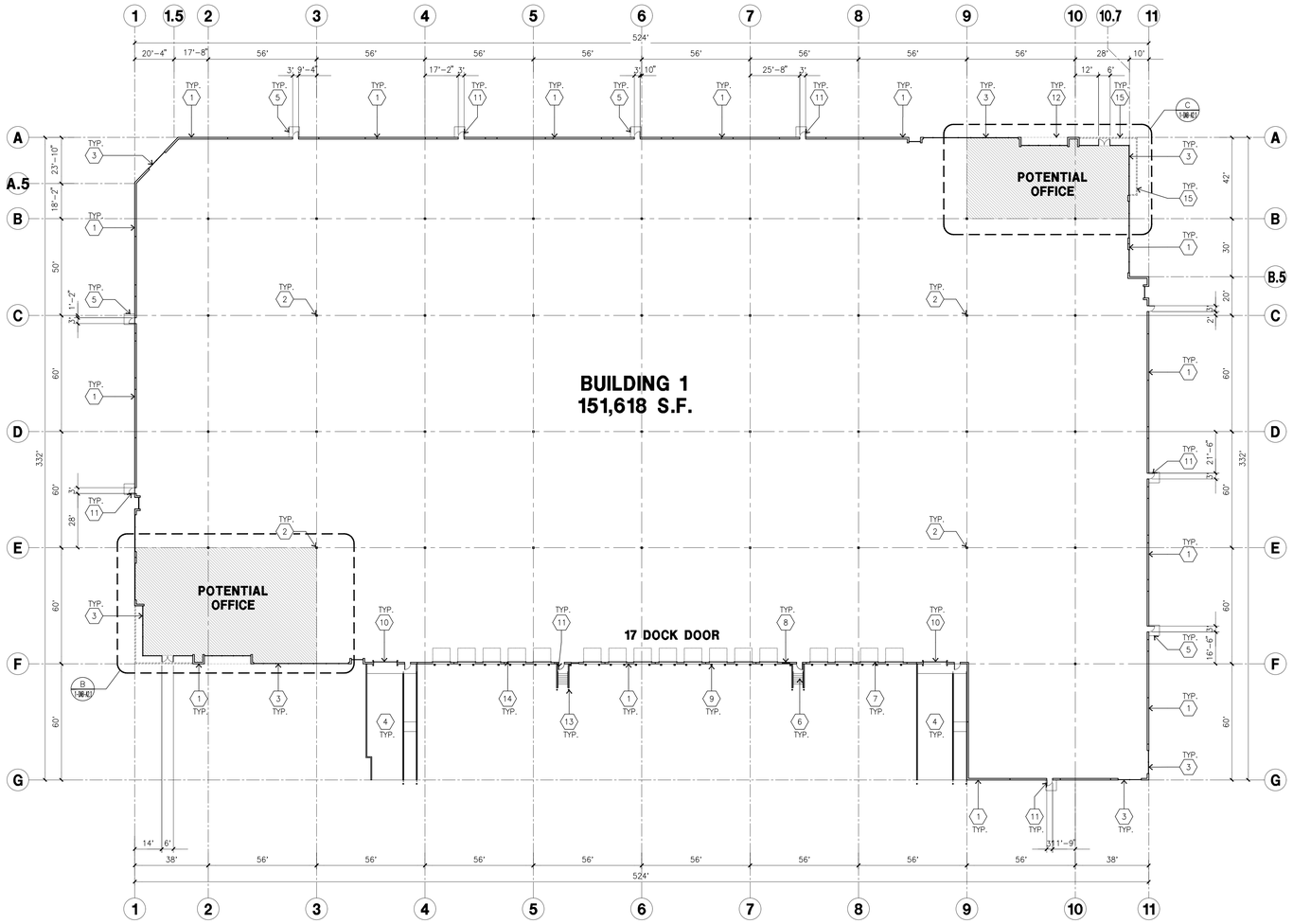
Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: OVERALL SITE PLAN

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

Sheet:
1-DAB-A1.1



OVERALL FLOOR PLAN (A)

scale: 1" = 30'-0"

SCALE: 1" = 30'-0" 0 30' 60' 90' TRUE NORTH

FLOOR PLAN KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. STRUCTURAL STEEL COLUMN.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. EXTERIOR CONCRETE STAIR W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL
7. 9' X 10' TRUCK DOOR. SECTIONAL O.H., STANDARD GRADE.
8. 4' X 8' LOUVERED OPENING FOR VENTILATION.
9. DOCK DOOR BUMPER TYPICAL.
10. 12' X 14' DRIVE THRU. SECTIONAL O.H., STANDARD GRADE.
11. 3' X 7' HOLLOW METAL EXTERIOR MAN DOOR.
12. SOFFIT LINE ABOVE
13. CONC. FILLED GUARD POST. 8" DIA. U.N.O., 42"H.
14. Z GUARD
15. METAL CANOPY.

FLOOR PLAN GENERAL NOTES

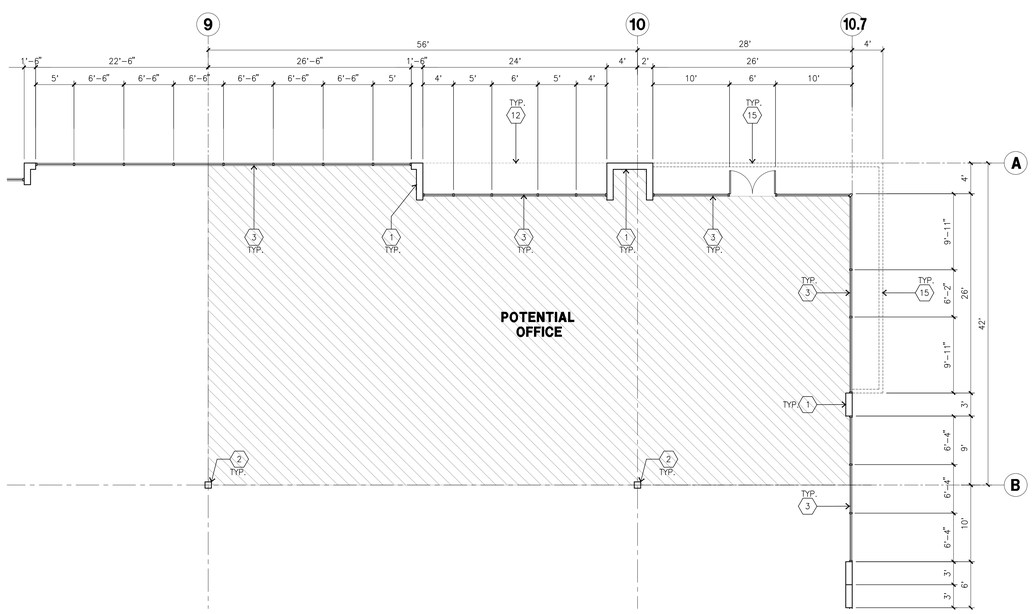
A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS APPROX. 100' MAXIMUM. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
C. THE BUILDING FLOOR SLAB IS SLOPED, SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
D. PROVIDE 6" DIA. CONCRETE BOLLARD AT ALL FIRE RISER AND UNPROTECTED INTERIOR ROOF DRAIN.
E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS.
G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.
H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.
I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.
J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.
K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN. HARDWARE.
L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.
M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.
N. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 1133B.1.1.1
O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW.

FLOOR SLAB & POUR STRIPS REQ.

THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION - 95%
2. TRENCH COMPACTION - 90%
3. BUILDING FLOOR SLAB: SEE STRUCTURAL DRAWINGS
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-IR-96
5. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
6. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
7. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
8. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
9. SLAB TO BE FF50 FL35 MEASURED WITHIN 24 HOURS.
10. NO FLY ASH IN THE CONCRETE
11. WHERE INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.

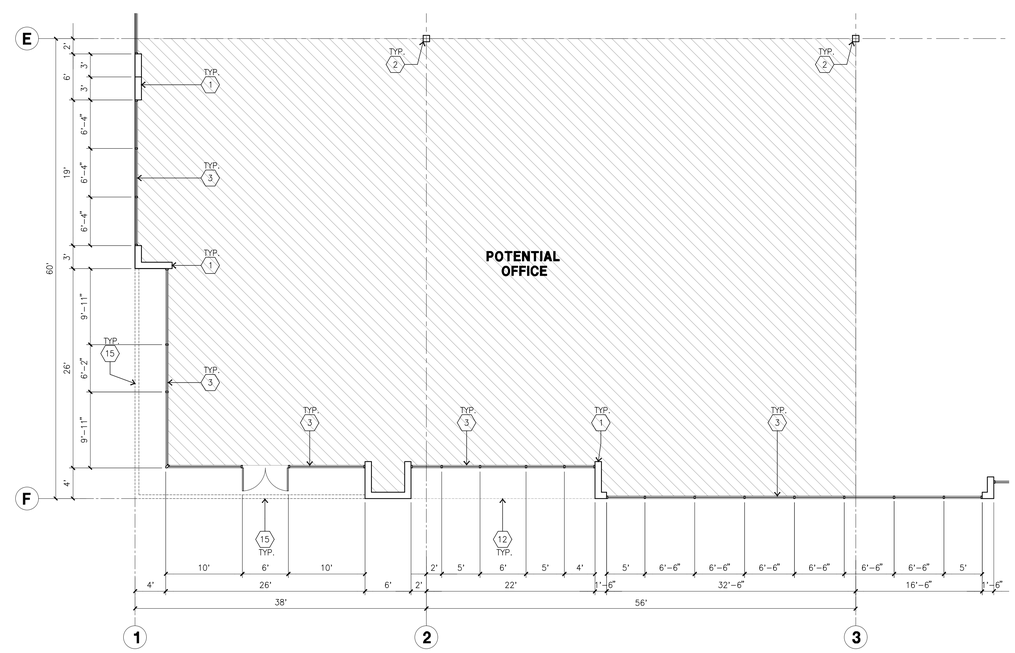
CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.
CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.
12. SEAL CONCRETE SLAB W/ "LIPIDOLITH SEALER



ENARGED FLOOR PLAN (C)

scale: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0" 0 8' 16' 24' TRUE NORTH



ENARGED FLOOR PLAN (B)

scale: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0" 0 8' 16' 24' TRUE NORTH

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

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TBD
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MECHANICAL	-
PLUMBING	-
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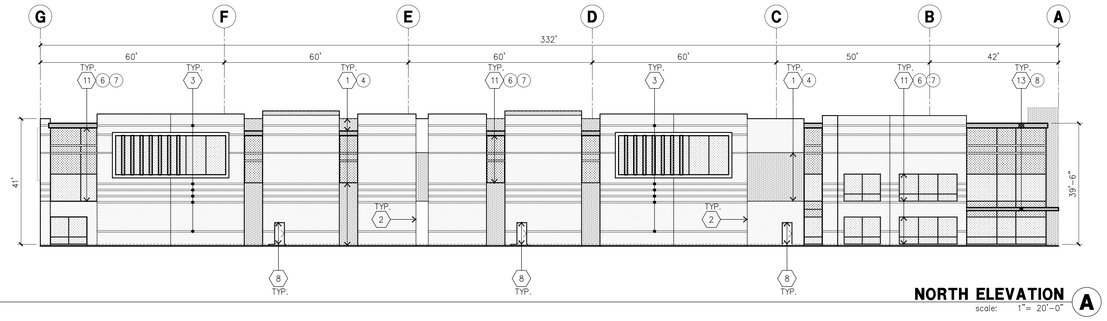
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

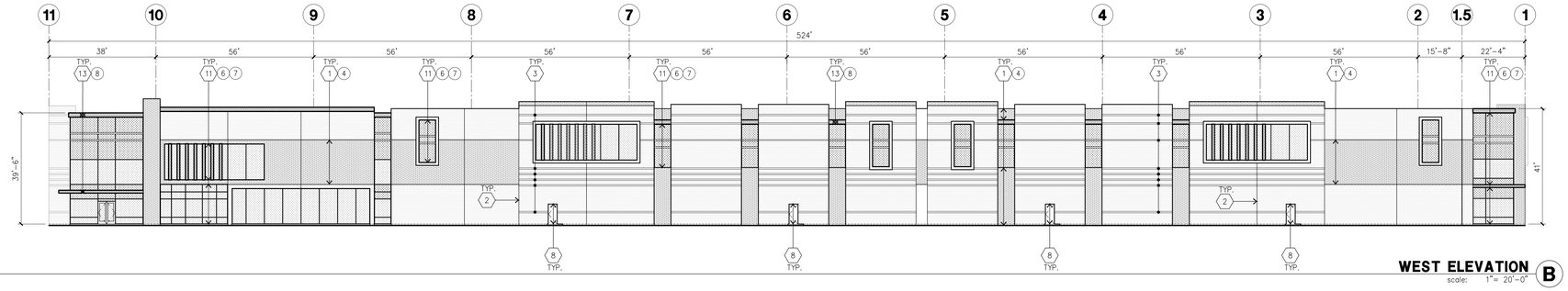
Title: OVERALL FLOOR PLAN

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:
1-DAB-A2.1



NORTH ELEVATION A
scale: 1"= 20'-0"



WEST ELEVATION B
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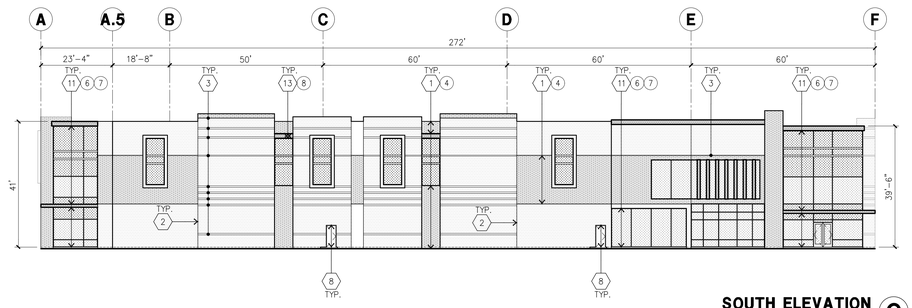
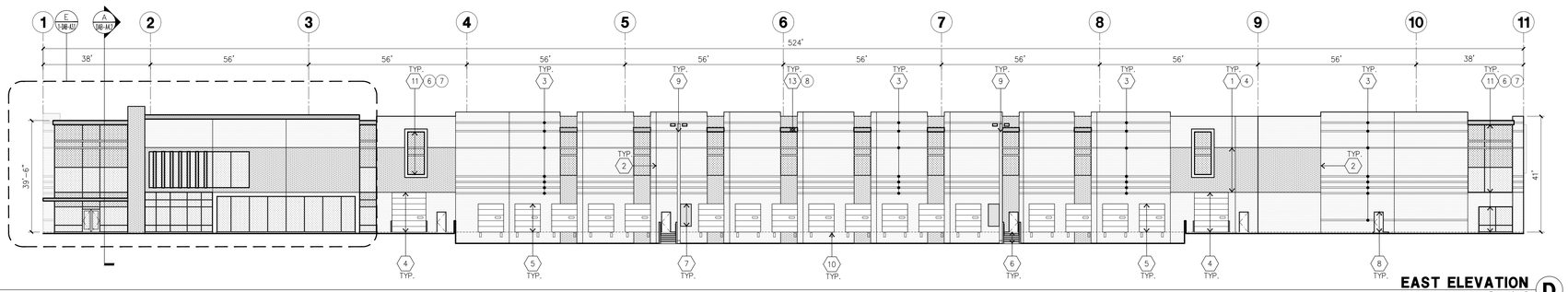
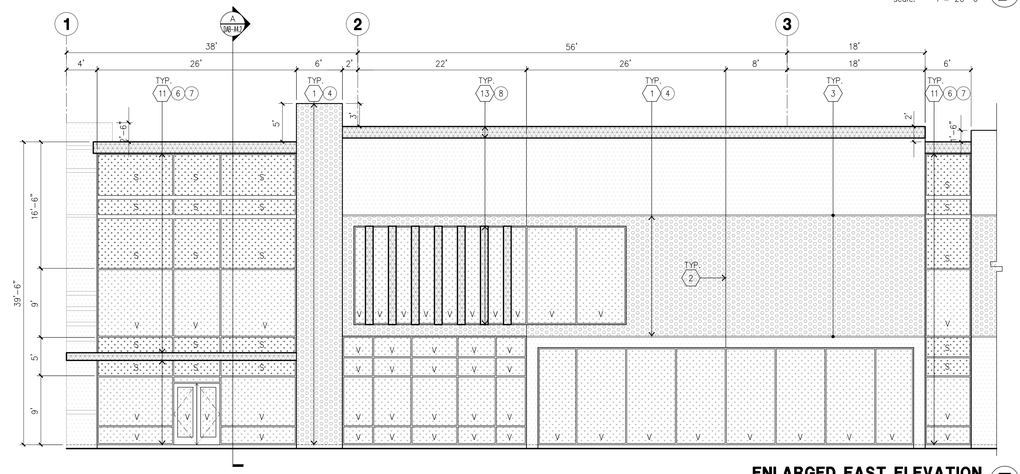


SOUTH ELEVATION C
scale: 1"= 20'-0"



EAST ELEVATION D
scale: 1"= 20'-0"



ENLARGED EAST ELEVATION E
scale: 1/8"= 1'-0"

ELEVATION KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
4. 12' X 14' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. 9' X 10' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. 4' X 8' METAL LOUVER OPENING FOR VENTILATION. PAINT TO MATCH BUILDING COLOR.
8. HOLLOW METAL DOORS. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR.
9. EXTERIOR DOWN SPOUTS W/ 2 OVERFLOW SCUPPERS.
10. DOCK DOOR BUMPER TYPICAL.
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
12. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
13. METAL CANOPY.
14. STRUCTURAL COLUMN.

ELEVATION GENERAL NOTES

1. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

2. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

3. T.O.P. EL.= TOP OF PARAPET ELEVATION.

4. F.F. = FINISH FLOOR ELEVATION.

5. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST - MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

6. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

7. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

8. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

9. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

10. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

ELEVATION COLOR LEGEND/SCHED.

1	PAINT. COLOR :	SW 7005 255-C1 PURE WHITE
2	PAINT. COLOR :	SW 7071 235-C1 GRAY SCREEN
3	PAINT. COLOR :	SW 7073 235-C3 NETWORK GRAY
4	PAINT. COLOR :	SW 7074 235-C5 SOFTWARE
5	PAINT. COLOR :	SW 7075 235-C6 WEB GRAY
6	MULLIONS COLOR :	CLEAR ANODIZED
7	GLAZING COLOR :	CLEAR GLASS
8	CANOPY: SHERWIN WILLIAMS ACRYLIC LATEX SYSTEMS HIGH GLOSS/ HIGH PERFORMANCE IN COLOR: SW 7075 235-C6 WEB GREY @ I-BEAM CANOPY	

GLAZING LEGEND

NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.

IV INSULATED VISION GLASS

SC SPANDREL GLASS WITH CONCRETE BEHIND

V SINGLE LITE VISION GLASS

IV : INSULATED VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II + 1/4" SOLARBAN 60 CLEAR
1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
U: 0.29 SHGC: 0.1, VLT: 5%
MINIMUM VT TO BE 0.42 PER 2019 CEC TABLE 140.3-B

SC : SPANDREL WITH CONCRETE BEHIND
1/4" SOLARCOOL GRAYLITE WITH HARMONY GRAY OPACICOAT PAINTED ON REFLECTIVE. INSTALLED ON CONCRETE.

V : VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II

MULLIONS : ANODIZED CLEAR.

hpa, inc.
18831 bardeen avenue, - ste. #100
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MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: ELEVATIONS

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

Sheet:

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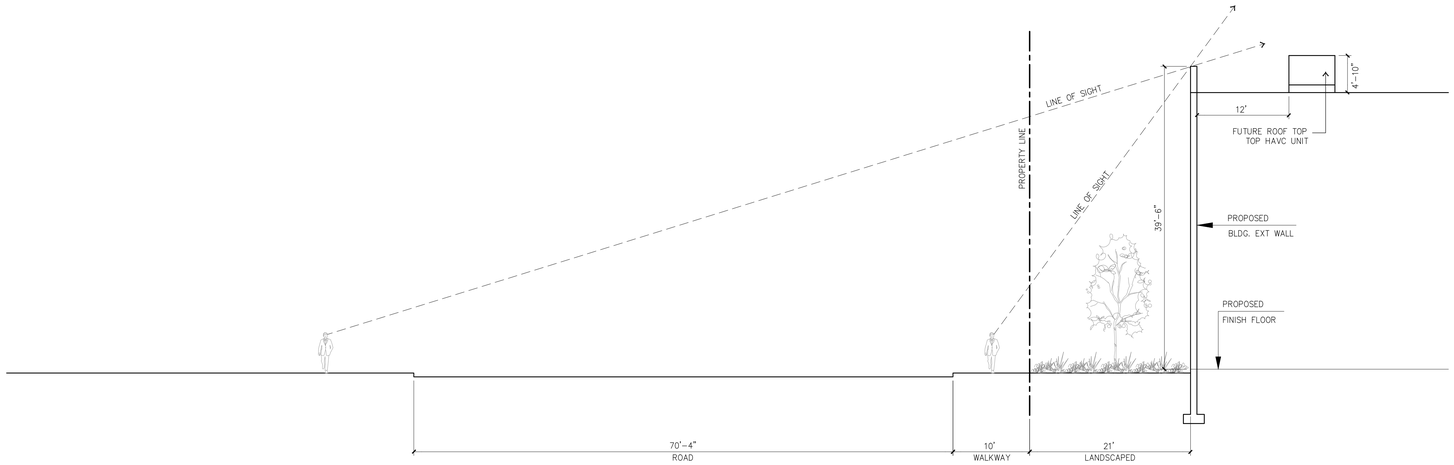
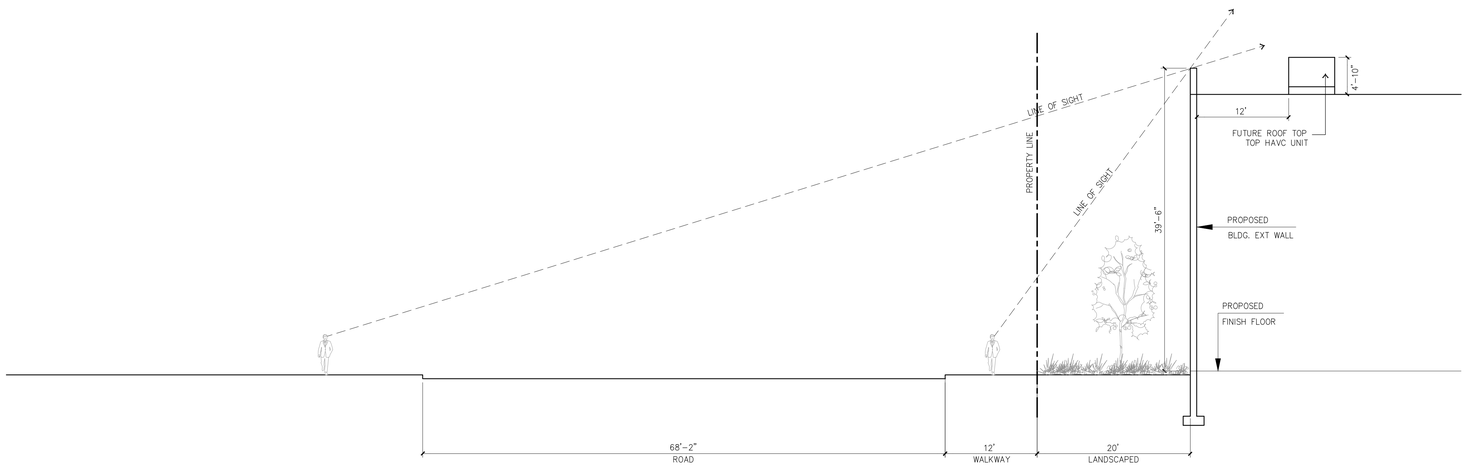
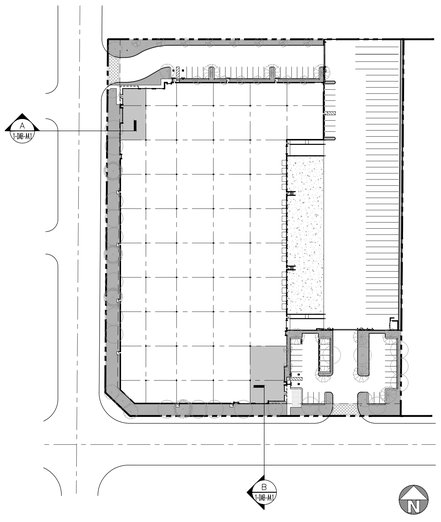


SECTION SIGHT LINE STUDY (A)
scale: 1/8" = 1'-0"



SECTION SIGHT LINE STUDY (B)
scale: 1/8" = 1'-0"

KEYMAP



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Consultants:

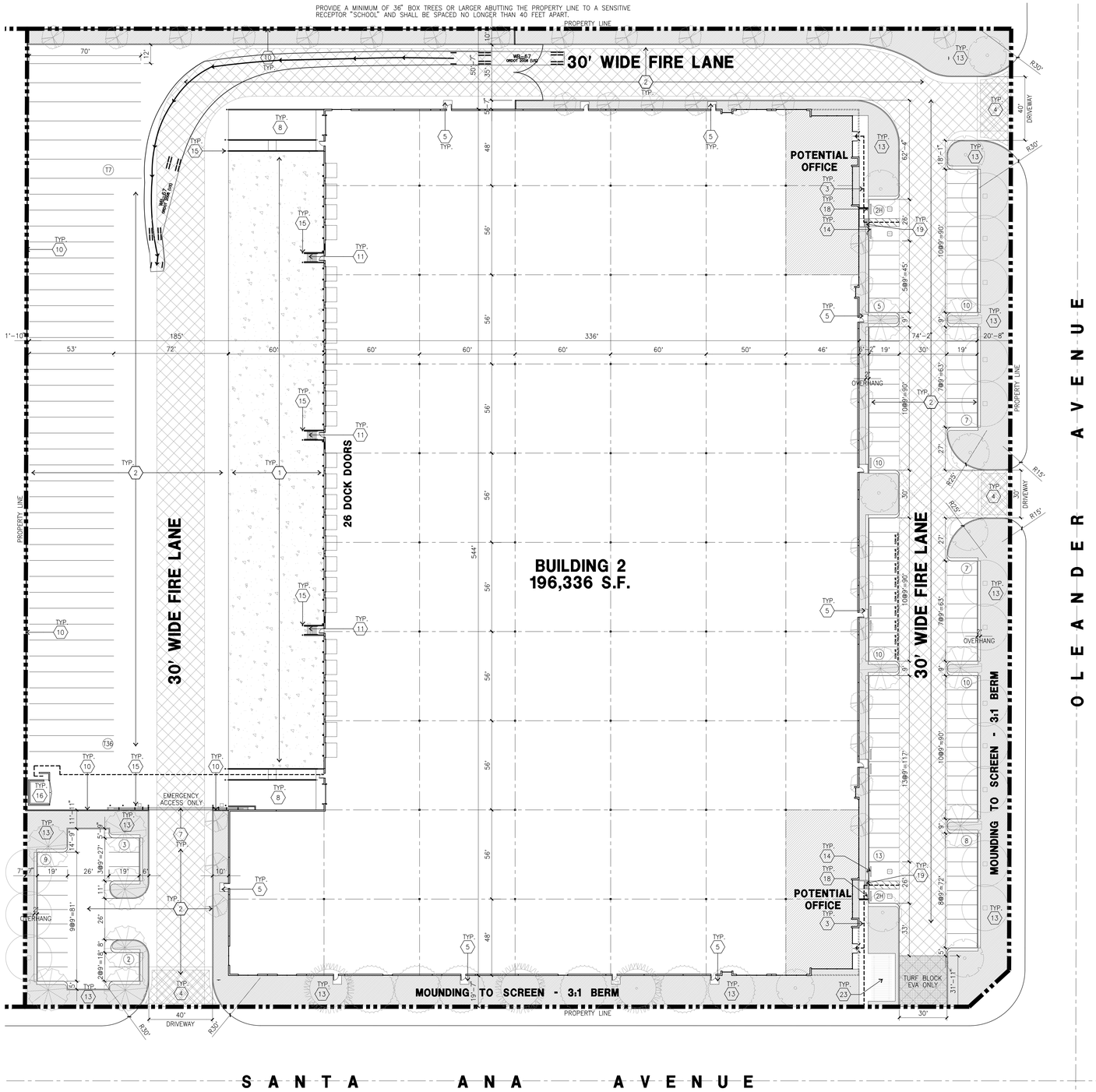
CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: SECTION SIGHT LINE

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:

1-DAB-A4.1



OVERALL SITE PLAN (A)

scale: 1" = 30'-0"

PROPERTY OWNER

ACACIA REAL ESTATE
260 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660
TEL: (949) 640-9995
CONTACT: DAVID PITTMAN

ADDRESS OF THE PROPERTY

TBD

ASSESSOR'S PARCEL NUMBER

0255-011-13
0255-011-14
0255-011-25
0255-011-26
0255-011-27
0255-011-28

ZONING

CURRENT ZONING DESTINATION-RESIDENTIAL-PLANNED COMMUNITY
PROPOSED ZONING DESTINATION-SOUTHWEST INDUSTRIAL
PARK/SLOVER EAST INDUSTRIAL DISTRICT (SED)

APPLICANT

–
–
–
–
–

APPLICANT'S REPRESENTATIVE

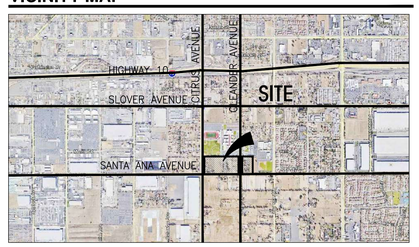
HPA, INC.
18831 BARDEEN AVE.-SUITE 100
IRVINE, CA 92612
PHONE: (949)-862-2173
FAX: (949)-863-0851
CONTACT: DOUG HINRICHS

PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	296,421	384,113	383,631	1,064,165 s.f.
In acres	6.80	8.82	8.81	24.43 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	141,618	180,336	176,895	498,849 s.f.
TOTAL	151,618	196,336	192,895	540,849 s.f.
LOT COVERAGE	51.1%	51.1%	50.3%	50.8%
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	38	38	106 stalls
TOTAL	60	68	68	196 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	64	98	98	260 stalls
TRAILER PARKING PROVIDED (12' x 70')				
(12' x 70')	4	7	7	18 stalls
TRAILER PARKING PROVIDED (12' x 53')				
(12' x53')	1	1	1	3 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	42	42	42	126 stalls
LANDSCAPE PROVIDED				
Percentage -	21.2%	19.5%	21.3%	
in s.f.	30,630	36,702	40,659	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			

MAXIMUM BUILDING HEIGHT ALLOWED
Height - 60'
MAXIMUM FLOOR AREA RATIO
FAR - 0.55 Max
ZONING ORDINANCE FOR CITY
Current Zoning Designation - Residential - Planned Community
Proposed Zoning Designation - Southw est Industrial Park/Slover East Industrial District (SED)
SETBACKS
Building/Landscape
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None
Adjacent to Residential Truck District - 50'

VICINITY MAP



LEGAL DESCRIPTION

0255-011-13

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE EAST 3 ACRES OF THE WEST 5 ACRES OF THE EAST 10 ACRES OF FARM LOT 757, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP SHOWING SUBDIVISION OF LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0255-011-14

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE WEST 2 ACRES OF THE WEST5 ACRES OF THE EAST 10 ACRES OF LOT 757, SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDED OF SAID COUNTY.

NOTE: THE AREA AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTERS OF THE ADJOINING STREETS SHOWN ON SAME MAP.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISIONS OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDED OF SAID COUNTY.

EXCEPTING THEREFROM THE NORTH 450 FEET.

ALSO EXCEPTING THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.

ALSO EXCEPTING THEREFROM THE NORTH 14 FEET OF THE SOUTH 44 FEET.

NOTE: AREA AND DISTANCES COMPUTED TO STREET CENTERS.

APN: 0255-011-25

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE SOUTH 150 FEET OF THE NORTH 450 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDED OF SAID COUNTY.

EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.

AREAS AND DISTANCES OF ABOVE PROPERTY ARE COMPUTED TO THE CENTER OF THE ADJOINING STREETS SHOWN ON THE MAP.

APN: 0255-011-26

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE SOUTH 150 FEET OF THE NORTH 300 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS PER PLAT RECORDED IN BOOK 11, PAGE 12, OF MAPS, RECORDED OF SAID COUNTY.

EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET THEREOF.

APN: 0255-011-27
APN: 0255-011-28

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE NORTH 150 FEET OF THE EAST 5 ACRES OF FARM LOT 757, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA AS SHOWN ON A MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THE WEST 3 FEET OF THE EAST 33 FEET.

AREAS AND DISTANCES COMPUTED TO STREET CENTERS AS SHOWN ON SAID MAP.

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT.
2. ASPHALT CONCRETE (AC) PAVING.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. DRIVEWAY APRONS TO BE CONSTRUCTED
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. APPROXIMATE LOCATION OF TRANSFORMER. CONTRACTOR TO VERIFY WITH S.C.E.
7. PROVIDE 8' HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
8. CONCRETE RAMP W/ 42" HIGH CONCRETE WALL.
9. EXTERIOR BIKE RACK TYPICAL.
10. 12' HIGH CONCRETE TILT-UP SCREEN WALL.
11. EXTERIOR CONCRETE STAIR.
12. CONCRETE CURB. SEE CIVIL DRAWINGS.
13. LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
14. PRE-CAST CONCRETE WHEEL STOP.
15. CONCRETE FILLED GUARD POST "6 DIA. U.N.O. 42" H.
16. TRASH ENCLOSURE PER CITY STANDARD.
17. ACCESSIBLE ENTRY SIGN.
18. ACCESSIBLE PARKING STALL SIGN.
19. TRUNCATED DOME.
20. APPROXIMATE LOCATION OF FIRE HYDRANT.
21. 8' H METAL FENCE.
22. ADD SIGN "TRUCK PROHIBITED".
23. LUNCH TRELLIS - PROPOSED BREAK AREA

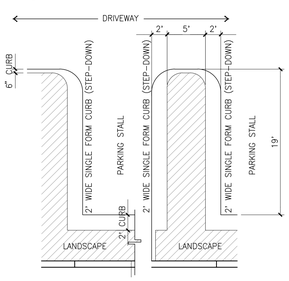
SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
17. ALL SIGNAGE SHALL BE LEGIBLE, DURABLE, AND WEATHERPROOF.
18. EACH PROPOSED OFFICE AREA WILL REQUIRE ITS OWN TRASH ENCLOSURE

SCALE: 1" = 30'-0"
0 30' 60' 90'
TRUE NORTH

SITE LEGEND

- CONCRETE PAVING. SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- LANDSCAPED AREA
- 26' WIDE FIRELANE
- ACCESSIBLE PARKING STALL (9' X 19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12' X 19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL



STEP-DOWN AT END PARKING STALL (B)

scale: 1/8" = 1'-0"

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:

ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:

–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

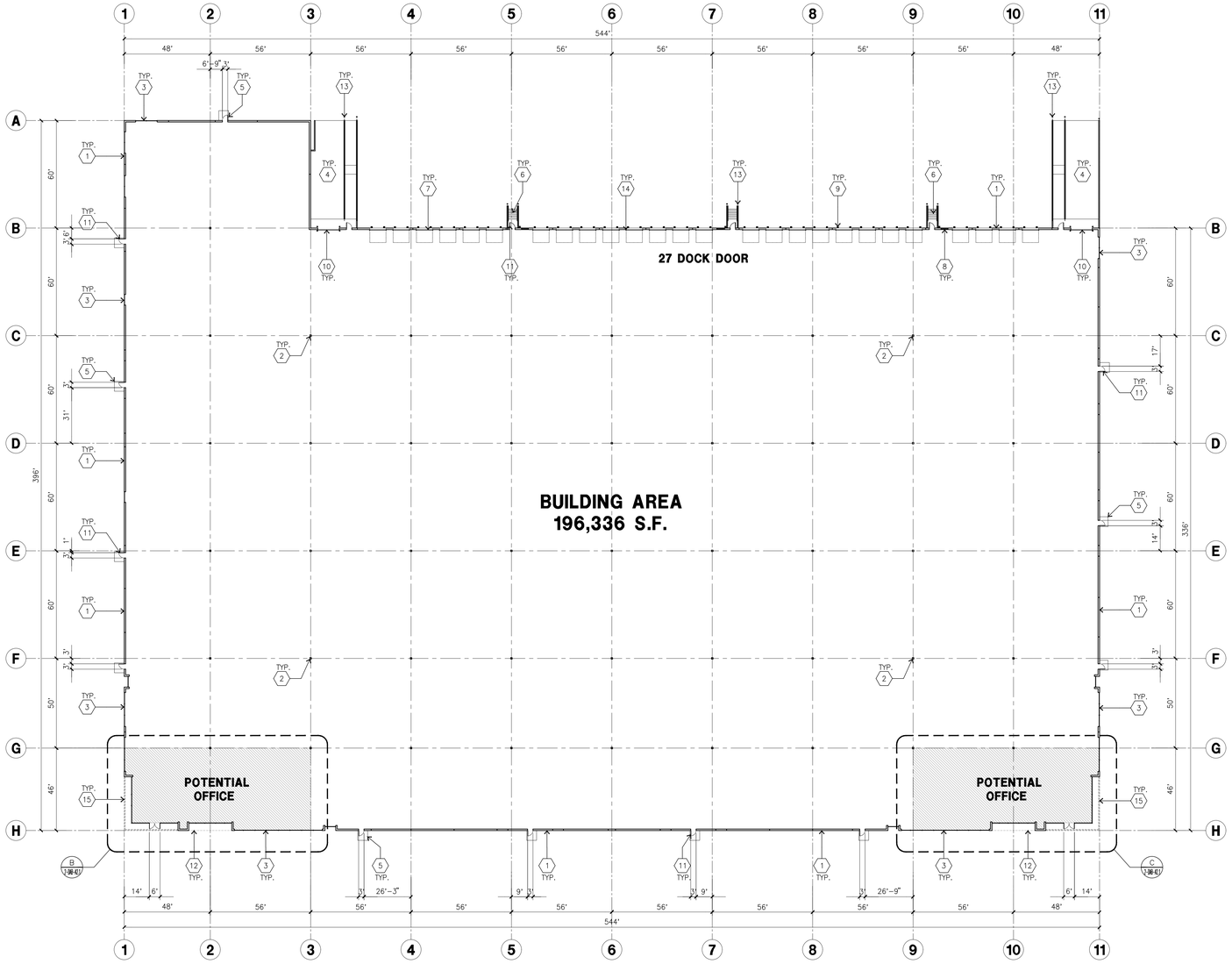
Title: OVERALL SITE PLAN

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

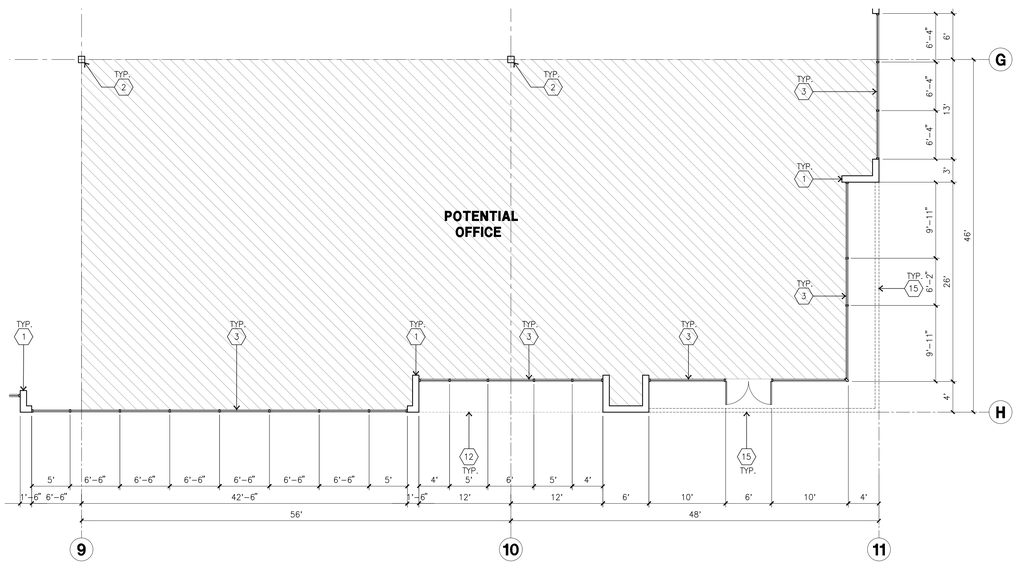
Sheet:

2-DAB-A1.1

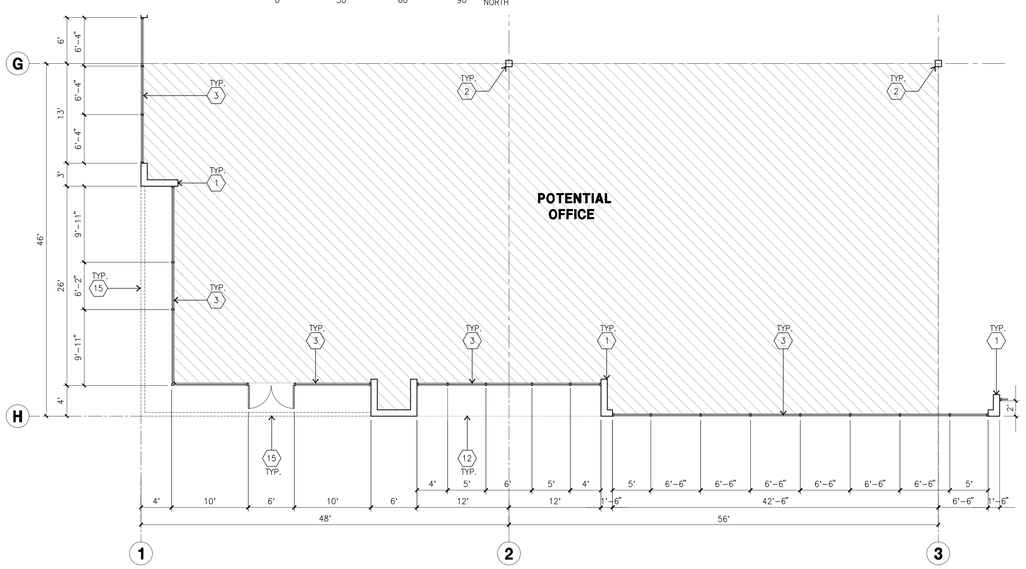
OFFICIAL USE ONLY



OVERALL FLOOR PLAN (A)
scale: 1"= 30'-0"
SCALE: 1"= 30'-0"
0 30' 60' 90'
TRUE NORTH



ENARGED FLOOR PLAN (C)
scale: 1/8"= 1'-0"
SCALE: 1/8"= 1'-0"
0 8' 16' 24'
TRUE NORTH



ENARGED FLOOR PLAN (B)
scale: 1/8"= 1'-0"
SCALE: 1/8"= 1'-0"
0 8' 16' 24'
TRUE NORTH

FLOOR PLAN KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. STRUCTURAL STEEL COLUMN.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. EXTERIOR CONCRETE STAIR W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL
7. 9' X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE.
8. 4' X 8' LOUVERED OPENING FOR VENTILAITON.
9. DOCK DOOR BUMPER TYPICAL.
10. 12' X 14' DRIVE THRU, SECTIONAL O.H., STANDARD GRADE.
11. 3' X 7' HOLLOW METAL EXTERIOR MAN DOOR.
12. SOFFIT LINE ABOVE
13. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
14. Z GUARD
15. METAL CANOPY.

FLOOR PLAN GENERAL NOTES

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS APPROX. 100' MAXIMUM. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
C. THE BUILDING FLOOR SLAB IS SLOPED. SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
D. PROVIDE 6" DIA. CONCRETE BOLLARD AT ALL FIRE RISER AND UNPROTECTED INTERIOR ROOF DRAIN.
E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS.
G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.
H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.
I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.
J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.
K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN, HARDWARE.
L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.
M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.
N. NON-ACCESSIBLE DOOR. PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 1133B.1.1.1
O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW.

FLOOR SLAB & POUR STRIPS REQ.

THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION - 95%
2. TRENCH COMPACTION - 90%
3. BUILDING FLOOR SLAB: SEE STRUCTURAL DRAWINGS
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-IR-96
5. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
6. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
7. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
8. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
9. SLAB TO BE FF50 FL35 MEASURED WITHIN 24 HOURS.
10. NO FLY ASH IN THE CONCRETE.
11. WHERE INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.

CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.
CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.
12. SEAL CONCRETE SLAB W/ "LIPIDOLITH SEALER

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:
–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

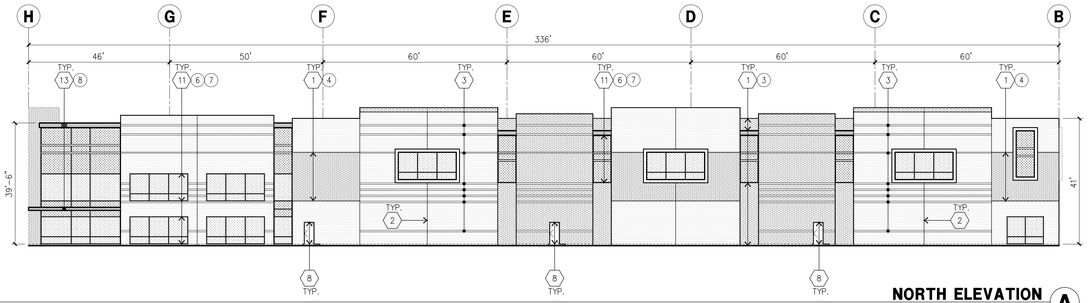
Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

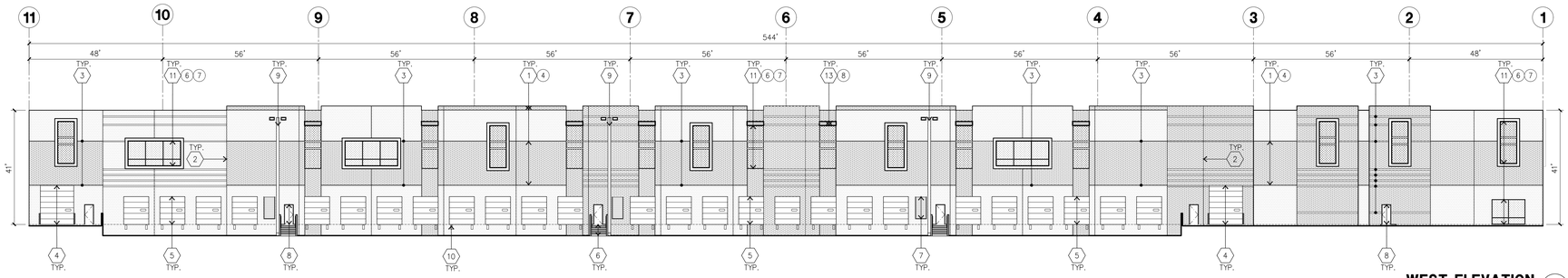
Title: OVERALL FLOOR PLAN

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

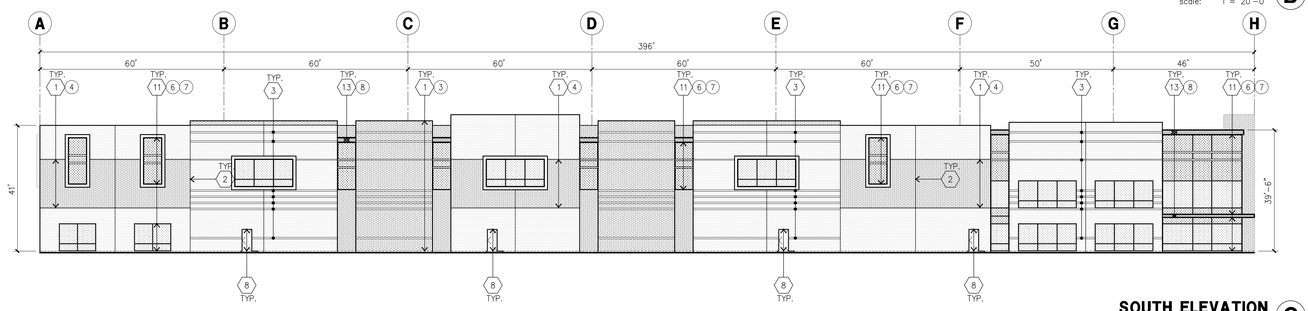
Sheet:
2-DAB-A2.1



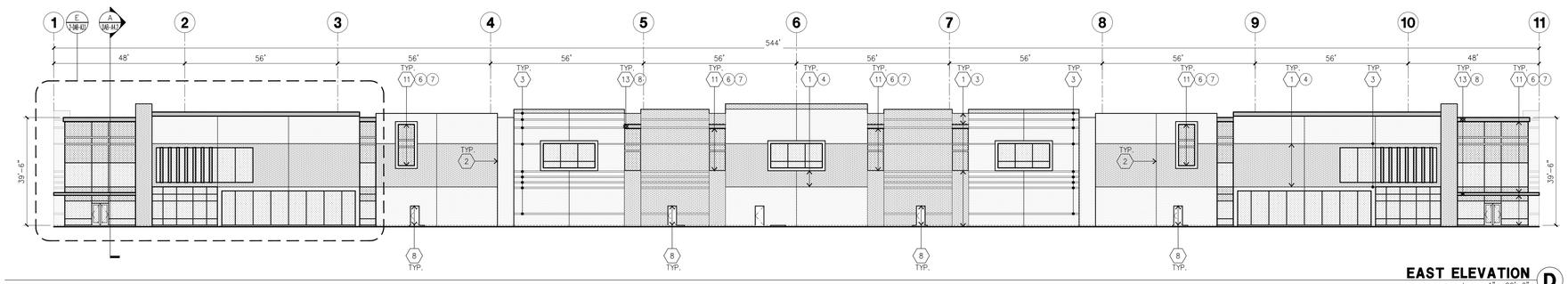
NORTH ELEVATION (A)
scale: 1"= 20'-0"



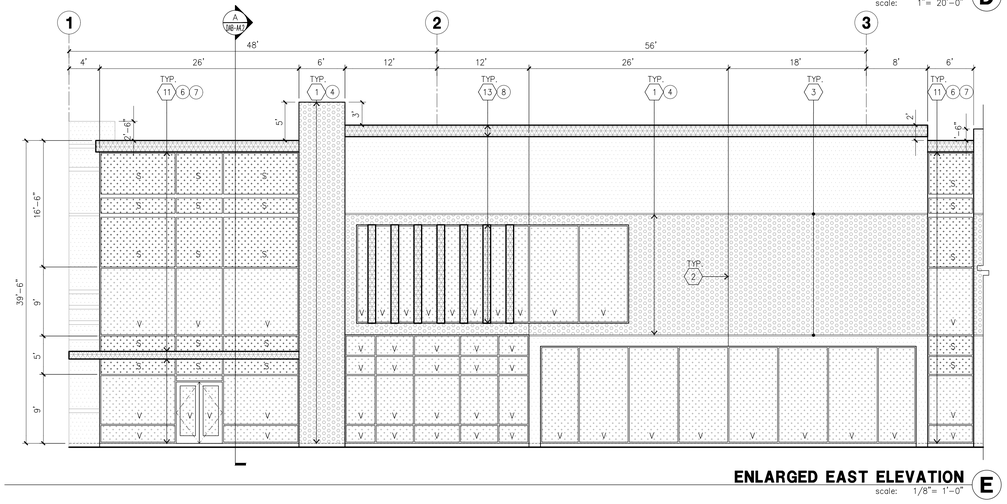
WEST ELEVATION (B)
scale: 1"= 20'-0"



SOUTH ELEVATION (C)
scale: 1"= 20'-0"



EAST ELEVATION (D)
scale: 1"= 20'-0"



ENLARGED EAST ELEVATION (E)
scale: 1/8"= 1'-0"

ELEVATION KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
4. 12' X 14' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. 9' X 10' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. 4' X 8' METAL LOUVER OPENING FOR VENTILATION. PAINT TO MATCH BUILDING COLOR.
8. HOLLOW METAL DOORS. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR.
9. EXTERIOR DOWN SPOUTS W/ 2 OVERFLOW SCUPPERS.
10. DOCK DOOR BUMPER TYPICAL.
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
12. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
13. METAL CANOPY.
14. STRUCTURAL COLUMN.

ELEVATION GENERAL NOTES

1. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

2. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

3. T.O.P. EL.= TOP OF PARAPET ELEVATION.

4. F.F. = FINISH FLOOR ELEVATION.

5. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST - MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

6. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

7. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

8. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

9. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

10. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

ELEVATION COLOR LEGEND/SCHED.

1	PAINT. COLOR :	SW 7005 255-C1 PURE WHITE
2	PAINT. COLOR :	SW 7071 235-C1 GRAY SCREEN
3	PAINT. COLOR :	SW 7073 235-C3 NETWORK GRAY
4	PAINT. COLOR :	SW 7074 235-C5 SOFTWARE
5	PAINT. COLOR :	SW 7075 235-C6 WEB GRAY
6	MULLIONS COLOR :	CLEAR ANODIZED
7	GLAZING COLOR :	CLEAR GLASS
8	CANOPY: SHERWIN WILLIAMS ACRYLIC LATEX SYSTEMS HIGH GLOSS/ HIGH PERFORMANCE IN COLOR: SW 7075 235-C6 WEB GREY @ I-BEAM CANOPY	

GLAZING LEGEND

NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.

IV INSULATED VISION GLASS

SC SPANDREL GLASS WITH CONCRETE BEHIND

V SINGLE LITE VISION GLASS

IV : INSULATED VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II + 1/4" SOLARBAN 60 CLEAR
1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
U: 0.29 SHGC: 0.1, VLT: 5%
MINIMUM VT TO BE 0.42 PER 2019 CEC TABLE 140.3-B

SC : SPANDREL WITH CONCRETE BEHIND
1/4" SOLARCOOL GRAYLITE WITH HARMONY GRAY OPACICOAT PAINTED ON REFLECTIVE. INSTALLED ON CONCRETE.

V : VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II

MULLIONS : ANODIZED CLEAR.

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:

–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

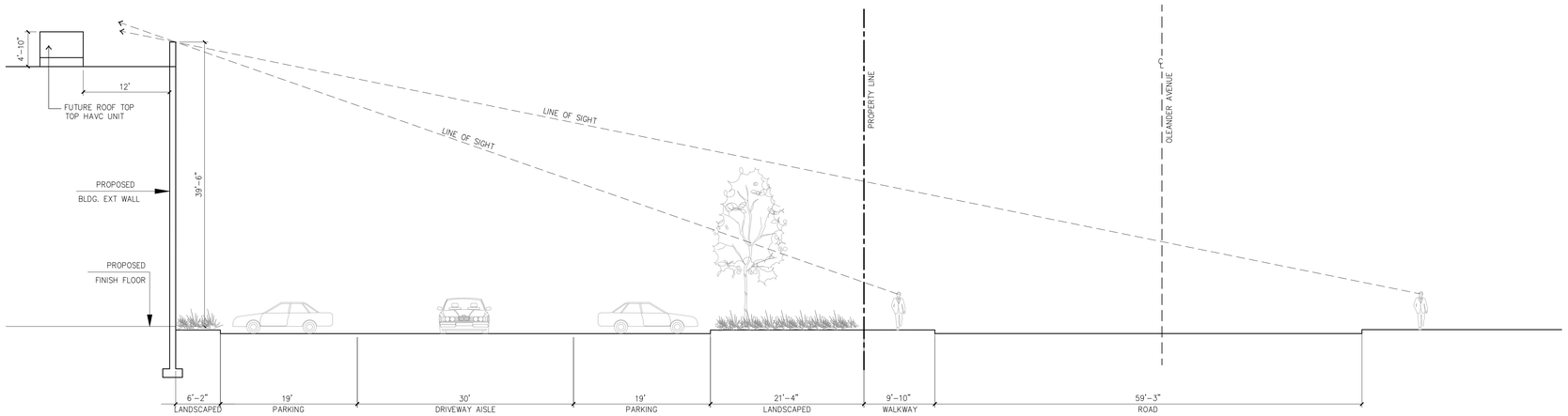
Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: ELEVATIONS

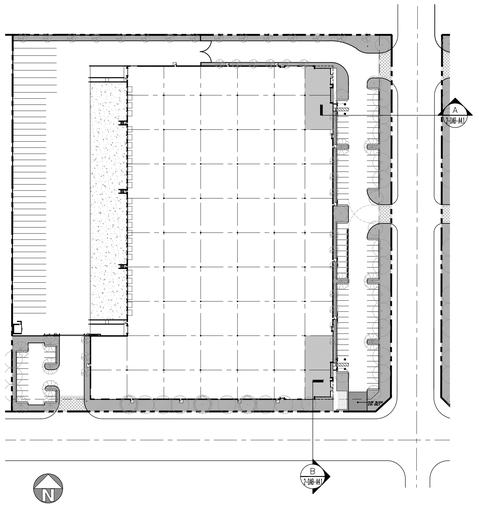
Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

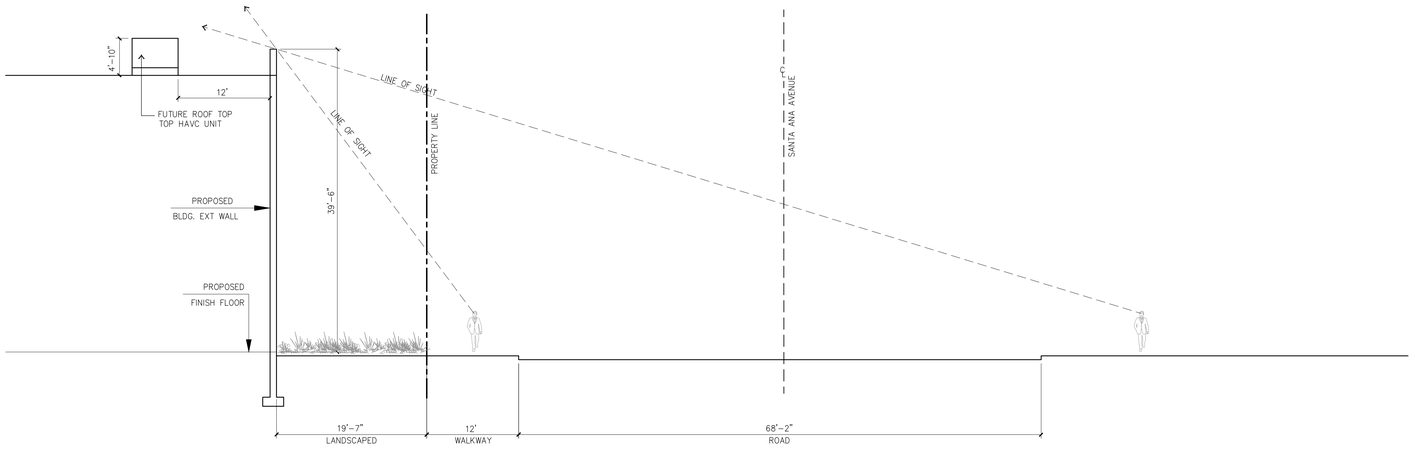
Sheet:
2-DAB-A3.1



SECTION SIGHT LINE STUDY (A)
scale: 1/8" = 1'-0"

KEYMAP





SECTION SIGHT LINE STUDY (B)
scale: 1/8" = 1'-0"

hpa, inc.
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irvine, ca
92612
tel: 949•863•1770
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Project:

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CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

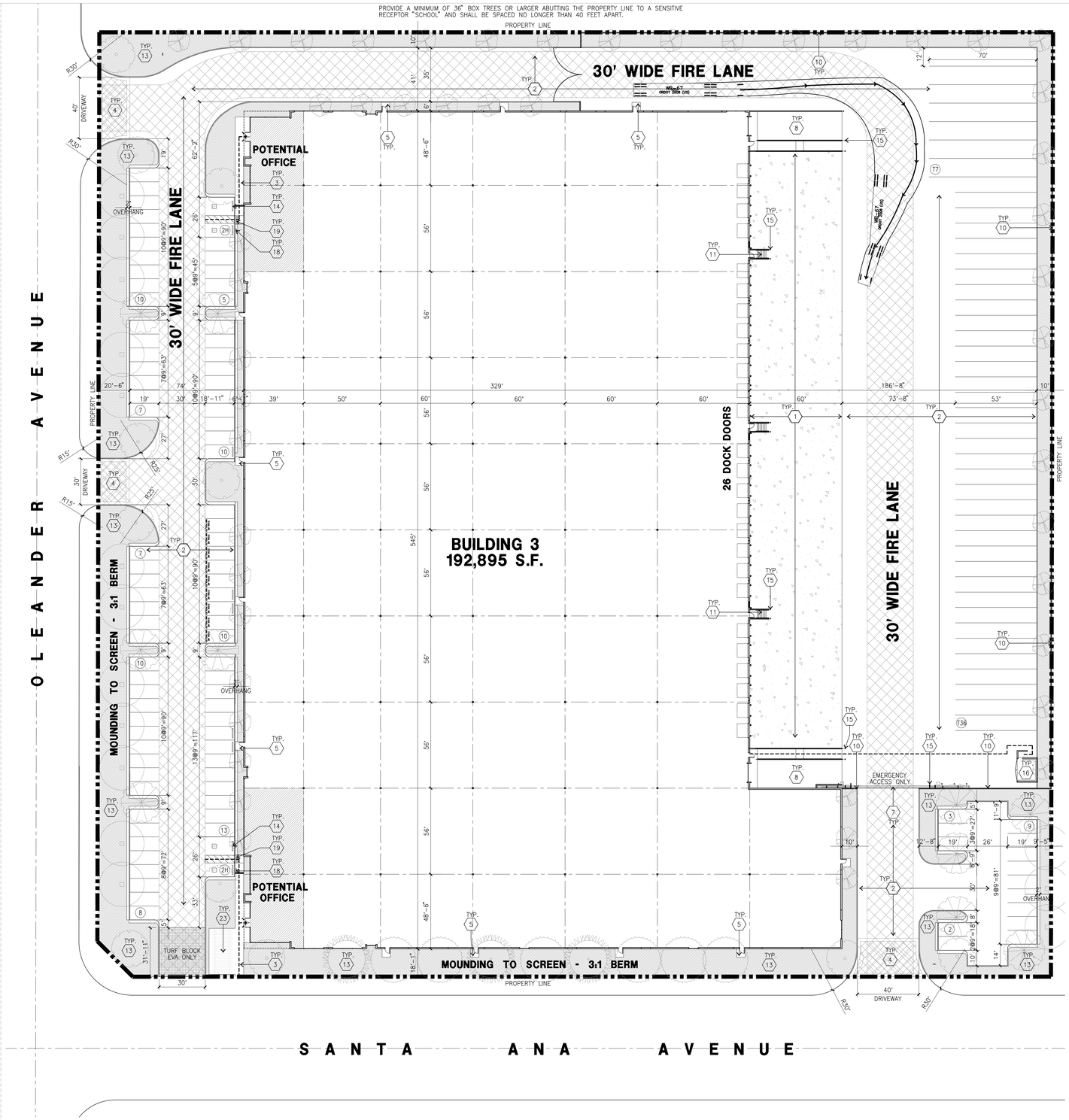
CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: SECTION SIGHT LINE

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:

2-DAB-A4.1



OVERALL SITE PLAN (A)

scale: 1" = 30'-0"

SCALE: 1" = 30'-0" 0 30' 60' 90'

TRUE NORTH

PROPERTY OWNER

ACACIA REAL ESTATE
260 NEWPORT CENTER DRIVE
NEWPORT BEACH, CA 92660
TEL: (949) 640-9995
CONTACT: DAVID PITTMAN

ADDRESS OF THE PROPERTY

TBD

ASSESSOR'S PARCEL NUMBER

0255-011-17
0255-011-18
0255-011-22
0255-011-23
0255-011-24

ZONING

CURRENT ZONING DESTINATION-RESIDENTIAL-PLANNED COMMUNITY
PROPOSED ZONING DESTINATION-SOUTHWEST INDUSTRIAL
PARK/SLOVER EAST INDUSTRIAL DISTRICT (SED)

APPLICANT

–
–
–
–
–

APPLICANT'S REPRESENTATIVE

HPA, INC.
18831 BARDEEN AVE.-SUITE 100
IRVINE, CA 92612
PHONE: (949)-862-2173
FAX: (949)-863-0851
CONTACT: DOUG HINRICHS

PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	TOTAL
SITE AREA				
In s.f.	296,421	384,113	383,631	1,064,165 s.f.
In acres	6.80	8.82	8.81	24.43 ac
BUILDING AREA				
Office - 1st floor	5,000	8,000	8,000	21,000 s.f.
Office - 2nd floor	5,000	8,000	8,000	21,000 s.f.
Warehouse	141,618	180,336	176,895	498,849 s.f.
TOTAL	151,618	196,336	192,895	540,849 s.f.
LOT COVERAGE	51.1%	51.1%	50.3%	50.8%
AUTO PARKING REQUIRED				
Office: 1/250 s.f. above 10% GFA	n/a	n/a	n/a	0 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	60 stalls
2nd 20K @ 1/2,000 s.f.	10	10	10	30 stalls
above 40K @ 1/5,000 s.f.	30	38	38	106 stalls
TOTAL	60	68	68	196 stalls
AUTO PARKING PROVIDED				
Standard (9' x 19')	64	98	98	260 stalls
TRAILER PARKING PROVIDED (12' x 70')				
(12' x 70')	4	7	7	18 stalls
TRAILER PARKING PROVIDED (12' x 53')				
(12' x53')	1	1	1	3 stalls
TRAILER PARKING PROVIDED (10' x 53')				
(10' x 53')	42	42	42	126 stalls
LANDSCAPE PROVIDED				
Percentage -	21.2%	19.5%	21.3%	
in s.f.	30,630	36,702	40,659	
LANDSCAPE REQUIREMENT (without bldg. footprint)				
Percentage -	15%			

MAXIMUM BUILDING HEIGHT ALLOWED
Height - 60'

MAXIMUM FLOOR AREA RATIO
FAR - 0.55 Max

ZONING ORDINANCE FOR CITY
Current Zoning Designation - Residential - Planned Community
Proposed Zoning Designation - Southwest Industrial Park/Slover East Industrial District (SED)

SETBACKS
Building/Landscape
Santa Ana Ave. - 20' Citrus Ave. - 20' Oleander Ave. - 20' Rear - None
Adjacent to Residential Truck District - 50'

LEGAL DESCRIPTION

0255-021-17

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE EAST ONE HALF OF THE WEST ONE HALF OF FARM LOT 758, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDS OF SAID COUNTY.

(AREAS AND DISTANCES COMPUTED TO STREET CENTERS)

0255-021-18

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THE SOUTH 240 FEET OF THE WEST, 1/2 OF THE WEST 1/2 OF LOT 758, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER PLAT RECORDED IN BOOK 11 OF MAPS, PAGE 12, RECORDS OF SAN BERNARDINO COUNTY, CALIFORNIA.

0255-021-22

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1 OF PARCEL MAP NO. 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 22 OF PARCEL MAPS, PAGE 80, RECORDS OF SAID COUNTY.

0255-021-23

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

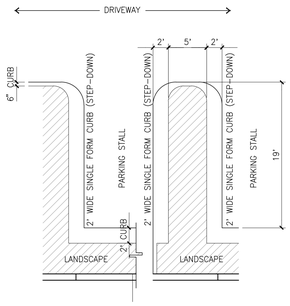
PARCEL 2 OF PARCEL MAP NO. 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 22 OF PARCEL MAPS, PAGE 80, OF PARCEL MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

0255-021-24

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED FONTANA, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

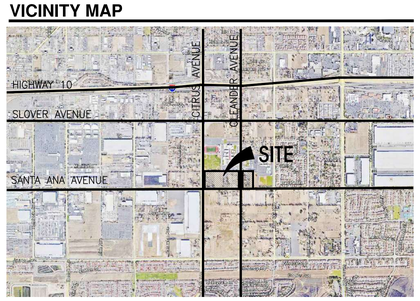
PARCEL NO. 3 OF PARCEL MAP NO. 1778, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT FILED IN BOOK 22, PAGE 80 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.



STEP-DOWN AT END PARKING STALL (B)

scale: 1/8" = 1'-0"

VICINITY MAP



SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT.
2. ASPHALT CONCRETE (AC) PAVING.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. DRIVEWAY APRONS TO BE CONSTRUCTED
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. APPROXIMATE LOCATION OF TRANSFORMER. CONTRACTOR TO VERIFY WITH S.C.E..
7. PROVIDE 8' HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
8. CONCRETE RAMP W/ 42" HIGH CONCRETE WALL.
9. EXTERIOR BIKE RACK TYPICAL.
10. 12' HIGH CONCRETE TILT-UP SCREEN WALL.
11. EXTERIOR CONCRETE STAIR.
12. CONCRETE CURB. SEE CIVIL DRAWINGS.
13. LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
14. PRE-CAST CONCRETE WHEEL STOP.
15. CONCRETE FILLED GUARD POST "6 DIA, U.N.O, 42" H.
16. TRASH ENCLOSURE PER CITY STANDARD.
17. ACCESSIBLE ENTRY SIGN.
18. ACCESSIBLE PARKING STALL SIGN.
19. TRUNCATED DOME.
20. APPROXIMATE LOCATION OF FIRE HYDRANT.
21. 8' H METAL FENCE.
22. ADD SIGN "TRUCK PROHIBITED".
23. LUNCH TRELLIS - PROPOSED BREAK AREA

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C"DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' E.A. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF **1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.**
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
17. ALL SIGNAGE SHALL BE LEGIBLE, DURABLE, AND WEATHERPROOF.
18. EACH PROPOSED OFFICE AREA WILL REQUIRE ITS OWN TRASH ENCLOSURE.

SITE LEGEND

- CONCRETE PAVING. SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 19')
- LANDSCAPED AREA
- 26' WIDE FIRELANE
- ACCESSIBLE PARKING STALL (9' X 19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12' X 19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL

OFFICIAL USE ONLY

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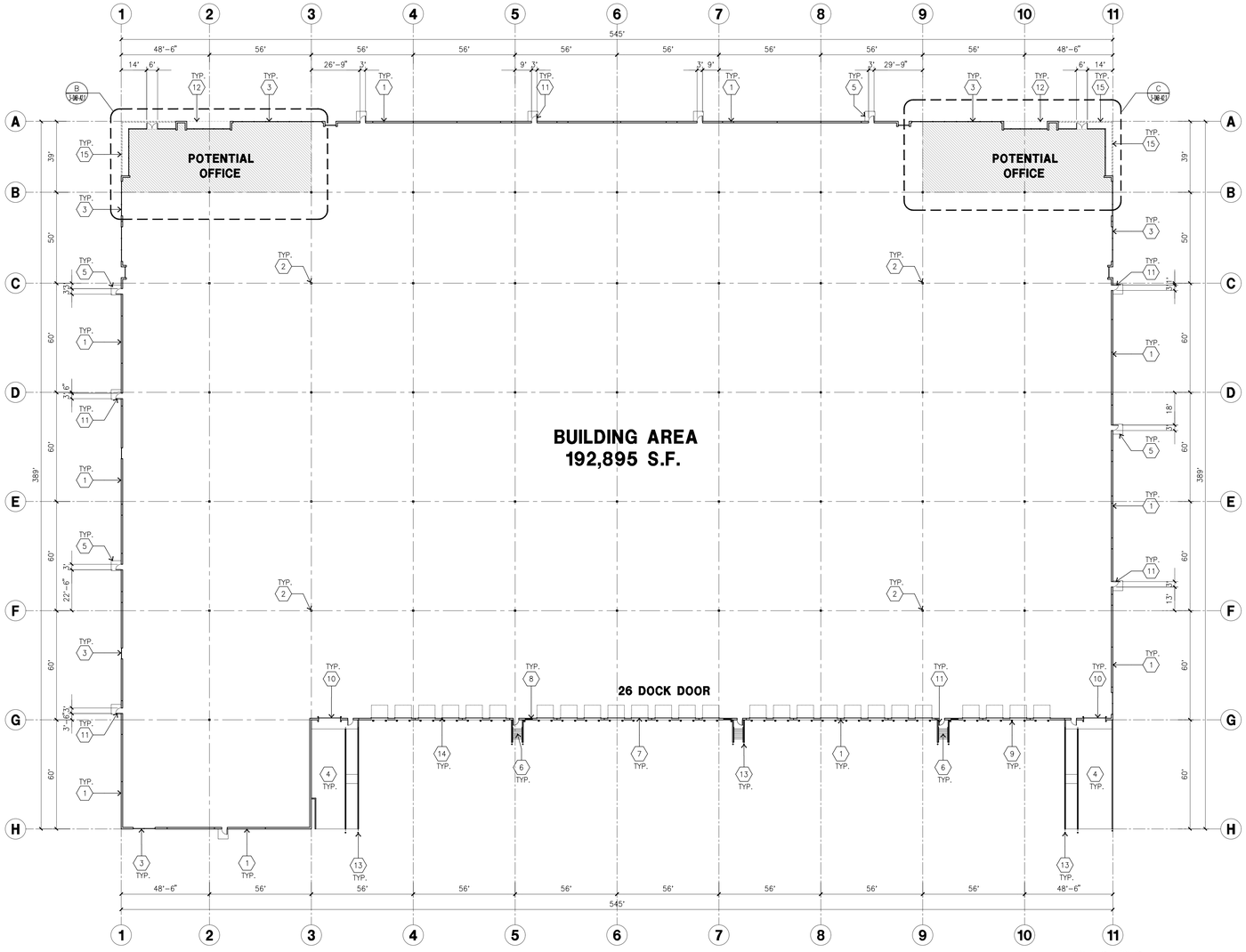
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: OVERALL SITE PLAN

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

Sheet:
3-DAB-A1.1



OVERALL FLOOR PLAN (A)

scale: 1" = 30'-0"

SCALE: 1" = 30'-0"

0 30' 60' 90'

TRUE NORTH

FLOOR PLAN KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. STRUCTURAL STEEL COLUMN.
3. TYPICAL STOREFRONT SYSTEM WITH GLAZING. SEE OFFICE BLOW-UP AND ELEVATIONS FOR SIZE, COLOR AND LOCATIONS.
4. CONCRETE RAMP W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL ON BOTH SIDE OF RAMP.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. EXTERIOR CONCRETE STAIR W/ 42"HIGH CONC TILT-UP GUARD WALL OR BUILDING WALL
7. 9' X 10' TRUCK DOOR, SECTIONAL O'H., STANDARD GRADE.
8. 4' X 8' LOUVERED OPENING FOR VENTILATION.
9. DOCK DOOR BUMPER TYPICAL.
10. 12' X 14' DRIVE THRU, SECTIONAL O.H., STANDARD GRADE,
11. 3' X 7' HOLLOW METAL EXTERIOR MAN DOOR.
12. SOFFIT LINE ABOVE
13. CONC. FILLED GUARD POST. 6" DIA. U.N.O., 42"H.
14. Z GUARD
15. METAL CANOPY.

FLOOR PLAN GENERAL NOTES

A. THIS BUILDING IS DESIGNED FOR HIGH PILE STORAGE WITH FIRE ACCESS MAN DOORS APPROX. 100' MAXIMUM. A SEPARATE PERMIT WILL BE REQUIRED FOR ANY RACKING/CONVEYER SYSTEMS.
B. FIRE HOSE LOCATIONS SHALL BE APPROVED PER FIRE DEPARTMENT.
C. THE BUILDING FLOOR SLAB IS SLOPED, SEE "C" DRAWINGS FOR FINISH SURFACE ELEVATIONS.
D. PROVIDE 6" DIA. CONCRETE BOLLARD AT ALL FIRE RISER AND UNPROTECTED INTERIOR ROOF DRAIN.
E. WAREHOUSE INTERIOR CONCRETE WALLS ARE PAINTED WHITE. COLUMNS ARE TO RECEIVE PRIMER ONLY. ALL GYP. BD. WALLS IN WAREHOUSE TO RECEIVE 1 COAT OF WHITE TO COVER.
F. SLOPE POUR STRIP 1/2" TO EXTERIOR AT ALL MANDOOR EXITS.
G. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE PANEL WALL, GRIDLINE, OR FACE OF STUD U.N.O.
H. SEE CIVIL DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR TO VERIFY ACTUAL UTILITY LOCATIONS. PLUMBING/ELECTRICAL COORDINATION.
I. FOR DOOR TYPES AND SIZES, SEE DETAIL SHEET AD.4. NOTE: ALL DOORS PER DOOR SCHEDULE ARE FINISH OPENINGS.
J. CONTRACTOR TO PROTECT AND KEEP THE FLOOR SLAB CLEAN. ALL EQUIPMENT TO BE DIAPERED INCLUDING CARS AND TRUCKS.
K. ALL EXIT MAN DOORS IN WAREHOUSE TO HAVE ILLUMINATED EXIT SIGN. HARDWARE.
L. HIGHLY FLAMMABLE AND COMBUSTIBLE MATERIAL SHALL NOT BE USED OR STORED IN THIS BUILDING.
M. EACH EXTERIOR EXIT DOOR SHALL BE IDENTIFIED BY A TACTILE EXIT SIGN WITH THE WORDS "EXIT". THE MOUNTING HEIGHT FOR SUCH SIGNAGE SHALL BE 60" FROM FINISH FLOOR LEVEL TO THE CENTER OF THE SIGN.
N. NON-ACCESSIBLE DOOR, PROVIDE WARNING SIGN LOCATED IN THE INTERIOR SIDE PER CBC 1133B.1.1.1
O. ALL ROOF MOUNTED MATERIALS SHALL BE FULLY SCREENED FROM PUBLIC VIEW.

FLOOR SLAB & POUR STRIPS REQ.

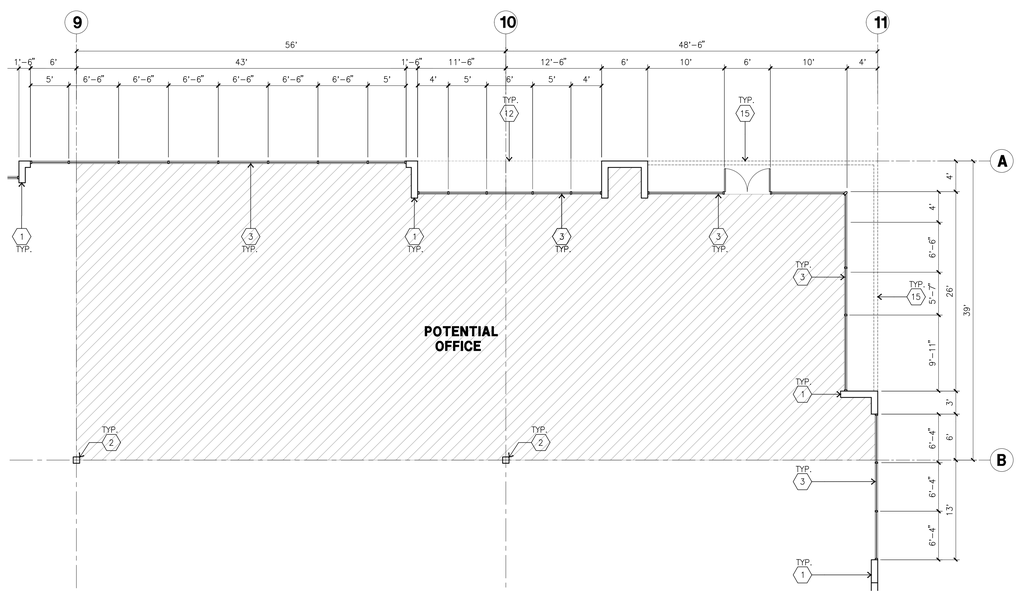
THESE NOTES ARE VERY MIN. REQUIREMENT. SEE "S" DWGS FOR ADDITIONAL REQUIREMENTS

1. FLOOR COMPACTION - 95%
2. TRENCH COMPACTION - 90%
3. BUILDING FLOOR SLAB: SEE STRUCTURAL DRAWINGS
4. CONTRACTOR TO BUILD FOR CLASS V FLOOR PER A.C.I. 302-IR-96
5. CONCRETE SLAB TO HAVE STEEL FLOAT HARD TROWEL BURNISHED FINISH.
6. CONTRACTOR TO CURE SLAB TO BE WET CURING USING BURLINE FOR 7 DAYS MIN.
7. ALL EQUIPMENT & MOVING VEHICLES SHALL BE DIAPERED.
8. NO CRANES, CONCRETE TRUCKS, OR ANYTHING HEAVIER WILL BE PLACED ON THE SLAB.
9. SLAB TO BE FF50 FL35 MEASURED WITHIN 24 HOURS.
10. NO FLY ASH IN THE CONCRETE
11. WHERE INDICATED, PROVIDE VAPOR BARRIER (15MIL STEGO OR EQUAL) UNDER THE CONCRETE SLAB. PROVIDE SAND PER SOILS ENGINEER OR MANUFACTURER'S RECOMMENDATION.

CONCRETE SLAB IN FUTURE OFFICE AREAS, WHERE SAND OVER VIQUEEN ARE REQUIRED, SHALL BE NATURALLY HYDRATED WITHOUT USE OF BURLENE, CURING COMPOUND, OR RELEASE AGENTS.

CONTROL/CONSTRUCTION JOINTS SHALL NOT BE FILLED WITH MM-80 JOINT FILLER IN FUTURE OFFICE AREAS.

12. SEAL CONCRETE SLAB W/ "LIPIDOLITH SEALER



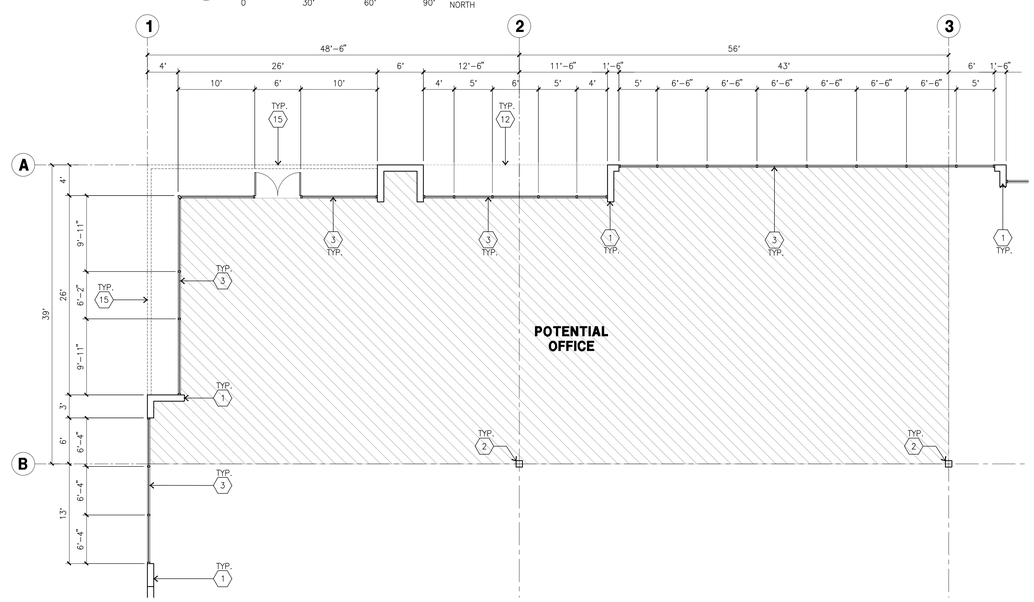
ENARGED FLOOR PLAN (C)

scale: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

0 8' 16' 24'

TRUE NORTH



ENARGED FLOOR PLAN (B)

scale: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

0 8' 16' 24'

TRUE NORTH

HPA architecture 42 Years

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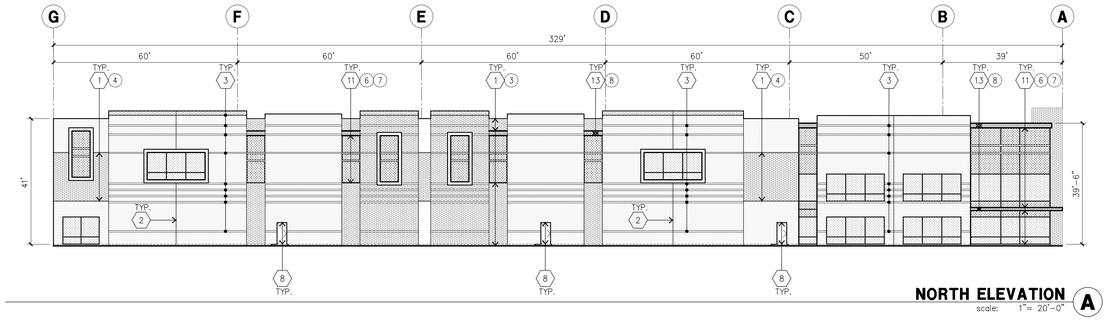
Title: OVERALL FLOOR PLAN

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:

3-DAB-A2.1



NORTH ELEVATION (A)
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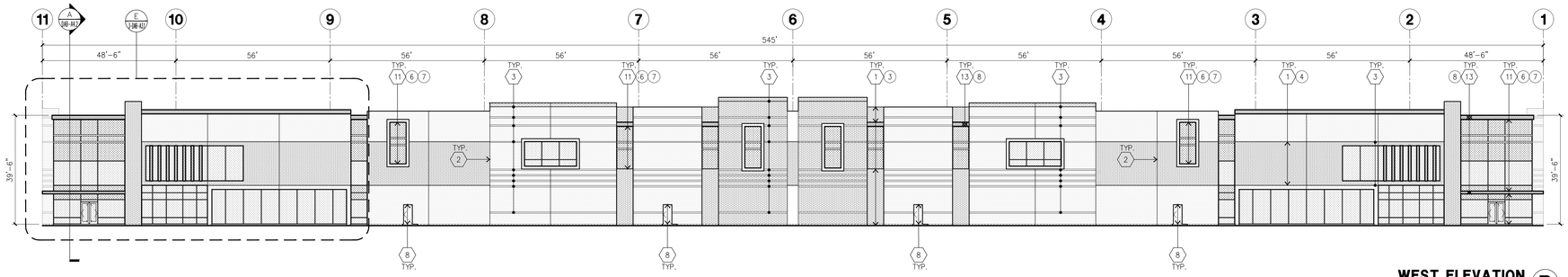
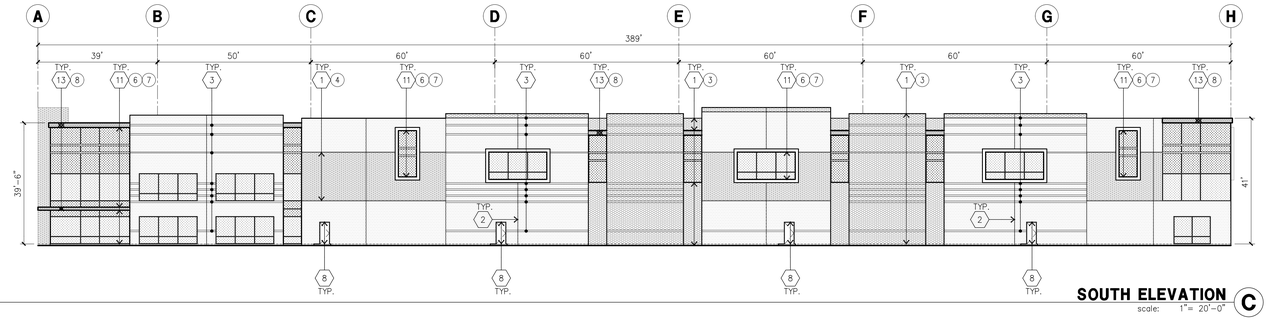


WEST ELEVATION (B)
scale: 1"= 20'-0"



SOUTH ELEVATION (C)
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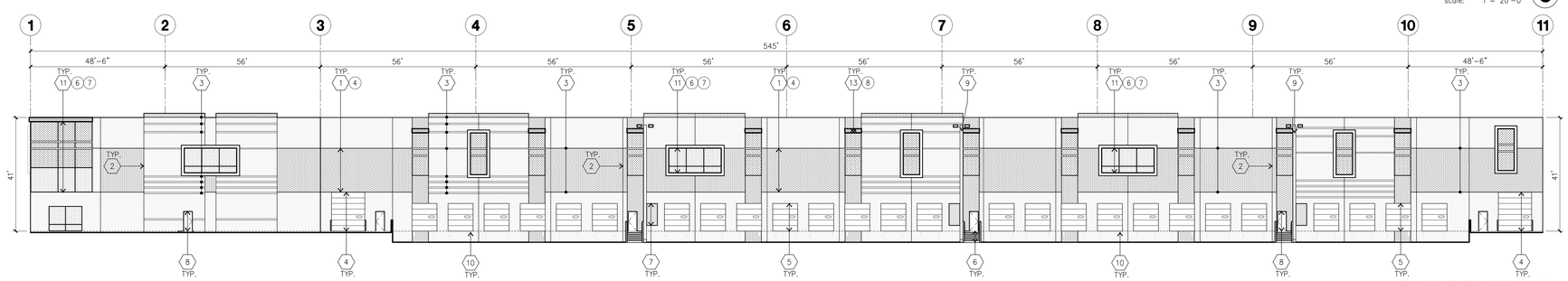
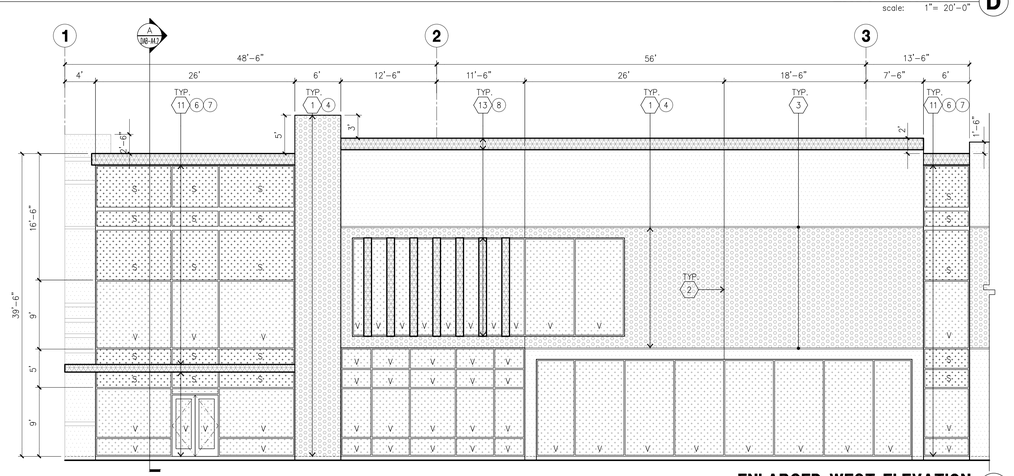


EAST ELEVATION (D)
scale: 1"= 20'-0"



ENLARGED WEST ELEVATION (E)
scale: 1/8"= 1'-0"

ELEVATION KEYNOTES

1. CONCRETE TILT-UP PANEL.
2. PANEL JOINT.
3. PANEL REVEAL. ALL REVEALS TO HAVE A MAX. OF 3/8" CHAMFER. REVEAL COLOR TO MATCH ADJACENT BUILDING FIELD COLOR. U.N.O.
4. 12' X 14' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
5. 9' X 10' OVERHEAD DOOR @ DRIVE THRU. PROVIDE COMPLETE WEATHER-STRIPPING PROTECTION ALL AROUND.
6. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL. PROVIDE NON SKID NOSING TO MEET ADA REQUIREMENTS. PROVIDE CONTRASTING COLORED 3" WIDE WARNING STRIPE INTEGRAL TO CONCRETE AT TOP LANDING AND BOTTOM TREAD PER ADA REQUIREMENTS.
7. 4' X 8' METAL LOUVER OPENING FOR VENTILATION. PAINT TO MATCH BUILDING COLOR.
8. HOLLOW METAL DOORS. PROVIDE COMPLETE WEATHER STRIPING ALL AROUND DOOR.
9. EXTERIOR DOWN SPOUTS W/ 2 OVERFLOW SCUPPERS.
10. DOCK DOOR BUMPER TYPICAL.
11. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
12. CONC. FILLED GUARD POST. 6" DIA. U.N.O.. 42"H.
13. METAL CANOPY.
14. STRUCTURAL COLUMN.

ELEVATION GENERAL NOTES

1. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

2. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

3. T.O.P. EL.= TOP OF PARAPET ELEVATION.

4. F.F. = FINISH FLOOR ELEVATION.

5. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST - MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

6. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

7. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

8. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

9. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

10. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

ELEVATION COLOR LEGEND/SCHED.

1	PAINT. COLOR :	SW 7005 255-C1 PURE WHITE
2	PAINT. COLOR :	SW 7071 235-C1 GRAY SCREEN
3	PAINT. COLOR :	SW 7073 235-C3 NETWORK GRAY
4	PAINT. COLOR :	SW 7074 235-C5 SOFTWARE
5	PAINT. COLOR :	SW 7075 235-C6 WEB GRAY
6	MULLIONS COLOR :	CLEAR ANODIZED
7	GLAZING COLOR :	CLEAR GLASS
8	CANOPY: SHERWIN WILLIAMS ACRYLIC LATEX SYSTEMS HIGH GLOSS/ HIGH PERFORMANCE IN COLOR: SW 7075 235-C6 WEB GREY @ I-BEAM CANOPY	

GLAZING LEGEND

NOTE: ALL EXTERIOR AND INTERIOR GLAZING SHALL BE TEMPERED.

IV INSULATED VISION GLASS

SC SPANDREL GLASS WITH CONCRETE BEHIND

V SINGLE LITE VISION GLASS

IV : INSULATED VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II + 1/4" SOLARBAN 60 CLEAR
1" INSULATED GLASS UNIT WITH 1/2" AIRSPACE AND 1/4" LITES
U: 0.29 SHGC: 0.1, VLT: 5%
MINIMUM VT TO BE 0.42 PER 2019 CEC TABLE 140.3-B

SC : SPANDREL WITH CONCRETE BEHIND
1/4" SOLARCOOL GRAYLITE WITH HARMONY GRAY OPACICOAT PAINTED ON REFLECTIVE. INSTALLED ON CONCRETE.

V : VISION GLASS
1/4" PPG SOLARCOOL GRAYLITE II

MULLIONS : ANODIZED CLEAR.

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:

ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:

–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

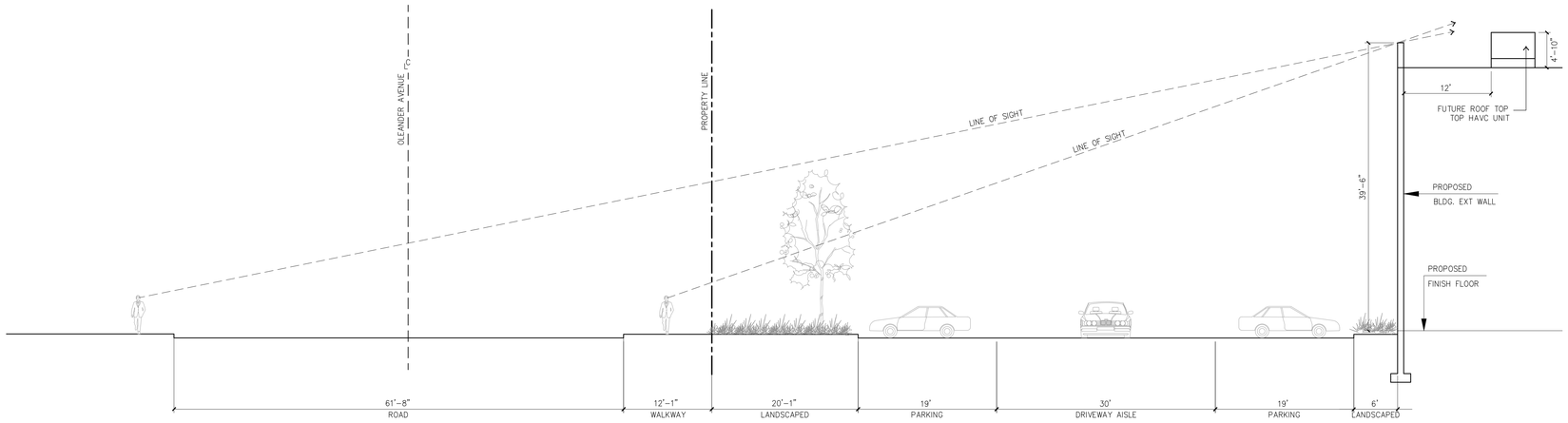
CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: ELEVATIONS

Project Number: 21636
Drawn by: DH
Date: 4/21/22
Revision:

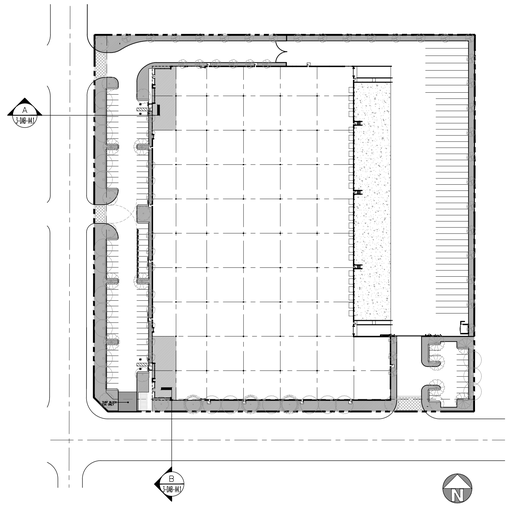
Sheet:

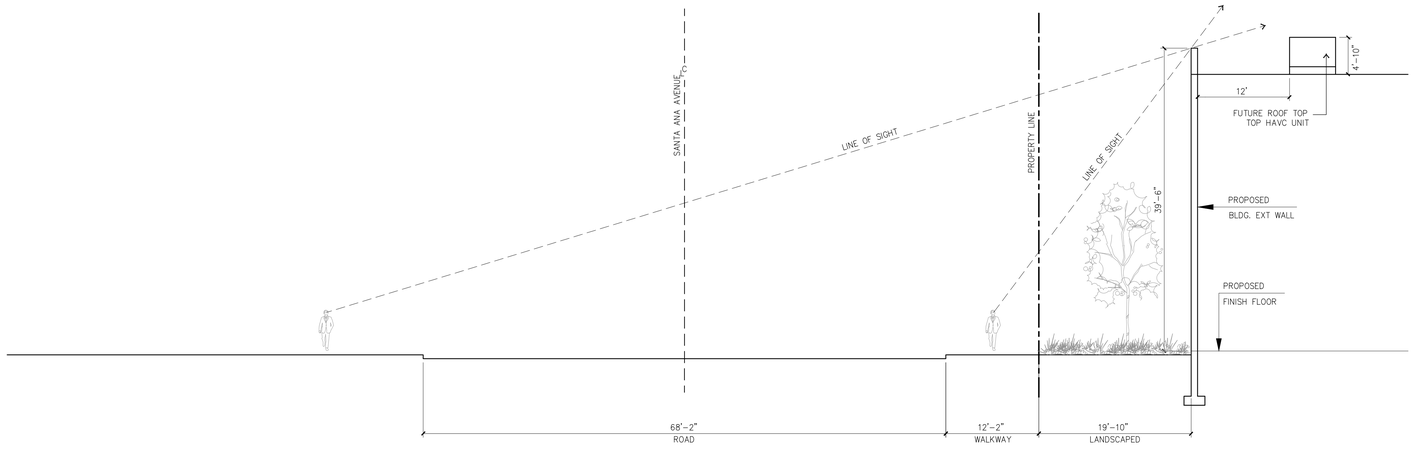
3-DAB-A3.1



SECTION SIGHT LINE STUDY (A)
scale: 1/8" = 1'-0"

KEYMAP





SECTION SIGHT LINE STUDY (B)
scale: 1/8" = 1'-0"

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:

ACACIA
REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:

–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

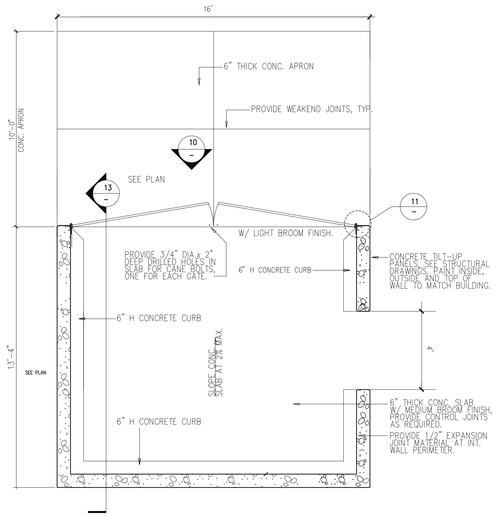
CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: SECTION SIGHT LINE

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

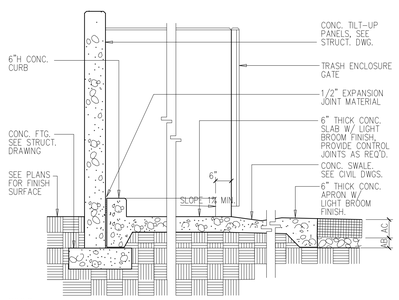
Sheet:

3-DAB-A4.1



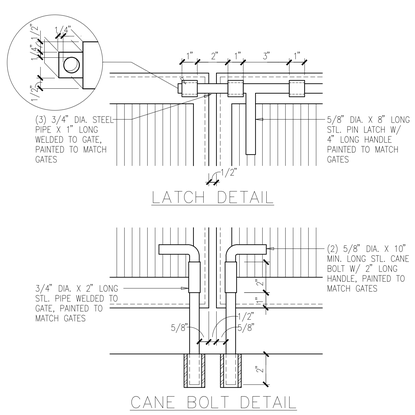
NOTES:
1. SEE SITE PLAN FOR LOCATIONS.
2. SEE STRUCTURAL DRAWINGS FOR STEEL REINFORCING.
3. SACK AND PATCH ALL PANEL LIFT POINTS ON OF WALL AND PAINT

TRASH ENCLOSURE PLAN 7
scale: N.T.S.



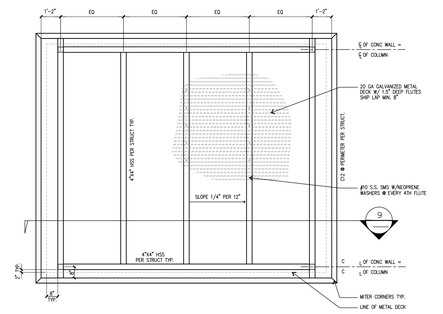
NOTES:
1. SEE SOILS REPORT FOR BELOW SLAB PREPARATIONS AND STEEL REINFORCEMENT RECOMMENDATIONS.
2. SEE DETAILS 3/– 6/– FOR ADDITIONAL NOTES.

TRASH ENCLOSURE SECTION 6
scale: N.T.S.

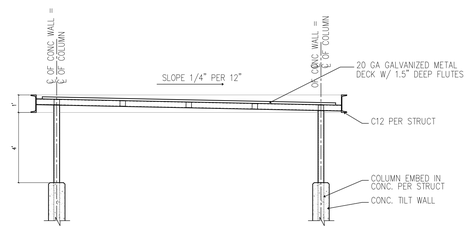


TRASH ENCLOSURE GATE LATCHES 5
scale: N.T.S.

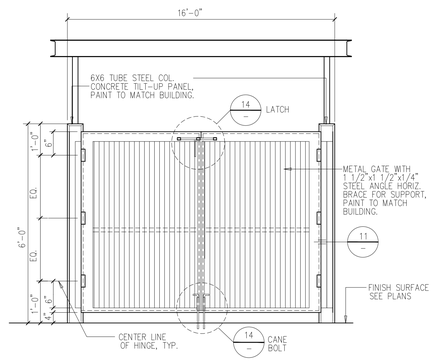
NOTE: GRIND SMOOTH ALL WELDS.
PRIME AND PAINT ALL HSS TO MATCH FIELD PAINT



TRASH ENCLOSURE / ROOF PLAN 1
scale: N.T.S.



TRASH ENCLOSURE/ CANOPY DETAIL 2
scale: N.T.S.



TRASH ENCLOSURE GATE ELEVATION 3
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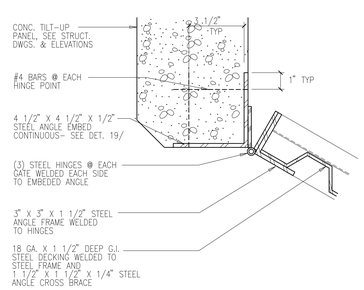
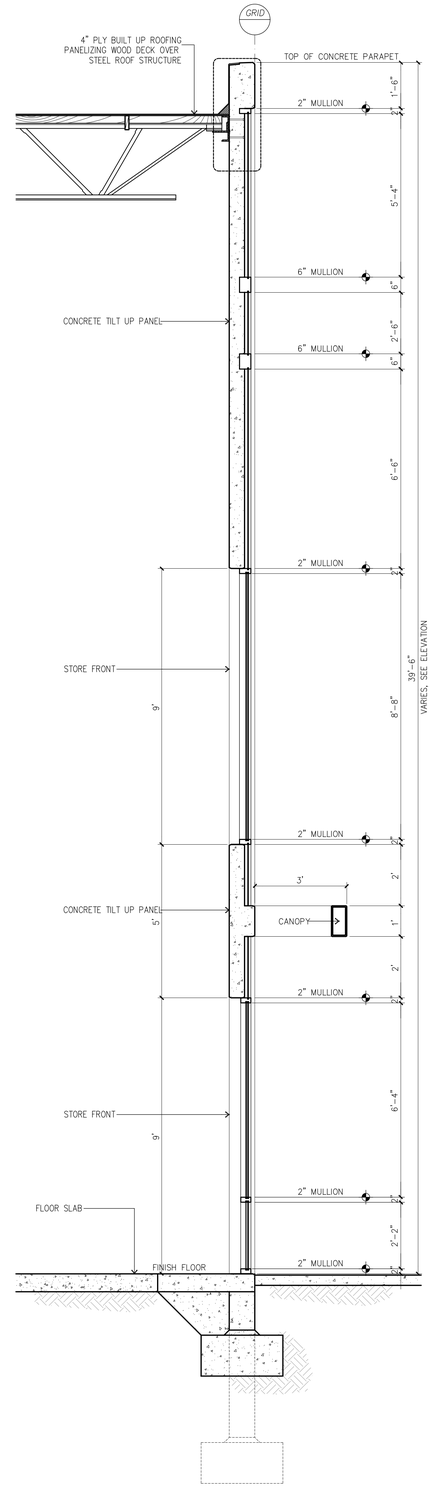


NOTES:
1. PAINT ALL METAL TO MATCH ENCLOSURE PER SPECIFICATIONS. UNLESS OTHERWISE NOTED ON ELEVATIONS

TRASH ENCLOSURE GATE & HINGE 4
scale: N.T.S.



TYPICAL WALL SECTION @ OFFICE A
scale: 1/2"=1'-0"

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

Owner:
ACACIA REAL ESTATE GROUP, INC.

TBD
260 NEWPORT CENTER DR.
TEL: (949) 640-9995

Project:
–

CITRUS & OLEANDER AVE
AT SANTA ANA AVE.
FONTANA, CA

Consultants:

CIVIL	Thienes
STRUCTURAL	-
MECHANICAL	-
PLUMBING	-
ELECTRICAL	-
LANDSCAPE	Hunter
FIRE PROTECTION	-
SOILS ENGINEER	-

Title: TRASH ENCLOSURE & TYPICAL WALL SECTION

Project Number:	21636
Drawn by:	DH
Date:	4/21/22
Revision:	

Sheet:
DAB-A4.2

3-DAB-A4.3

3-DAB-A4.4

3-DAB-A4.5

North Elevation

East Elevation

South Elevation

West Elevation

Conceptual Elevations for Building One - 36' clear

ORLEANDER AVE. AND SANTA ANA AVE.

Fontana, California | #21636 | 03.17. 2023

HPA architecture 43 Years

ACACIA REAL ESTATE GROUP, INC.

North Elevation

East Elevation

South Elevation

West Elevation

Conceptual Elevations for Building Two - 36' clear

ORLEANDER AVE. AND SANTA ANA AVE.

Fontana, California | #21636 | 03. 17. 2023

ACACIA REAL ESTATE GROUP, INC.

North Elevation

East Elevation

South Elevation

West Elevation

Conceptual Elevations for Building Three - 36' clear

ORLEANDER AVE. AND SANTA ANA AVE.

Fontana, California | #21636 | 01. 31. 2023

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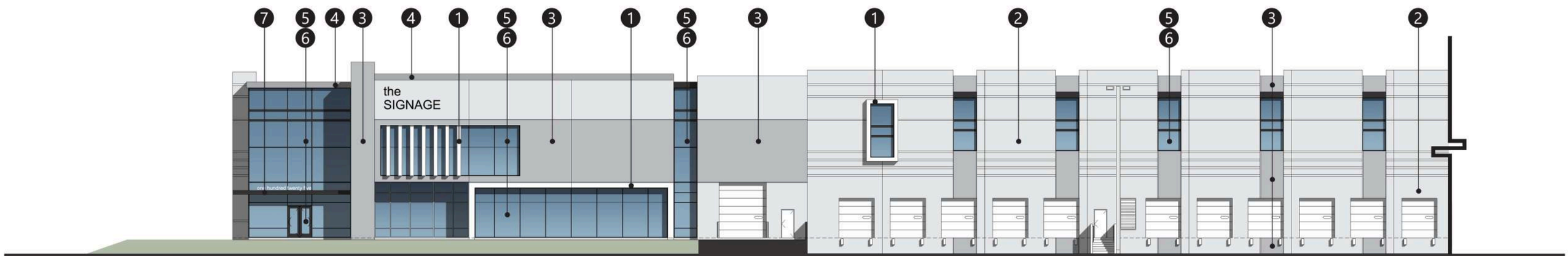
REAL ESTATE GROUP, INC.

North Elevation

East Elevation



Enlarged View of East Elevation

Conceptual Elevations and Material Board - TYPICAL

ORLEANDER AVE. AND SANTA ANA AVE.

Fontana, California

#21636 | 01. 31. 2023

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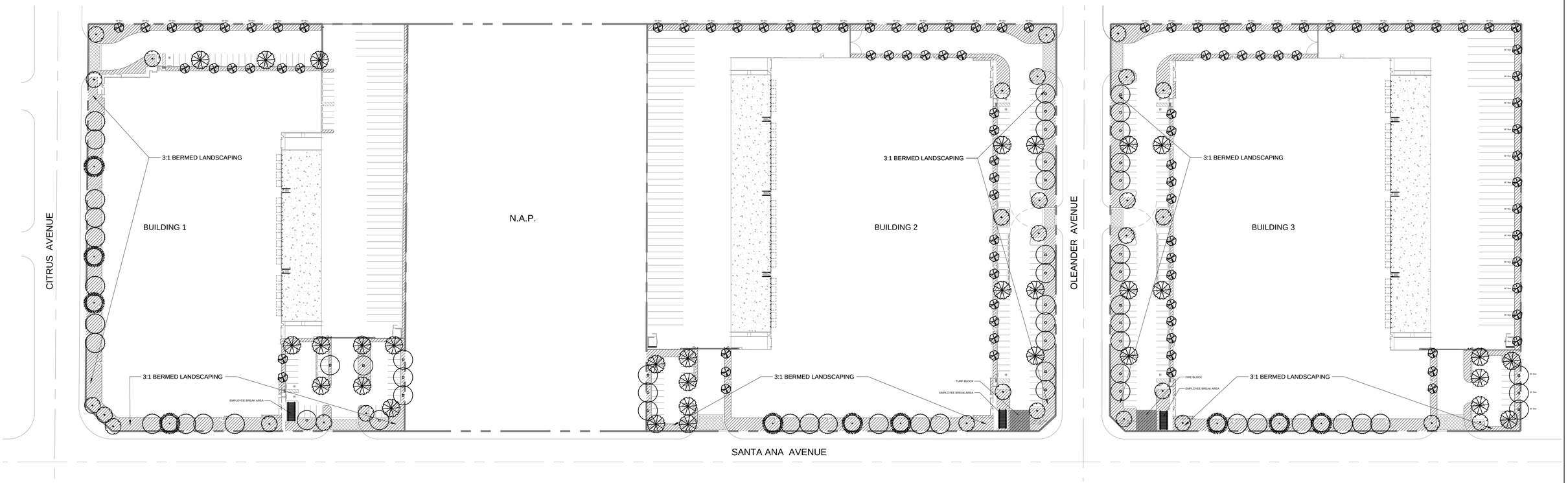


PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Chitalpa tashkentensis Chitalpa	24" Box	31	L	Standard
	Olea europaea Olive	48" Box	29	L	Multi
	Pinus eldarica Afghan Pine	24" Box	24	L	Standard
	Platanus acerifolia London Plane	24" Box	10	M	Standard
	Rhus lancea African Sumac	24" Box 36" Box	34 3	L	Standard
	Tristania conferta Brisbane Box	15 Gal 36" Box	59 42	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE		WUCOLS	SPACING
	Acca sellowiana Pineapple Gauva	5 Gal		M	3' OC 2' from hardscape
	Callistemon 'Little John' Dwarf Bottle Brush	5 Gal		M	3' OC 2' from hardscape
	Ligustrum j. Texanum Texas Privet	5 Gal		M	3' OC 2' from hardscape
	Muhlenbergia rigens Deer Grass	5 Gal		M	4' OC 2.5' from hardscape
	Rhaphiolepis i. 'Clara' Indian Hawthorn	5 Gal		M	3' OC 2' from hardscape
	Russelia equisetiformis Coral Bush	5 Gal		M	5' OC 3' from hardscape

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Carissa m. 'Green Carpet' Prostrate Natal Plum	1 Gal	36" O.C.	M	
	Festuca mairei Atlas Fescue	1 Gal	24" O.C.	M	
	Lonicera j. 'Halliana' Hall's Honeysuckle	1 Gal	48" O.C.	L	
	Senecio mandraliscae Chalk Sticks	1 Gal	24" O.C.	M	

PARKING LOT TREE REQUIREMENTS
1 TREE FOR EVERY 4 PARKING SPOTS
TOTAL PARKING SPOTS: 264 TOTAL PARKING TREES REQUIRED: 66
TOTAL PARKING TREES PROVIDED: 118

PARKING LOT SHADING REQUIRMENTS
BUILDING 1 - 3,212 SF REQ, 3,382 SF PROVIDED
BUILDING 2 - 6,025 SF REQ, 6,263 SF PROVIDED
BUILDING 3 - 6,025 SF REQ, 6,380 SF PROVIDED

N

0 30' 60' 120'

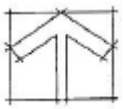
Oleander Ave and Santa Ana Ave

22-048
04.19.22 01.31.23
08.24.22 03.19.23
11.22.22

Fontana, California

HUNTER LANDSCAPE
711 FEE ANA STREET PLACENTIA, CA 92870
714.986.2400 FAX 714.986.2408

NORTH

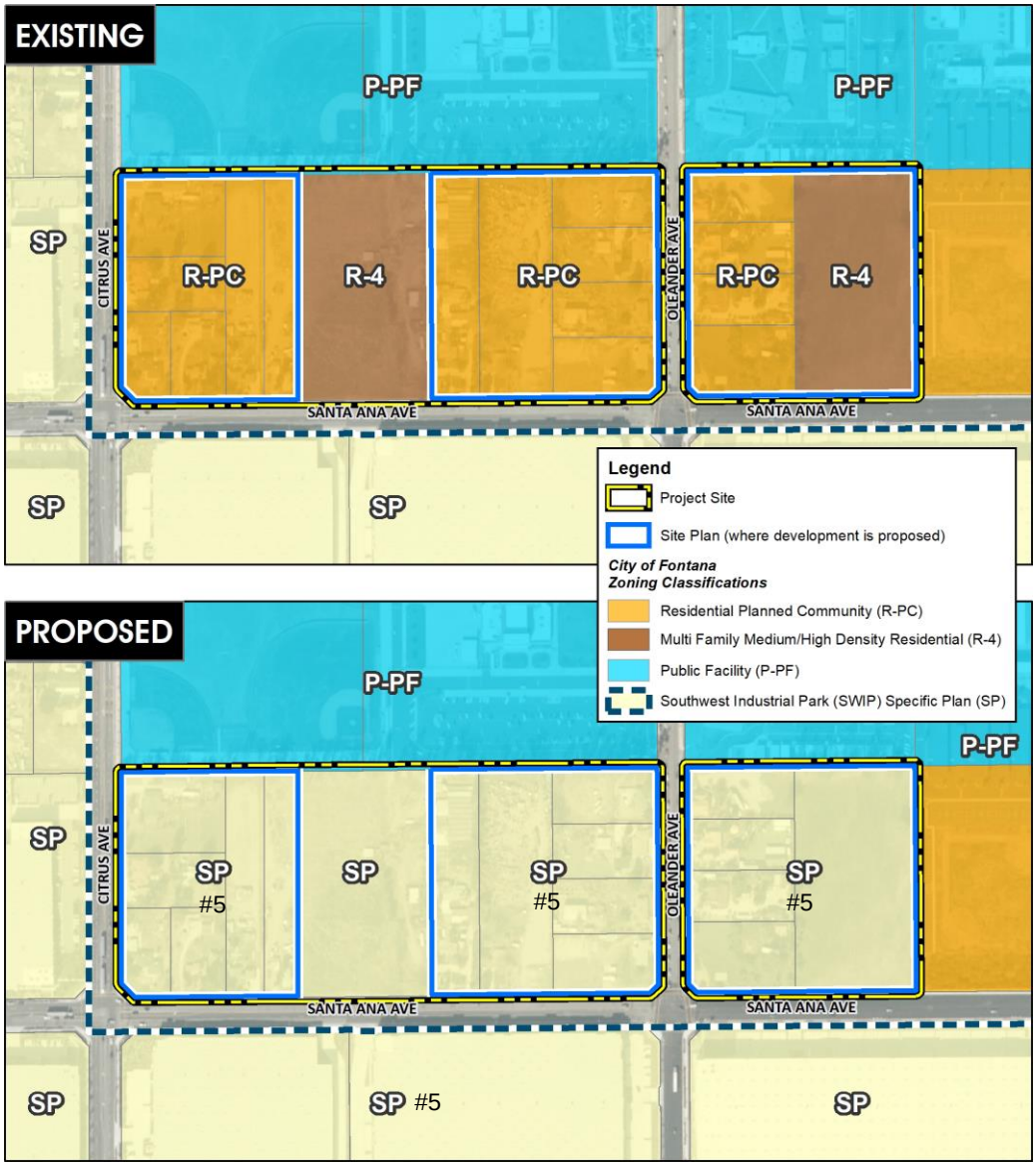


CITY OF FONTANA PLANNING DEPARTMENT

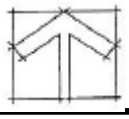
EXISTING & PROPOSED GENERAL PLAN

DATE: June 20, 2023

CASE: Master Case No. 22-053



NORTH



CITY OF FONTANA PLANNING DEPARTMENT

EXISTING & PRPOSED ZONING

DATE: June 20, 2023

CASE: Master Case No. 22-053

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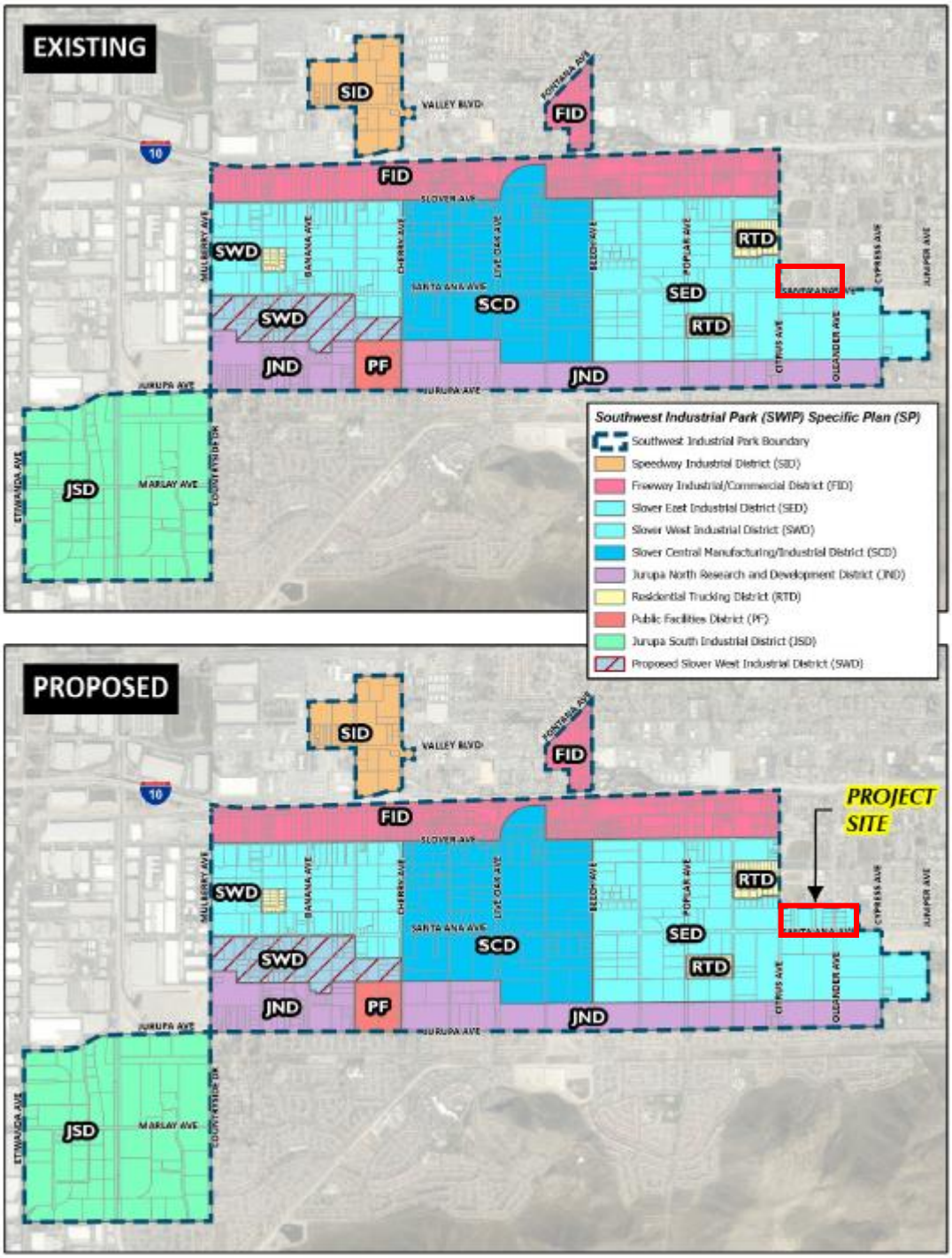

Source(s): City of Fontana (2021), Esri, Nearmap Imagery (2023)

CITY OF FONTANA PLANNING DEPARTMENT

EXISTING & PRPOSED SWIP BOUNDARIES

DATE: June 20, 2023

CASE: Master Case No. 22-053

RESOLUTION PC NO. 2023-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2022110389), THE STATEMENT OF OVERRIDING CONSIDERATIONS, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND THE STATEMENT OF FACTS AND FINDINGS, AND DIRECT STAFF TO FILE THE NOTICE OF DETERMINATION; AND FORWARD TO THE CITY COUNCIL A RECOMMENDATION OF ADOPTION OF A RESOLUTION APPROVING GENERAL PLAN AMENDMENT NO. 22-004, ADOPTION OF AN ORDINANCE APPROVING ZONE CHANGE NO. 22-005, ADOPTION OF AN ORDINANCE APPROVING SPECIFIC PLAN AMENDMENT NO. 22-002, ADOPTION OF AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT NO. 23-005 AND ADOPTION OF A RESOLUTION APPROVING DESIGN REVIEW (DRP) NO. 22-029, 22-061, 22-062 AND TENTATIVE PARCEL MAP (TPM) NOs. 20709, 20707, AND 20708, ALL FOR THE CONSTRUCTION OF THREE (3) INDUSTRIAL COMMERCE CENTER BUILDINGS TOTALING 504,849 SQUARE FEE ON A SITE OF APPROXIMATELY 24.8 GROSS ACRES.

WHEREAS, the City of Fontana General Plan was adopted by the City Council on November 13, 2018 and the City of Fontana Housing Element was adopted by the City Council on February 8, 2022; and

WHEREAS, the City of Fontana received an application on May 18, 2022, for a General Plan Amendment (GPA) No. 22-004 to amend the General Plan land use designation of 29.4-acres from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G), a Zoning District Map amendment (Zone Change Application (ZCA) No. 22-005) to amend the Zoning Map designations from Residential Planned Community (R-PC) and Multiple-Family Medium/High Density Residential (R-4) to Southwest Industrial Park (SWIP) Specific Plan, Specific Plan Amendment (SPA) No. 22-002 to amend the Southwest Industrial Park (SWIP) Specific Plan Land Use Plan to expand the SWIP boundary to include the entire 29.4 acres within the SWIP's Slover East Industrial District (SED), Development Agreement (DA) No. 23-005 to establish an agreement for the payment of a public benefit fee, Tentative Parcel Map No. 20709 (TPM No. 22-009) (Building No. 1), Tentative Parcel Map No. 20708 (TPM No. 22-030) (Building No. 2), and Tentative Parcel Map No. 20707 (TPM No. 22-031) (Building No. 3) - A request to review three separate parcel maps which two maps include the consolidation of six (6) parcels into one parcel for the development of the project sites for Building No. 1 and Building No. 2 and the consolidation of five (5) parcels into one for the development of the project site for Building No. 3. The parcel maps encompass a total of 24.4 acres of the 29.4 acres; the project does not propose development for one existing 5 acre parcel, and Design Review No. 22-029 (Building No. 1), Design Review No. 22-061 (Building No. 2), and Design Review No. 22-062 (Building No. 3) - A request for review of the architecture, site design and associated improvements for Building Nos. 1, 2,

and 3 totaling 540,849 square feet on 24.4 acres. The project does not propose development for 5 acres of the overall project site.

WHEREAS, the request is for a recommendation of approval to the City Council for the proposed project which includes General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002, Development Agreement (DA) No. 23-005, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708 (TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3).

Project Applicant: David Pittman
Acacia Real Estate Group Inc.
260 Newport Center Drive, Suite No. 100
Newport Beach, CA 92626

Project Location: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

Project Site Area: 29.4 adjusted gross acres (excluding a 5.0-acre site, APN: 0255-011-15 which will not be developed).

WHEREAS, the subject site includes two parcels that were annexed from San Bernardino County into the City of Fontana on May 23, 1966 and September 19, 2006; and

WHEREAS, the subject property is proposed to be developed below the assumed capacity identified in the approved Housing Element, however there is still sufficient capacity in the city at the “extremely low/very low” income category to meet the City’s Regional House Needs Assessment (RHNA) allocated numbers; and

WHEREAS, to comply with California’s Housing Crisis Act of 2019 (SB 330), the project will participate in the City of Fontana Municipal Code (FMC) Chapter 30 Article XV “No Net Loss Density Bonus/Replacement Program.” Pursuant to FMC section 30-967, the Unit Bank cannot exceed 2,200 units. The Unit Bank is currently 1,280 units. These 507 units will be added to the Unit Bank increasing the number of units in the Unit Bank to 1,787 which is less than the 2,200 units authorized by FMC. The units in the Unit Bank shall be available as density bonuses for other residential properties throughout the city. The program will enable, on a first come, first served basis, density bonuses of up to 20% on other parcels until these 507 residential units are reclaimed within future planned residential projects; and

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

WHEREAS, on June 20, 2023, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held on Citrus & Oleander Industrial Commerce Center (State Clearinghouse no. 2022110389), General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002, Development Agreement (DA) No. 23-005, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708 (TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3); 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 City has prepared a Final EIR, consisting of the comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, revisions to the Draft EIR, and an errata making minor, non-substantive changes to the Final EIR. For the purposes of this Resolution, the "EIR" shall refer to the Draft EIR, as revised by the Final EIR, together with the other sections of the Final EIR; and

WHEREAS, based on the information contained in Environmental Impact Report (State Clearing House No. 2022110389) prepared for the proposed project which has been circulated for the proposed project and has been submitted with the inclusion of a Statement of Overriding Consideration and a Mitigation Monitoring Program with a recommendation for certification by the City Council; and

WHEREAS, Conditions of Approval have been prepared and are attached hereto as Exhibit "A through F" for Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708 (TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3) 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* newspaper on June 9, 2023, 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 June 20, 2023, and,

WHEREAS, General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002, Development Agreement (DA) No. 23-005, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708

(TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3) are supported by goals and policies of the General Plan; 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. The City of Fontana Planning Commission hereby makes the following findings for General Plan Amendment No. 22-004 in accordance with Section 30-31 "Purpose" of the Fontana Zoning and Development Code:

Finding: **The purpose and intent is to keep an updated General Plan to reflect the current desires and needs of the citizens for the long-term growth of the City.**

Findings of Fact: The applicant is proposing to change the General Plan Land Use Designation of the site from Residential Planned Community (R-PC) and Multi-Family Medium/High Density Residential (R-MFMH) to General Industrial (I-G). This would allow for the construction of three (3) industrial commerce center buildings totaling approximately 504,849 square feet. This development will assist with growing industrial commerce center demand in the City of Fontana and the surrounding area. Additionally, properties to the south and west also have a General Plan designation of General Industrial.

Section 3. The City of Fontana Planning Commission hereby makes the following findings for Specific Plan Amendment No. 22-002 in accordance with Section 30-67 "Purpose" of the Fontana Zoning and Development Code:

Finding: **A Specific Plan may be amended by changing the development standards or zoning designation of any zone whenever such an amendment is deemed necessary to protect or promote the public's health, safety or general welfare or when modification is viewed as appropriate in the context of generally accepted planning principles, surrounding land uses, and the General Plan.**

Findings of Fact: The applicant is proposing a specific plan amendment to the existing Southwest Industrial Park Specific Plan (SWIP) by expanding the SWIP boundary to include the entire 29.4 acres to allow for the potential development of three industrial commerce center buildings totaling 540,849 square feet. This development will provide attractive development with quality modern type of

architecture and vast landscaping. This type of development will enhance the industrial areas with an attractive street scene and high-quality industrial development. This type of development will be consistent with the areas to the south and west.

Section 4. The City of Fontana Planning Commission hereby makes the following findings for Zone Change No. 22-005 in accordance with Section 30-40 "Purpose" of the Fontana Zoning and Development Code:

Finding: **The Zoning and Development Code may be amended by changing the development standards (text) or zoning designation map boundaries of any zone whenever such an amendment is deemed necessary to protect or promote the public's health, safety, or general welfare or when modification is viewed as appropriate in the context of generally accepted planning principles, surrounding land uses, and the General Plan.**

Findings of Fact: The applicant is proposing to change the zoning designation from Residential Planned Community (R-PC) and Multiple-Family Medium/High Density Residential (R-4) to Southwest Industrial Park (SWIP) Specific Plan, Slover East Industrial District. This would allow for the construction of three (3) industrial commerce center buildings totaling approximately 540,849 square feet. This development will assist with growing industrial commerce demand in the City of Fontana and the surrounding area. The proposed zone change will provide consistency with the zoning and development to the south and west of the subject site and will provide safe and attractive development.

Section 5. The City of Fontana's Planning Commission hereby makes the following findings for Tentative Parcel Map No. 20709 (TPM No. 22-009), Building No. 1 in accordance with Section No. 26-218(d) "Processing of application," of the Fontana Subdivision Code:

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

Findings of Fact: Tentative Parcel Map No. 20709 (TPM No. 22-009) is consistent with the proposed General Plan Land Use Designation for the project site, which is General Industrial (I-G). The proposed lot size with the consolidation will meet the lot standards of the General Industrial zoning district. The tentative parcel map is a request to consolidate six (6) existing parcels (APNs: 0255-011-29 through -32 and 0255-011-18 and -19) into one parcel for the construction of a concrete tilt-up- industrial commerce center buildings totaling approximately 151,618 square feet, which is within the proposed land use permitted in the General Plan. The

project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District.

Finding No. 2: **That the design or improvements of the proposed subdivision are consistent with the general plan and any applicable specific plan.**

Findings of Fact: The site design for Tentative Parcel Map No. 20709 is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Elements of the City of Fontana General Plan, Subdivisions (Chapter No. 26) Chapter of the City of Fontana Municipal Code and the General Industrial development standards. The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all of the zoning requirements of the Southwest Industrial Specific Plan, Slover East Industrial District zone. 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. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District.

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

Findings of Fact: The project for Building No. 1 is approximately 6.80 adjusted gross acres which is adequate in size to accommodate the development referenced herein. The existing topography is conducive for the project and development of the site did not require setback variances; therefore, the site is suitable for this type of development. The lot size is consistent with surrounding industrial developments.

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.**

Findings of Fact: The design of Tentative Parcel Map No. 20709 (TPM No. 22-009) is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. The area surrounding the project site has been developed with of industrial, high school, adult school, and warehouses uses.

An Environmental Impact Report (EIR) has been prepared for this project pursuant to the California Environmental Quality Act (CEQA) and the 2019 Local Guidelines for Implementing CEQA. Based on the information in the EIR, the project does not represent significant effect on the environment as a result of

project implementation. The mitigation measures establish within the EIR will reduce any significant impacts to the surrounding area. The proposed use is anticipated based on the Land Use Designation and the Zoning and Development Code. The proposed design of the map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat. The proposed design of the map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

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

Findings of Fact: The design of Tentative Parcel Map No. 20709 will not cause public health problems. The proposed development complies with the proposed Zoning and Development Code and General Plan. Improvements include connection to the public sewer, connection to the public storm drain, modification to the existing sidewalks, drainage, 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: **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The planning commission may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to easements previously acquired by the public.**

Findings of Fact: The design of Tentative Parcel Map No. 20709 (TPM No. 22-009) and public improvements will not conflict with access easements acquired by the public. Access to and from the project site would be provided from two driveways, one on Citrus Avenue and one from Santa Ana Avenue. The truck traffic will come in and out from Citrus Avenue and vehicle traffic will use the entrances from Citrus Avenue and Santa Ana Avenue.

Section 6. The City of Fontana Planning Commission hereby makes the following findings for a Design Review No. 22-029 (Building No. 1) in accordance with Section 30-120 “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: **The proposal is consistent with the General Plan and applicable Specific Plan.**

Findings of Fact: The proposed General Plan land use designation of General Industrial (I-G) is intended for employee-intensive uses, including business parking, research and development, technology centers, corporate and support office uses, clean industry, supporting retail

uses, truck and equipment sales and related services. The proposed industrial commerce facility provides for a consistent blend of well-designed industrial development in the immediate vicinity. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District. The proposed industrial commerce facilities provides for a consistent blend of well-designed industrial development in the immediate vicinity because it provides industrial consistency with the south to the west of the project site.

Finding No. 2: **This 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 project, as proposed, is a request for the Planning Commission to review and forward recommendation of approval for the site and architectural design for the 151,618 (Building No. 1) square foot industrial commerce center building. The industrial commerce facility has been designed with office totaling approximately 10,000 square feet. A gate-secured truck court with 17 loading docks are on the west side of Building No. 1. 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. Access to and from the project site would be provided from two driveways one from Citrus Avenue and one driveway on Santa Ana Avenue. Landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers.

The project will be an appropriate and desirable development for the area. With the requested associated general plan amendment, specific plan amendment and zone change from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G), the project will meet or exceed the criteria contained in the Design Review section of the Fontana Zoning and Development Code and the SWIP specific plan.

The project as described in the above findings will result in the construction of an industrial commerce center building totaling approximately 151,618 square feet. All new improvements such as driveways, streets, sidewalks, drive aisles, and setbacks will comply with 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 is in its design and appearance is aesthetically and architecturally pleasing while enhancing the character of the surrounding neighborhood.**

Findings of Fact: As indicated in Finding No. 1, the industrial commerce center facility has been designed with 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. Access to and from the project site would be provided from two driveways one om Citrus Avenue and one from Santa Ana Avenue (vehicle traffic only). Landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. The building will be compatible with the industrial commerce centers to the south and west of the project site and will provide a quality, aesthetically please development for the surrounding neighborhood.

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

Findings of Fact: The proposed development complies with the Zoning and Development Code standards and the newly adopted sustainability ordinance. The improvements include sewer and storm drain systems, site circulation, parking, landscaping, parks, lighting, driveways, sidewalks and decorative paving.

Section 7. The City of Fontana's Planning Commission hereby makes the following findings for Tentative Parcel Map No. 20708 (TPM No. 22-030), Building No. 2 in accordance with Section No. 26-218(d) "Processing of application," of the Fontana Subdivision Code:

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

Findings of Fact: Tentative Parcel Map No. 20708 (TPM No. 22-030) is consistent with the proposed General Plan Land Use Designation for the project site, which is General Industrial (I-G). The proposed lot size with the consolidation will meet the lot standards of the General Industrial zoning district. The tentative parcel map is a request to consolidate six (6) existing parcels (APNs: 0255-011-14, -13, and -25 through -28) into one parcel for the construction of a concrete tilt-up- industrial commerce center building totaling - approximately 196,336 square feet, which is within the proposed land use permitted in the General Plan. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District. The proposed industrial commerce facilities provides for a consistent blend of well-designed industrial development in the immediate

vicinity because it provides industrial consistency with the south to the west of the project site.

Finding No. 2: **That the design or improvements of the proposed subdivision are consistent with the general plan and any applicable specific plan.**

Findings of Fact: The site design for Tentative Parcel Map No. 20708 is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Elements of the City of Fontana General Plan, Subdivisions (Chapter No. 26) Chapter of the City of Fontana Municipal Code and the General Industrial development standards. The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all of the zoning requirements of the Southwest Industrial Specific Plan, Slover East Industrial District zone. 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. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District.

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

Findings of Fact: The project site for Building No. 2 is approximately 8.82 adjusted gross acres which is adequate in size to accommodate the development referenced herein. The existing topography is conducive for the project and development of the site did not require setback variances; therefore, the site is suitable for this type of development. The lot size is consistent with surrounding industrial developments.

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.**

Findings of Fact: The design of Tentative Parcel Map No. 20708 (TPM No. 22-030) is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. The area surrounding the project site has been developed with of industrial, high school, adult school, and warehouses uses.

An Environmental Impact Report (EIR) has been prepared for this project pursuant to the California Environmental Quality Act (CEQA) and the 2019 Local Guidelines for Implementing CEQA. Based on the information in the EIR, the project does not represent significant effect on the environment as a result of project implementation. The mitigation measures establish within

the EIR will reduce any significant impacts to the surrounding area. The proposed use is anticipated based on the Land Use Designation and the Zoning and Development Code. The proposed design of the map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

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

Findings of Fact: The design of Tentative Parcel Map No. 20708 will not cause public health problems. The proposed development complies with the proposed Zoning and Development Code and General Plan. Improvements include connection to the public sewer, connection to the public storm drain, modification to the existing sidewalks, drainage, 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: **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The planning commission may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to easements previously acquired by the public.**

Findings of Fact: The design of Tentative Parcel Map No. 20708 (TPM No. 22-030) and public improvements will not conflict with access easements acquired by the public. Access to and from the project site would be provided from two driveways, one on Oleander Avenue and one from Santa Ana Avenue. The truck traffic will come in and out from Oleander Avenue and vehicle traffic will use the entrances from Oleander Avenue and Santa Ana Avenue.

Section 8. The City of Fontana Planning Commission hereby makes the following findings for a Design Review No. 22-061 (Building No. 2) in accordance with Section 30-120 “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: **The proposal is consistent with the General Plan and applicable Specific Plan.**

Findings of Fact: The proposed General Plan land use designation of General Industrial (I-G) is intended for employee-intensive uses, including business parking, research and development, technology centers, corporate and support office uses, clean industry, supporting retail uses, truck and equipment sales and related services. The proposed industrial commerce facility provides for a consistent blend of well-designed industrial development in the immediate

vicinity. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District.

Finding No. 2: **This 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 project, as proposed, is a request for the Planning Commission to review and forward recommendation of approval for the site and architectural design for the proposed 196,336 (Building No. 2) square foot industrial commerce center building. The industrial commerce facility has been designed with office totaling approximately 16,000 square feet. A gate-secured truck court with 26 loading docks are proposed on the west side of Building No. 2. 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. Access to and from the project site would be provided from two driveways one from Oleander Avenue and one driveway on Santa Ana Avenue. Proposed landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers.

The project will be an appropriate and desirable development for the area. With the requested associated general plan amendment, specific plan amendment and zone change from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G), the project will meet or exceed the criteria contained in the Design Review section of the Fontana Zoning and Development Code and the SWIP specific plan.

The proposed project as described in the above findings will result in the construction of an industrial commerce center building totaling approximately 196,336 square feet. All new improvements such as driveways, streets, sidewalks, drive aisles, and setbacks will comply with 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 is in its design and appearance is aesthetically and architecturally pleasing while enhancing the character of the surrounding neighborhood.**

Findings of Fact: As indicated in Finding No. 1, the proposed industrial commerce center facility has been designed with 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. Access to and from the project site would be provided from two driveways one from Oleander Avenue and one from Santa Ana Avenue (vehicle traffic 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. The proposed building will be compatible with the industrial commerce centers to the south and west of the project site and will provide a quality, aesthetically please development for the surrounding neighborhood.

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

Findings of Fact: The proposed development complies with the Zoning and Development Code standards and the newly adopted sustainability ordinance. The improvements include sewer and storm drain systems, site circulation, parking, landscaping, parks, lighting, driveways, sidewalks and decorative paving.

Section 9. The City of Fontana's Planning Commission hereby makes the following findings for Tentative Parcel Map No. 20707 (TPM No. 22-031), Building No. 3 in accordance with Section No. 26-218(d) "Processing of application," of the Fontana Subdivision Code:

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

Findings of Fact: Tentative Parcel Map No. 20707 (TPM No. 22-031) is consistent with the proposed General Plan Land Use Designation for the project site, which is General Industrial (I-G). The proposed lot size with the consolidation will meet the lot standards of the General Industrial zoning district. The tentative parcel map is a request to consolidate five (5) existing parcels (APNs: 0255-021-17 and -18, 0255-021-22 through -24) into one parcel for the construction of a concrete tilt-up- industrial commerce building totaling -approximately 192,895 square feet, which is within the proposed land use permitted in the General Plan. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District. The proposed industrial commerce facilities provides for a consistent blend of well-designed industrial development in the immediate vicinity because it provides industrial consistency with the south to the west of the project site.

Finding No. 2: **That the design or improvements of the proposed subdivision are consistent with the general plan and any applicable specific plan.**

Findings of Fact: The site design for Tentative Parcel Map No. 20707 is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Elements of the City of Fontana General Plan, Subdivisions (Chapter No. 26) Chapter of the City of Fontana Municipal Code and the General Industrial development standards. The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all of the zoning requirements of the Southwest Industrial Specific Plan, Slover East Industrial District zone. 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. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District.

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

Findings of Fact: The project site for Building No. 3 is approximately 8.81 adjusted gross acres which, is adequate in size to accommodate the development referenced herein. The existing topography is conducive for the project and development of the site did not require setback variances; therefore, the site is suitable for this type of development. The lot size is consistent with surrounding industrial developments.

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.**

Findings of Fact: The design of Tentative Parcel Map No. 20707 (TPM No. 22-031) is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. The area surrounding the project site has been developed with of industrial, high school, adult school, and warehouses uses.

An Environmental Impact Report (EIR) has been prepared for this project pursuant to the California Environmental Quality Act (CEQA) and the 2019 Local Guidelines for Implementing CEQA. Based on the information in the EIR, the project does not represent significant effect on the environment as a result of project implementation. The mitigation measures establish within the EIR will reduce any significant impacts to the surrounding area. The proposed use is anticipated based on the Land Use Designation and the Zoning and Development Code. The

proposed design of the map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

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

Findings of Fact: The design of Tentative Parcel Map No. 20707 will not cause public health problems. The proposed development complies with the proposed Zoning and Development Code and General Plan. Improvements include connection to the public sewer, connection to the public storm drain, modification to the existing sidewalks, drainage, 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: **That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The planning commission may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to easements previously acquired by the public.**

Findings of Fact: The design of Tentative Parcel Map No. 20707 (TPM No. 22-031) and public improvements will not conflict with access easements acquired by the public. Access to and from the project site would be provided from two driveways, one on Oleander Avenue and one from Santa Ana Avenue. The truck traffic will come in and out from Oleander Avenue and vehicle traffic will use the entrances from Oleander Avenue and Santa Ana Avenue.

Section 10. The City of Fontana Planning Commission hereby makes the following findings for a Design Review No. 22-062 (Building No. 3) in accordance with Section 30-120 “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: **The proposal is consistent with the General Plan and applicable Specific Plan.**

Findings of Fact: The proposed General Plan land use designation of General Industrial (I-G) is intended for employee-intensive uses, including business parking, research and development, technology centers, corporate and support office uses, clean industry, supporting retail uses, truck and equipment sales and related services. The proposed industrial commerce facility provides for a consistent blend of well-designed industrial development in the immediate vicinity. The project is proposing a specific plan amendment to incorporate into the Southwest Industrial Park Specific Plan, Slover East Industrial District. The proposed industrial commerce

facilities provides for a consistent blend of well-designed industrial development in the immediate vicinity because it provides industrial consistency with the south to the west of the project site.

Finding No. 2: **This 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 project, as proposed, is a request for the Planning Commission to review and forward recommendation of approval for the site and architectural design for the 192,895 (Building No. 3) square foot industrial commerce center building. The industrial commerce center facility has been designed with office totaling approximately 16,000 square feet. A gate-secured truck court with 26 loading docks are on the west side of Building No. 3. 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. Access to and from the project site would be provided from two driveways one from Oleander Avenue and one driveway on Santa Ana Avenue. Landscaping would be ornamental in nature and would features trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers.

The project will be an appropriate and desirable development for the area. With the requested associated general plan amendment, specific plan amendment and zone change from Residential Planned Community (R-PC) and Multiple-Family Medium/High Residential (R-MFMH) to General Industrial (I-G), the project will meet or exceed the criteria contained in the Design Review section of the Fontana Zoning and Development Code and the SWIP specific plan.

The project as described in the above findings will result in the construction of an industrial commerce center building totaling approximately 192,895 square feet. All new improvements such as driveways, streets, sidewalks, drive aisles, and setbacks will comply with 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 is in its design and appearance is aesthetically and architecturally pleasing while enhancing the character of the surrounding neighborhood.**

Findings of Fact: As indicated in Finding No. 1, the proposed industrial commerce center facility has been designed with 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. Access to and from the project site would be provided from two driveways one from Oleander Avenue and one from Santa Ana Avenue (vehicle traffic 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. The proposed building will be compatible with the industrial commerce centers to the south and west of the project site and will provide a quality, aesthetically please development for the surrounding neighborhood.

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

Findings of Fact: The proposed development complies with the Zoning and Development Code standards and the newly adopted sustainability ordinance. The improvements include sewer and storm drain systems, site circulation, parking, landscaping, parks, lighting, driveways, sidewalks and decorative paving.

Section 11. The Planning Commission has reviewed and considered the Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP), 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 EIR and Mitigation Monitoring and Reporting Program contain a complete and accurate reporting of all the environmental impacts associated with the Project. The Planning Commission further finds that the EIR and Mitigation Monitoring and Reporting Program have been completed in compliance with the 2019 Local CEQA Guidelines and the State CEQA Guidelines.

Section 12. Based on the foregoing, the Planning Commission hereby recommends that the City Council adopt an resolution to certify the Final Environmental Impact Report (State Clearinghouse No. 2022110389), pursuant to Section 15126 through 15164 of the California Environmental Quality Act (CEQA) Guidelines and Section 8.1 of the City of Fontana's 2019 Local CEQA Guidelines and direct staff to file the Notice of Determination and adopt a resolution approving General Plan Amendment No. 22-004, adopt an ordinance approving Specific Plan Amendment No. 22-002, adopt an ordinance approving Zoning Code Amendment No. 22-005, adopt an ordinance approved Development Agreement No. 23-005 and adopt a resolution approving Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708 (TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3), subject to the findings as indicated herein and the Conditions of Approval, have been prepared and are attached hereto as **Exhibit "A and F".**

Section 13. Resolution Regarding Custodian of Record: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

Section 14. 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 20th day of June, 2023.

City of Fontana

_____

Cathline Fort, Chairperson

ATTEST:

I, Ralph Thrasher, 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 this 20th day of June 2023, by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

Ralph Thrasher, Secretary

EXHIBIT "A"

FONTANA
CALIFORNIA

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053 June 20, 2023
Tentative Parcel Map No. 20709 (TPM No. 22-009)
Building No. 1

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:

   A. All requirements of the Fontana City's Municipal Code shall be complied with.

   B. All Conditions of Approval imposed on this project have been fulfilled.

2. The applicant shall defend, indemnify, and hold harmless the City of Fontana or its agents, officers, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps,

licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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. Tentative Parcel Map No. 20709 (TPM No. 22-009) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Southwest Industrial Park Specific, Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC) and the Subdivision Map Act.

4. 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 Planning. A note to this effect shall be placed on the map prior to recordation of the final map.

5. The applicant/developer shall comply with the mitigation measures identified in the Final Environmental Impact Report (FEIR), and Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.

6. 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.

7. Tentative Parcel Map No. 20709 (TPM No. 22-009) 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. 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. 30-23 of the Municipal Code.

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.

10. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

11. Truck traffic is prohibited from traveling on Santa Ana Avenue.

ENGINEERING DEPARTMENT:

PRIOR TO MAP RECORDATION:

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

BUILDING & SAFETY DEPARTMENT:

13. The Parcel Map shall record prior to the issuance of any permits.

END OF CONDITIONS

EXHIBIT "B"

FONTANA
CALIFORNIA

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053 June 20, 2023
Tentative Parcel Map No. 20708 (TPM No. 22-030)
Building No. 2

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
   a. All requirements of the Fontana City's Municipal Code shall be complied with.
   b. All Conditions of Approval imposed on this project have been fulfilled.

2. The applicant shall defend, indemnify, and hold harmless the City of Fontana or its agents, officers, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission

and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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. Tentative Parcel Map No. 20708 (TPM No. 22-030) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Southwest Industrial Park Specific Plan, Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC) and the Subdivision Map Act.

4. 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 Planning. A note to this effect shall be placed on the map prior to recordation of the final map.

5. The applicant/developer shall comply with the mitigation measures identified in the Final Environmental Impact Report (FEIR), and Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.

6. 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.

7. Tentative Parcel Map No. 20708 (TPM No. 22-030) 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. 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. 30-23 of the Municipal Code.

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.

10. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

11. Truck traffic is prohibited from traveling on Santa Ana Avenue.

ENGINEERING DEPARTMENT:

PRIOR TO MAP RECORDATION:

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

BUILDING & SAFETY DEPARTMENT:

13. The Parcel Map shall record prior to the issuance of any permits.

END OF CONDITIONS

EXHIBIT "C"

FONTANA
CALIFORNIA

CITY OF FONTANA
CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053 June 20, 2023
Tentative Parcel Map No. 20707 (TPM No. 22-031)
Building No. 3

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
   a. All requirements of the Fontana City's Municipal Code shall be complied with.
   b. All Conditions of Approval imposed on this project have been fulfilled.

2. The applicant shall defend, indemnify, and hold harmless the City of Fontana or its agents, officers, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps,

licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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. Tentative Parcel Map No. 20707 (TPM No. 22-031) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC) and the Subdivision Map Act.

4. 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 Planning. A note to this effect shall be placed on the map prior to recordation of the final map.

5. The applicant/developer shall comply with the mitigation measures identified in the Final Environmental Impact Report (FEIR), and Mitigation Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.

6. 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.

7. Tentative Parcel Map No. 20707 (TPM No. 22-030) 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. 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. 30-23 of the Municipal Code.

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.

10. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

11. Truck traffic is prohibited from traveling on Santa Ana Avenue.

ENGINEERING DEPARTMENT:

PRIOR TO MAP RECORDATION:

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

BUILDING & SAFETY DEPARTMENT:

13. The Parcel Map shall record prior to the issuance of any permits.

END OF CONDITIONS

EXHIBIT "D"

FONTANA
CALIFORNIA

CITY OF FONTANA

CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053
Design Review (DRP) No. 22-029
Building No. 1

DATE: June 20, 2023

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

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

3. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Zoning Code and Development Code, Fontana Municipal Code (FMC) and the Southwest Industrial Park Specific Plan.

4. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

5. Truck traffic is prohibited from traveling on Santa Ana Avenue.

6. 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.

7. Historic Archaeological Resources

   A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

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

A. Construction shall be limited to 7:00 am to 6:00 pm on weekday, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and holidays unless it is approved by the Building Inspector for cases that are considered urgently necessary as defined in Section No. 18-63(7) of the Municipal Code. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.

B. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

C. Have only necessary equipment onsite.

D. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:

E. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.

F. Temporarily enclose localized and stationary noise sources.

G. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

9. 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 Planning.

10. 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.
11. The current development fees must be paid prior to issuance of building/construction permits.
12. 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.
13. There shall be five (5) feet of landscaping and two (2) feet of decorative concrete for passengers to step out of vehicles, total of seven (7) feet, at end of automobile parking aisles.
14. The applicant shall install additional 36" box trees at the north property line to further screen the project site from the school to the satisfaction of the Director of Planning.
15. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
16. 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.
17. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
18. Two (2) bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
19. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in an industrial parking facility, except for disabled persons parking, van pool, carpool, or any other designated parking as required by law.
20. All signs shall be reviewed under a separate Design Review Sign application.

21. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Planning.
22. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
23. The transformer shall be screened by a solid screen wall and mature, dense landscaping, and not visible from the public right-of-way.
24. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
25. There shall be no refrigerated uses on site; unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
26. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
27. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
28. The applicant/developer/property owner shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
29. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.
30. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
31. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
32. Incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site. Adhere to the Standard Building Security Specifications of the Fontana Police Department.
33. Truck traffic is prohibited from traveling on Santa Ana Avenue.

Prior To Issuance of Grading Permit

34. 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 LAND DEVELOPMENT:

35. 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.
36. 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.
37. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

38. The 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.
39. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

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

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

41. The Applicant shall record all parcel as required for the development.
42. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.
43. The Applicant shall implement the recommendations presented in the project's Traffic Impact Analysis prepared by Urban Crossroads dated May 11, 2023. Recommendations include but are not limited to restriping public roads, such as increasing the length of the Citrus Ave at Santa Ana Ave southbound left turn lane to two hundred feet. A signing and striping plan shall be submitted to the Engineering Department for review and approval by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERFITICATE OF OCCUPANCY

44. The Applicant/Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
45. The Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
46. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
47. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
48. All sewer shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required. If a TCO (Temporary Certificate of Occupancy) is required a full video inspection will be required as well at that time.
49. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
50. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practice (BMP) Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

BUILDING & SAFETY DEPARTMENT:

51. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
    A. California Building Code
    B. California Residential Code
    C. California Electrical Code
    D. California Mechanical Code
    E. California Plumbing Code
    F. California Energy Code
    G. California Fire Code
    H. California Green Building Standards Code

52. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.

53. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

54. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.

55. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.

56. The applicant shall have the parcel map recorded prior to the issuance of any building permits.

57. The applicant shall comply with the following grading requirements:

    A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
    B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
    C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
    D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
    E. No water course or natural drainage shall be obstructed.
    F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
    G. Drainage water shall not pass from an ‘improved’ type of drainage structure to an ‘unimproved’ type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
    H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:

1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
3. All proposed drainage structures; and
4. Any proposed and/or required walls or fencing.

58. The applicant is required to obtain permits for the removal and/or demolition of structures.

59. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

60. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
    A. Precise grading plans shall be approved
    B. Rough grading completed
    C. Compaction certification
    D. Pad elevation certification
    E. Rough grade inspection signed off by a City Building Inspector

61. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

62. The applicant shall combine the existing parcels into one parcel, 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.

ENVIRONMENTAL CONTROL:

Prior to Certificate of Occupancy or Permit Approval

63. All industrial facilities shall submit an Industrial Wastewater Discharge Permit Application to the Public Works Department, Environmental Control. (FMC 23-218)

64. All commercial facilities conducting activities listed below shall submit an Industrial Wastewater Discharge Permit application to the Public Works Department, Environmental Control. (FMC 23-218)

65. Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218)

66. All restaurants or other food processing facilities. (FMC 23-218)

67. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218)

68. Any facility which has a projected wastewater discharge that exceeds 25,000 gallons of water per day, or which may be categorized as a Federal Categorical discharger, or which is requesting a permit to discharge to the Inland Empire Utilities Agency (IEUA) Non-Reclaimable Wastewater Line (NRW) shall submit a Uniform Industrial Wastewater Survey and Permit Application to IEUA and the Public Works Department, Environmental Control. (FMC 23-216)

Prior to the Issuance of Construction Permits:

69. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186)

70. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.

71. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161)

72. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment *and has installed* trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161)

73. All restaurants or other food processing facilities (FMC 23-163). Conditional waivers for the grease interceptor requirement may be granted by the Public Works Manager in accordance with section 23-52 for those restaurants or food processing facilities determined not to have adverse effects on the Publicly Owned Treatment Works (POTW).

Storm Water

Upon Certificate of Occupancy or Permit Approval and during Occupancy:

74. All Commercial, Industrial, Institutional, and/or other facilities deemed to have the potential to discharge pollutants to the storm drain system shall implement source control and pollution prevention practices to prevent unauthorized, non-storm water discharges, at all times.

75. Vehicle, equipment and/or exterior washing activities are prohibited unless a wastewater recovery system is in place. All wastewater shall be recovered, stored and disposed of by proper and legal means through a waste disposal facility. Contractors hired for washing activities shall maintain a current City of Fontana Business License Tax Certificate to operate as a mobile washing business.

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

Prior to Business License and C of O approval:

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

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

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

79. **Jurisdiction.** The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein “Fire Department”). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new

construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

80. **Fire Access Road Width**. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys, and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.

81. **Turnaround**. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.

82. **Street Signs.** Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.

83. **Fire Lanes**. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and “No Parking, Fire Lane” signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.

84. **Water System Commercial.** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4”x2.5”x2.5”) shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.
The Fire Flow for this project shall be: 4,000 GPM for a two (2) hour duration at 20 psi residual operating pressure. Fire Flow is based on: BLDG1: 151,618; BLDG2: 196,336; BLDG 3: 192,895 Square Foot structure.

85. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.

86. **Water System Certification.** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system

will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.

87. **Combustible Protection.** Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.

88. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.

89. **Fire Alarm, Waterflow Monitoring**. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required or fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

90. **Smoke Removal.** An automatic smoke removal system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall submit three (3) sets of detailed smoke removal system plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9.

91. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.

92. **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 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1

93. **Key Box.** An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4

94. **Security Gates.** In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3

95. **Material Identification Placards**. The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.

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

97. **Secondary Access**. The development shall have a minimum of two (2) points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

END OF CONDITIONS OF APPROVAL

EXHIBIT "E"

FONTANA
CALIFORNIA

CITY OF FONTANA

CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053
Design Review (DRP) No. 22-061
Building No. 2

DATE: June 20, 2023

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

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

3. This project shall comply with all applicable provisions, regulations and development standards of the Southwest Industrial Park Specific Plan, Fontana Municipal Code (FMC), and the Fontana Zoning and Development Code.

4. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

5. Truck traffic is prohibited from traveling on Santa Ana Avenue.

6. 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.

7. Historic Archaeological Resources

   A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

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

A. Construction shall be limited to 7:00 am to 6:00 pm on weekday, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and holidays unless it is approved by the Building Inspector for cases that are considered urgently necessary as defined in Section No. 18-63(7) of the Municipal Code. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.

B. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

C. Have only necessary equipment onsite.

D. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:

E. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.

F. Temporarily enclose localized and stationary noise sources.

G. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

9. 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 Planning.

10. 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.
11. The current development fees must be paid prior to issuance of building/construction permits.
12. 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.
13. There shall be five (5) feet of landscaping and two (2) feet of decorative concrete for passengers to step out of vehicles, total of seven (7) feet, at end of automobile parking aisles.
14. The applicant shall install additional 36" box trees at the north property line to further screen the project site from the school to the satisfaction of the Director of Planning.
15. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
16. 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.
17. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
18. Two (2) bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
19. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in an industrial parking facility, except for disabled persons parking, van pool, carpool, or any other designated parking as required by law.
20. All signs shall be reviewed under a separate Design Review Sign application.

21. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Planning.
22. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
23. The transformer shall be screened by a solid screen wall and mature, dense landscaping, and not visible from the public right-of-way.
24. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
25. There shall be no refrigerated uses on site; unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
26. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
27. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
28. The applicant/developer/property owner shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
29. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.
30. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
31. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
32. Incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.
33. Adhere to the Standard Building Security Specifications of the Fontana Police Department.
34. Truck traffic is prohibited from traveling on Santa Ana Avenue.

Prior To Issuance of Grading Permit

35. All Conditions of Approval and Mitigation, Monitoring, and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.

ENGINEERING LAND DEVELOPMENT:

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44. The Applicant shall implement the recommendations presented in the project's Traffic Impact Analysis prepared by Urban Crossroads dated May 11, 2023. Recommendations include but are not limited to restriping public roads. A signing and striping plan shall be submitted to the Engineering Department for review and approval by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

45. The Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
46. The Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
47. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
48. 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).
49. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required. If a TCO (Temporary Certificate of Occupancy) is required a full video inspection will be required as well at that time.
50. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
51. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

BUILDING & SAFETY DEPARTMENT:

52. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
    A. California Building Code
    B. California Residential Code
    C. California Electrical Code
    D. California Mechanical Code
    E. California Plumbing Code
    F. California Energy Code
    G. California Fire Code
    H. California Green Building Standards Code

53. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.

54. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

55. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.

56. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.

57. The applicant shall have the parcel map recorded prior to the issuance of any building permits.

58. The applicant shall comply with the following grading requirements:

    A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
    B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
    C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
    D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
    E. No water course or natural drainage shall be obstructed.
    F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
    G. Drainage water shall not pass from an ‘improved’ type of drainage structure to an ‘unimproved’ type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
    H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:

1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
3. All proposed drainage structures; and
4. Any proposed and/or required walls or fencing.

59. The applicant is required to obtain permits for the removal and/or demolition of structures.

60. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

61. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
    A. Precise grading plans shall be approved
    B. Rough grading completed
    C. Compaction certification
    D. Pad elevation certification
    E. Rough grade inspection signed off by a City Building Inspector

62. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

63. The applicant shall combine the existing parcels into one parcel, 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.

ENVIRONMENTAL CONTROL:

Prior to Certificate of Occupancy or Permit Approval

64. All industrial facilities shall submit an Industrial Wastewater Discharge Permit Application to the Public Works Department, Environmental Control. (FMC 23-218)

65. All commercial facilities conducting activities listed below shall submit an Industrial Wastewater Discharge Permit application to the Public Works Department, Environmental Control. (FMC 23-218)

66. Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218)

67. All restaurants or other food processing facilities. (FMC 23-218)

68. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218)

69. Any facility which has a projected wastewater discharge that exceeds 25,000 gallons of water per day, or which may be categorized as a Federal Categorical discharger, or which is requesting a permit to discharge to the Inland Empire Utilities Agency (IEUA) Non-Reclaimable Wastewater Line (NRW) shall submit a Uniform Industrial Wastewater Survey and Permit Application to IEUA and the Public Works Department, Environmental Control. (FMC 23-216)

Prior to the Issuance of Construction Permits:

70. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186)

71. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.

72. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161)

73. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment *and has installed* trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161)

74. All restaurants or other food processing facilities (FMC 23-163). Conditional waivers for the grease interceptor requirement may be granted by the Public Works Manager in accordance with section 23-52 for those restaurants or food processing facilities determined not to have adverse effects on the Publicly Owned Treatment Works (POTW).

Storm Water

Upon Certificate of Occupancy or Permit Approval and during Occupancy:

75. All Commercial, Industrial, Institutional, and/or other facilities deemed to have the potential to discharge pollutants to the storm drain system shall implement source control and pollution prevention practices to prevent unauthorized, non-storm water discharges, at all times.

76. Vehicle, equipment and/or exterior washing activities are prohibited unless a wastewater recovery system is in place. All wastewater shall be recovered, stored and disposed of by proper and legal means through a waste disposal facility. Contractors hired for washing activities shall maintain a current City of Fontana Business License Tax Certificate to operate as a mobile washing business.

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

Prior to Business License and Certificate of Occupancy approval:

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

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

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

80. **Jurisdiction.** The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new

construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

81. **Fire Access Road Width**. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.

82. **Turnaround**. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.

83. **Street Signs.** Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.

84. **Fire Lanes**. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and “No Parking, Fire Lane” signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.

85. **Water System Commercial.** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4”x2.5”x2.5”) shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.
The Fire Flow for this project shall be: 4,000 GPM for a two (2) hour duration at 20 psi residual operating pressure. Fire Flow is based on: BLDG1: 151,618; BLDG2: 196,336; BLDG 3: 192,895 Square Foot structure.

86. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.

87. **Water System Certification.** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system

will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.

88. **Combustible Protection.** Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.

89. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.

90. **Fire Alarm, Waterflow Monitoring**. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required or fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

91. **Smoke Removal.** An automatic smoke removal system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall submit three (3) sets of detailed smoke removal system plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9.

92. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.

93. **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 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1

94. **Key Box.** An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4

95. **Security Gates.** In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3

96. **Material Identification Placards**. The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.

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

98. **Secondary Access**. The development shall have a minimum of two (2) points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

END OF CONDITIONS OF APPROVAL

EXHIBIT "F"

FONTANA
CALIFORNIA

CITY OF FONTANA

CONDITIONS OF APPROVAL

PROJECT: Master Case No. (MCN) 22-053
Design Review (DRP) No. 22-062
Building No. 3

DATE: June 20, 2023

LOCATION: The project site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection, (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

PLANNING DEPARTMENT:

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

3. This project shall comply with all applicable provisions, regulations and development standards of the Southwest Industrial Park Specific Plan, Fontana Municipal Code (FMC), and Fontana Zoning and Development Code.

4. The applicant shall meet all guidelines identified in the Industrial Commerce Sustainability Ordinance (Chapter 9, Article V of the Fontana Municipal Code).

5. Truck traffic is prohibited from traveling on Santa Ana Avenue.

6. The Applicant shall provide additional mature 36" box trees on the north and east sides of the project site abutting the schools to further screen the loading area and the building from the school, to the satisfaction of the Director of Planning.

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. Historic Archaeological Resources

   A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with

area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

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

A. Construction shall be limited to 7:00 am to 6:00 pm on weekday, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and holidays unless it is approved by the Building Inspector for cases that are considered urgently necessary as defined in Section No. 18-63(7) of the Municipal Code. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.

B. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

C. Have only necessary equipment onsite.

D. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:

E. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.

F. Temporarily enclose localized and stationary noise sources.

G. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

10. 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 Planning.
11. 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.
12. The current development fees must be paid prior to issuance of building/construction permits.
13. 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.
14. There shall be five (5) feet of landscaping and two (2) feet of decorative concrete for passengers to step out of vehicles, total of seven (7) feet, at end of automobile parking aisles.
15. The applicant shall install additional 36" box trees at the north property line to further screen the project site from the school to the satisfaction of the Director of Planning.
16. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
17. 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.
18. Sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
19. Two (2) bicycle parking racks or secured bicycle lockers shall be provided for all nonresidential developments.
20. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping. No parking spaces shall be designated in an industrial parking facility, except for disabled persons parking, van pool, carpool, or any other designated parking as required by law.

21. All signs shall be reviewed under a separate Design Review Sign application.
22. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Planning.
23. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
24. The transformer shall be screened by a solid screen wall and mature, dense landscaping, and not visible from the public right-of-way.
25. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
26. There shall be no refrigerated uses on site; unless, a future tenant follows any applicable studies/memorandums to amend this Condition of Approval.
27. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
28. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
29. The applicant/developer/property owner shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
30. In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans.
31. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
32. Incorporate an anti-graffiti coating onto the exterior of all proposed block walls to discourage graffiti.
33. Incorporate hostile landscape into the interior, perimeter landscape setback areas to discourage subjects from accessing the site.
34. Adhere to the Standard Building Security Specifications of the Fontana Police Department.
35. Truck traffic is prohibited from traveling on Santa Ana Avenue.

Prior To Issuance of Grading Permit

36. 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 LAND DEVELOPMENT:

37. The project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
38. 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.
39. 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.
40. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

41. The 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.
42. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

PRIOR TO MAP RECORDATION

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

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

44. The Applicant shall record a parcel map as required for the development.
45. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

46. The Applicant shall implement the recommendations presented in the project's Traffic Impact Analysis prepared by Urban Crossroads dated May 11, 2023. Recommendations include but are not limited to restriping public roads. A signing and striping plan shall be submitted to the Engineering Department for review and approval by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

47. The Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
48. The Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
49. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
50. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
51. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required. If a TCO (Temporary Certificate of Occupancy) is required a full video inspection will be required as well at that time.
52. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
53. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water BMP Transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

BUILDING & SAFETY:

54. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
    A. California Building Code
    B. California Residential Code
    C. California Electrical Code
    D. California Mechanical Code

E. California Plumbing Code
F. California Energy Code
G. California Fire Code
H. California Green Building Standards Code

55. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.

56. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.

57. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.

58. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.

59. The applicant shall have the parcel map recorded prior to the issuance of any building permits.

60. The applicant shall comply with the following grading requirements:

A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
E. No water course or natural drainage shall be obstructed.
F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
G. Drainage water shall not pass from an ‘improved’ type of drainage structure to an ‘unimproved’ type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
H. A complete hydrology study using the latest edition of the San

Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.

I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:

    1. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
    2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
    3. All proposed drainage structures; and
    4. Any proposed and/or required walls or fencing.

61. The applicant is required to obtain permits for the removal and/or demolition of structures.

62. The applicant shall verify that all exterior lighting shall be oriented, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

63. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for this project:
    A. Precise grading plans shall be approved
    B. Rough grading completed
    C. Compaction certification
    D. Pad elevation certification
    E. Rough grade inspection signed off by a City Building Inspector

64. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

65. The applicant shall combine the existing parcels into one parcel, 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.

ENVIRONMENTAL CONTROL:

Prior to Certificate of Occupancy or Permit Approval

66. All industrial facilities shall submit an Industrial Wastewater Discharge Permit Application to the Public Works Department, Environmental Control. (FMC 23-218)

67. All commercial facilities conducting activities listed below shall submit an Industrial Wastewater Discharge Permit application to the Public Works Department, Environmental Control. (FMC 23-218)

68. Any facility maintained for the servicing, washing, cleaning or repair of vehicles, construction equipment, industrial transportation or power equipment. (FMC 23-218)

69. All restaurants or other food processing facilities. (FMC 23-218)

70. All facilities maintained for the processing, filtering, softening or conditioning of water. (FMC 23-218)

71. Any facility which has a projected wastewater discharge that exceeds 25,000 gallons of water per day, or which may be categorized as a Federal Categorical discharger, or which is requesting a permit to discharge to the Inland Empire Utilities Agency (IEUA) Non-Reclaimable Wastewater Line (NRW) shall submit a Uniform Industrial Wastewater Survey and Permit Application to IEUA and the Public Works Department, Environmental Control. (FMC 23-216)

Prior to the Issuance of Construction Permits:

72. Any facility proposing the discharge of non-domestic wastewater to the sanitary sewer shall demonstrate in the plan check process, through the submittal of detailed plans showing pretreatment facilities and operating procedures, that the user will pretreat wastewater to a level required to comply with FMC 23-136 - Concentration Limitations and/or FMC 23-138 – Applicability of Federal Categorical Pretreatment Standards, and/or any other applicable standard as established. (FMC 23-186)

73. All commercial or industrial facilities within the following categories must install a gravity separation interceptor to comply with the requirements of the Fontana Municipal Code (FMC Section 23-190) unless the requirement is modified by a variance issued by the Public Works Manager.

74. Any facility maintained for the washing and/or cleaning of vehicles, construction equipment, industrial transportation or power equipment. The facility is required to have a designated covered area with all service bay doors protected by floor/trench drains connected to sand/oil separator to prevent the washout and/or discharge of liquids. (FMC 23-161)

75. Any facility maintained for the servicing of vehicles, construction equipment, industrial transportation or power equipment *and has installed* trench or floor drains in service bays is required to connect to a sand/oil separator. (FMC 23-161)

76. All restaurants or other food processing facilities (FMC 23-163). Conditional waivers for the grease interceptor requirement may be granted by the Public Works Manager in accordance with section 23-52 for those restaurants or food processing facilities determined not to have adverse effects on the Publicly Owned Treatment Works (POTW).

Storm Water

Upon Certificate of Occupancy or Permit Approval and during Occupancy:

77. All Commercial, Industrial, Institutional, and/or other facilities deemed to have the potential to discharge pollutants to the storm drain system shall implement source control and pollution prevention practices to prevent unauthorized, non-storm water discharges, at all times.

78. Vehicle, equipment and/or exterior washing activities are prohibited unless a wastewater recovery system is in place. All wastewater shall be recovered, stored and disposed of by proper and legal means through a waste disposal facility. Contractors hired for washing activities shall maintain a current City of Fontana Business License Tax Certificate to operate as a mobile washing business.

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

Prior to Business License and C of O approval:

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

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

SAN BERNARDINO COUNTY FIRE DEPARTMENT:

82. **Jurisdiction.** The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

83. **Fire Access Road Width**. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.

84. **Turnaround**. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.

85. **Street Signs.** Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.

86. **Fire Lanes**. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.

87. **Water System Commercial.** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.
The Fire Flow for this project shall be: 4,000 GPM for a two (2) hour duration at 20 psi residual operating pressure. Fire Flow is based on: BLDG1: 151,618; BLDG2: 196,336; BLDG 3: 192,895 Square Foot structure.

88. **Hydrant Marking.** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.

89. **Water System Certification.** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.

90. **Combustible Protection.** Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.

91. **Fire Sprinkler-NFPA #13.** An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.

92. **Fire Alarm, Waterflow Monitoring**. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required or fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

93. **Smoke Removal.** An automatic smoke removal system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall submit three (3) sets of detailed smoke removal system plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9.

94. **Fire Extinguishers.** Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.

95. **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 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1

96. **Key Box.** An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4

97. **Security Gates.** In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3

98. **Material Identification Placards**. The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.

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

100. **Secondary Access**. The development shall have a minimum of two (2) points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

END OF CONDITIONS OF APPROVAL

Findings of Fact and Statement of Overriding Considerations Regarding the Environmental Effects of the Approval of the:

Citrus and Oleander Avenue at Santa Ana Avenue Project

State Clearinghouse No. 2022110389

Lead Agency
City of Fontana
Community Development Department
18353 Sierra Avenue
Fontana, CA 92335

CEQA Consultant
T&B Planning, Inc.
3200 El Camino Real, Suite 100
Irvine, CA 92602

Project Applicant
Acacia Real Estate Group, Inc.
260 Newport Center Drive, Suite 100
Newport Beach, CA 92660

May 22, 2023

ATTACHMENT NO. 10

Table of Contents

Section **Page**

1.0 Introduction 1

1.1 Project Summary 1
1.2 City of Fontana Actions Covered By the EIR 2
1.3 Environmental Review and Public Participation 2

2.0 Environmental Impacts and Findings 5

2.1 General Findings 5
2.2 Impacts Identified in the Initial Study (IS) or EIR as No Impact or Less than Significant Not Requiring Mitigation 6
2.3 Impacts Identified in the EIR as Potentially Significant that Have been Mitigated to a Level of Less than Significant 45
2.4 Impacts Identified in the EIR as being Significant and Unavoidable 52
2.5 Cumulative Impacts 56
2.6 Significant Irreversible Environmental Changes Which Would Be Caused by the Proposed Project Should It Be Implemented 72
2.7 Growth-Inducing Impacts of the Proposed Project 73
2.8 Project Alternatives 74

3.0 Statement of Overriding Considerations 78

4.0 Additional Facts on Record 79

4.1 Adoption of a Monitoring Plan for Mitigation Measures 79
4.2 Custodian of Record 79

1.0 Introduction

The City Council of the City of Fontana (the "City Council") in approving the Citrus and Oleander at Santa Ana Avenue Project (the "Project"), makes the Findings presented herein. The Findings are based upon the entire record before the City Council, as described in Subsection 1.3 below, including the Environmental Impact Report ("EIR") prepared for the Project on behalf of the City of Fontana (the "City") acting as Lead Agency under the California Environmental Quality Act ("CEQA").

Hereinafter, the Notice of Preparation, Notice of Availability, Draft EIR, Technical Studies, Final EIR (containing responses to public comments on the Draft EIR and textual revisions to the Draft EIR), and the Mitigation Monitoring and Reporting Program will be referred to collectively herein as the "EIR" unless otherwise specified.

1.1 Project Summary

1.1.1 Site Location

The approximately 29.4-acre Project Site is located within the City of Fontana, which is located in the southwestern portion of San Bernardino County, California. The City of Fontana is located east of the cities of Ontario and Rancho Cucamonga, west of the City of Rialto and the unincorporated community of Bloomington, and north of the City of Jurupa Valley. The Project Site is located approximately 0.6-mile south of Interstate 10 (I-10), approximately 5.3 miles east of Interstate 15 (I-15), and approximately 8.5 miles west of Interstate 215 (I-215). The Project Site includes Assessor Parcel Numbers (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

1.1.2 Project Description

The Project Applicant proposes certain legislative actions, as well as site-specific actions for the construction and operation of three commerce center buildings collectively having up to 540,849 square feet (s.f.) of building space. The legislative actions for the Project entail a proposed General Plan Amendment (GPA No. 22-004), a Zone Change Application (ZCA No. 22-005), and a Specific Plan Amendment (SPA No. 22-002) to amend the land use and zoning designations on 29.4 acres from residential designations to a light industrial designation and to incorporate the Project Site into the Southwest Industrial Park (SWIP) Specific Plan. The Project's site-specific actions entail a proposed Design Review Project (DRP No. 22-029) and a Tentative Parcel Map (TPM No. 22-009) for Building 1; a proposed Design Review Project (DRP No. 22-061) and a Tentative Parcel Map (TPM No. 22-030) for Building 2, and a proposed Design Review Project (DRP No. 22-062) and a Tentative Parcel Map (TPM No. 22-031) for Building 3 to permit the development and operation of the three commerce center buildings on 24.4 acres of the 29.4-acre Project Site. No site-specific development is currently proposed on the remaining 5.0 acres of the Project Site, although a reasonably foreseeable consequence of the Project would be the development of that 5.0-acre property with an industrial use. For purposes of this EIR, it is assumed that the 5.0 acres on which a site-specific development plan is not currently proposed, could be built out in the future with up to 131,464 s.f. of general light industrial use. In addition, the Project includes an action pertaining to 507 planned multi-family housing units pursuant to the City of Fontana's No Net Loss Density Bonus/Replacement Program to ensure compliance with

California's Housing Crisis Act of 2019 (SB 330). The Project will also be subject to City Ordinance No. 1891 which establishes buffering and screening requirements, methods to improve traffic circulation, requirements for alternative energy, and improvements to circulation as it relates to industrial commerce center development in Fontana.

1.1.3 Project Objectives

The fundamental purpose and goal of the Project is the following:

1. To expand economic development in the City of Fontana by developing underutilized properties with an in-demand industrial use.
2. To make efficient use of a property in South Fontana by maximizing its buildout potential for employment-generating uses.
3. To attract employment-generating businesses to the City of Fontana to reduce the need for members of the local workforce to commute outside the area for employment.
4. To develop commerce center buildings in close proximity to City of Fontana truck routes and to the I-10 Freeway that can be used as part of the southern California supply chain and goods movement network.
5. To attract businesses that can expedite the delivery of goods to consumers and businesses in the City of Fontana and beyond.
6. To develop a project that has architectural design and operational characteristics that are compatible with other existing and planned land uses in the immediate vicinity of the Project Site.
7. To develop a property that has access to available infrastructure, including roads and utilities.

1.2 City of Fontana Actions Covered By the EIR

The City of Fontana has primary approval responsibility for the proposed Project. As such, the City serves as the Lead Agency for the EIR pursuant to CEQA Guidelines Section 15050. The City's Planning Commission will hold a public hearing to consider the Final EIR. For the Project, the Planning Commission will consider the GPA No. 22-004, ZCA No. 22-005, SPA No. 22-002, DRP No. 22-029, DRP No. 22-061, DRP No. 22-062, TPM No. 22-009, TPM No. 22-030, and TPM No. 22-031. The Planning Commission will make advisory recommendations to the City Council. A public hearing will then be held before the City Council regarding certification of the Final EIR and approval of GPA No. 22-004, ZCA No. 22-005, SPA No. 22-002, DRP No. 22-029, DRP No. 22-061, DRP No. 22-062, TPM No. 22-009, TPM No. 22-030, and TPM No. 22-031 for the Project. The City Council is the approval authority for certification of the GPAs, ZCs, DRPs, and TPMs for the Project. Other agencies also may use the EIR as part of their decision-making processes concerning the proposed Project.

1.3 Environmental Review and Public Participation

The City conducted an extensive environmental review of the Project to ensure that the City's decision makers and the public are fully informed about potential significant environmental effects of the Project to identify ways that environmental damage can be avoided or significantly reduced; to prevent

significant, avoidable damage to the environment by requiring changes in the Project through the use of mitigation measures and project design requirements which have been found to be feasible; and to disclose to the public the reasons why the City has initiated the Project in the manner chosen in light of the significant environmental effects which have been identified in the EIR. In order to do this, the City, acting as lead agency under CEQA, undertook the following:

- Prepared a Notice of Preparation, which was used as the basis for the determination that an EIR should be prepared for the Project. The Notice of Preparation identified the environmental issues to be analyzed in detail in the Project's EIR as: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology & Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology & Water Quality, Land Use & Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities & Service Systems, and Wildfire;
- The Notice of Preparation was sent to the Governor's Office of Planning and Research (the "State Clearinghouse"), Responsible Agencies, Trustee Agencies, and other interested parties on November 18, 2022, for a 30-day review period;
- Held a publicly noticed EIR Scoping Meeting on December 7, 2022 using an internet-based virtual platform (Microsoft Teams);
- Submitted a Notice of Completion, Notice of Availability, and Draft EIR to the State Clearinghouse on April 7, 2023;
- Mailed a Notice of Availability to all Responsible Agencies, Trustee Agencies, County Clerk, other interested parties, and organizations and individuals who had previously requested the Notice on April 7, 2023 to inform recipients that the Draft EIR was available for a 45-day review period beginning on April 7, 2023, and ending on May 22, 2023;
- Mailed the Notice of Availability to all property owners within a 300-foot radius of the Project Site on April 7, 2023;
- Provided copies of the Draft EIR to April 7, 2023 public agencies, organizations, and individuals on April 7, 2023;
- Made the Notice of Availability and Draft EIR available to the public on the City's website;
- Published the Notice of Availability in the Fontana Herald News, which is the newspaper of general circulation in the area affected by the Project, on June 9, 2023;
- Prepared responses to comments on the Draft EIR received during the 45-day comment period on the Draft EIR, which have been included in the Final EIR;
- Published a notice on June 9, 2023, in the Fontana Herald News, the newspaper of general circulation in the area affected by the Project, that the Planning Commission would hold a public hearing on June 20, 2023, to consider the Project and EIR for recommendation to the City Council;

- Sent notice of the Planning Commission's hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on June 8, 2023;
- Sent written responses to comments to all public agencies, organizations, and individuals who submitted comments the Draft EIR on June 8, 2023 (1 comment letters were received);
- Sent notice of the City Council's hearing to all organizations and individuals who had previously requested notification of anything having to do with the Project on July 13, 2023.
- Published a notice on July 14, 2023, in the Fontana Herald News, the newspaper of general circulation in the area affected by the Project, that the City Council would hold a public hearing on July 25, 2023, to consider approval of the Project and certification of the EIR;
- Held a public hearing of the City Council on July 25, 2023, and, after full consideration of all comments, written and oral, certified that the Final EIR had been completed in compliance with CEQA and approved the Project.

All of the documents identified above and all of the documents which are required to be part of the administrative record pursuant to Public Resources Code Section 21167.6(e) are on file with the City of Fontana Community Development Department, 8353 Sierra Avenue, Fontana, CA 92335.

2.0 Environmental Impacts and Findings

2.1 General Findings

2.1.1 Independent Judgment Finding

Finding: The EIR for the Project reflects the City's independent judgment and analysis.

Facts in Support of the Finding: The EIR was prepared by T&B Planning, Inc., an independent, professional consulting firm hired by the City and working under the supervision and direction of the City's Planning Department staff. The City Council, as the City's final decision-making body for the Project, received and reviewed the EIR and the comments, written and oral, provided by public agencies and members of the public prior to certifying that the EIR complied with CEQA. The professional qualifications and reputation of the EIR Consultant, the supervision and direction of the EIR Consultant by City staff and its consultants, the thorough and independent review of the Draft EIR and Final EIR, including comments and responses, by City staff, and the review and careful consideration of the Final EIR by the City Council, including comments and responses, all conclusively show that the Final EIR is the product of and reflects the independent judgment and analysis of the City as the Lead Agency, and of the City Council as the decision-making body for the Project.

2.1.2 Finding of the Absence of any Need to Recirculate the EIR

Finding: The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the Draft EIR.

Facts in Support of the Finding: The City Council recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed and that the Final EIR contains additions, clarifications, and minor modifications to the Draft EIR. The City Council has reviewed and considered the Final EIR and all of the information contained in it and has determined that the new information added to the Final EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, nor a feasible mitigation measure or an alternative considerably different from others previously analyzed that the Project Applicant declined to adopt and that would clearly lessen the significant environmental impacts of the Project. No information provided to the City Council indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR.

2.1.3 General Finding on Mitigation Measures

It is the City's intent to adopt and implement all mitigation measures identified in the EIR which are applicable to the Project, which the City finds to consist of all feasible measures that reduce the Project's significant impacts. If a measure has, through error, been omitted from the Conditions of Approval or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Conditions of Approval repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures recommended in the EIR and are found to be equally effective in avoiding or lessening the identified

environmental impact. In each instance, the Conditions of Approval contain the final wording for the mitigation measures.

2.2 Impacts Identified in the Initial Study (IS) or EIR as No Impact or Less than Significant Not Requiring Mitigation

Consistent with Public Resources Code Section 21002.1 and Section 15128 of the CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. CEQA Guidelines Section 15091 does not require specific findings to address environmental effects that an EIR identifies as "no impact" or a "less than significant" impact. Nevertheless, the City Council hereby finds that the Project would have either no impact or a less than significant impact under the following resource areas and therefore do not require the imposition of Mitigation Measures:

2.2.1 Aesthetics

A. Would the Project have a substantial adverse effect on a scenic vista? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site does not serve as a scenic vista or contribute to a scenic vista, nor does the City of Fontana General Plan identify any scenic vistas or scenic corridors on the Project Site or in the vicinity of the Project Site. Scenic resources visible (at least partially) from public viewpoints adjacent to the Project Site include the San Gabriel Mountains (approximately 8.5 miles to the north and partially visible from Citrus Avenue, Santa Ana Avenue, and Oleander Avenue, Jurupa Hills High School, Fontana Adult School, and Citrus High School) and the Jurupa Hills (approximately 0.9-mile to the south and also partially visible from Citrus Avenue, Santa Ana Avenue, and Oleander Avenue, Jurupa Hills High School, Fontana Adult School, and Citrus High School). Under existing conditions, views of the San Gabriel Mountains to the north and the Jurupa Hills to the south are partially obscured from these public viewing areas due to intervening development and landscaping, topography, and atmospheric haze that is common in the Inland Empire throughout the year. (DEIR, p. 4.1-6)

The maximum height of the three proposed commerce center buildings would be approximately 44 feet, 6 inches above finished floor elevation. Other vertical features (wall, fences, landscaping, etc.) would be shorter and have substantially less physical mass than the buildings, so the 44 foot, 6-inch-high buildings are considered to have the greatest potential to affect a scenic vista. The Project's commerce center buildings would be set back from Citrus Avenue by approximately 22 feet, from Santa Ana Avenue by approximately 22 feet, and from Oleander Avenue by approximately 74 feet. These roadways are public viewing areas that have the potential to be affected by the Project. From Citrus Avenue and Oleander Avenue, existing views of the San Gabriel Mountains and Jurupa Hills would not be obstructed by the Project, as the north-south orientation of the streets orient views toward the landforms. The Project's buildings would be located east and west of these roads and have no potential to obstruct views to the north and to the south. From Santa Ana Avenue, the Project would have no potential to obstruct views of the Jurupa Hills, which are located south of Santa Ana Avenue whereas the Project Site is located north of Santa Ana Avenue. From Jurupa Hills High School,

Fontana Adult School, and Citrus High School, the Project would not block views of the Jurupa Hills to any greater extent than already blocked by existing commerce center buildings located on the south side of Santa Ana Avenue. From Santa Ana Avenue looking north, the Project would partially obstruct foreground views of the San Gabriel Mountains. At a maximum height of 44 feet, 6-inches, the proposed commerce center buildings would not be so tall, however, as to obstruct public views or otherwise substantially detract from public views of the higher elevations of the San Gabriel Mountains in the distance due to the heights of the landform features reaching to approximately 10,064 feet in elevation. Distant mountain views would still be visible looking north beyond the boundary of the Project Site. (DEIR, p. 4.1-6)

B. Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located within or adjacent to an officially designated State scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings, or historic buildings. The nearest officially designated scenic highway to the Project Site is the segment of State Route 38 (SR-38) at I-10 near Redlands and SR-18 near Fawnskin, located approximately 15.2 miles to the east of the Project area. Because of distance and intervening development and topography, the Project would not be visible from the aforementioned segment of SR-38 and, therefore, would not adversely affect views from this scenic corridor. (DEIR, p. 4.1-7)

C. In non-urbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality? (Threshold "c")

Finding: No Impact

Facts in Support of Finding: The Project Site is located within the boundaries of the Census-defined "Riverside-San Bernardino urban area;" an area that meets the U.S. Census Bureau's definition of an "urbanized area." (DEIR, p. 4.1-7)

The Project's architecture incorporates a neutral color palette that would not be visually offensive and also incorporates accent elements, such as colored glass and decorative building elements for visual interest. Additionally, the Project's landscape plan incorporates low-water-need plant species that can maintain vibrancy during drought conditions. The proposed visual features of the Project would ensure a high-quality aesthetic for the site. The City of Fontana reviewed the Project's application materials in detail and determined that no component of the Project would conflict with applicable design regulations within the City of Fontan's Zoning and Development Code that govern scenic quality or the SWIP Specific Plan design guidelines for new development within the SED, which are applicable because the Project includes a proposed amendment to the SWIP Specific Plan to expand its boundary to include the Project Site. A less-than-significant impact would occur because the Project

as designed is consistent with applicable zoning and other regulations governing scenic quality. (DEIR, p. 4.1-7)

D. Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Threshold "d")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Development on the Project Site is required to adhere to the lighting requirements as set forth in the City of Fontana Municipal Code (Sections 30-265 and 30-266). The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. The City also is obligated to confirm compliance with applicable lighting requirements during future review of building permit applications/plans. Mandatory compliance with Municipal Code Sections 30-265 and 30-266 would ensure that the Project would not introduce any permanent design features that would adversely affect day or nighttime views in the area. (DEIR, p. 4.1-11)

With respect to glare, a majority of Project building materials would consist of tilt-up concrete panels (which are low-reflective), although the buildings would incorporate some glass elements. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the on-site commerce center development is low reflective and proposed landscaping also would filter any glare potential. (DEIR, p. 4.1-11)

2.2.2 Agriculture and Forestry Resources

A. Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: According to the Farmland Mapping and Monitoring Program (FMMP) mapping information, the Project Site does not contain any soils classified as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance." The Project Site is designated as "Urban and Built-Up Land" and "Other Land." As such, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use and no impact would occur. (DEIR, p. 4.2-5)

B. Would the Project conflict with existing zoning for agricultural use, or a Williamson Act Contract (Threshold "b")

Finding: No Impact

Facts in Support of Finding: The Project Site is not zoned for agricultural use, nor is it surrounded by land zoned for an agricultural use. Therefore, implementation of the Project has no potential to conflict with existing zoning for an agricultural use. (DEIR, p. 4.2-5)

According to information from the DOC, the Project Site, nor any land in the vicinity of the Project Site is under a Williamson Act contract. As such, no impact would occur to property under a Williamson Act contract. (DEIR, p. 4.2-5)

C. Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? (Threshold "c")

Finding: No Impact

Facts in Support of Finding: The Project Site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. Therefore, the Project does not have the potential to conflict with any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. (DEIR, p. 4.2-6)

D. Would the Project result in the loss of forest land or conversion of forest land to non-forest use? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project Site does not contain a forest and is not designated as forest land; thus, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur. (DEIR, p. 4.2-6)

E. Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Threshold "e")

Finding: No Impact

Facts in Support of Finding: The Project Site does not contain any Farmland; therefore, the Project would not convert Farmland to non-agricultural use. Additionally, the Project Site does not contain forest land and is not zoned for forest land and the Project would not convert forest land resources to non-forest use. (DEIR, p. 4.2-6)

2.2.3 Air Quality

A. Would the Project conflict with or obstruct implementation of the applicable air quality plan? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The SCAQMD *2016 AQMP*, which is the applicable air quality plan for the Project area, addresses long-term air quality conditions for the SCAB. Consistency Criterion No. 1 refers to violations of the NAAQS and CAAQS. Violations of the NAAQS and/or CAAQS would occur if the emissions resulting from the Project were to exceed the SCAQMD's localized emissions thresholds. As a conservative measure, the Project's regional emissions of VOC, NO_X, PM_{10}, and $PM_{2.5}$ also are considered in this consistency determination because if the Project's emissions of any of these pollutants would exceed the applicable SCAQMD regional thresholds, then these emissions could delay the SCAB's attainment of federal and/or State ozone or particulate matter standards. Project-related activities would not exceed SCAQMD localized emissions thresholds during construction or long-term operation and, thus, would not directly cause new violations of the NAAQS and/or CAAQS. In addition, operation of the Project would not result in emissions of any criteria pollutant in excess of the applicable SCAQMD regional threshold and, therefore, would not result in a long-term increase in the frequency or severity of existing air quality violations in the SCAB. Based on the foregoing information, the Project would not conflict with Consistency Criterion No. 1. (DEIR, p. 4.3-25)

The growth forecasts used in the *AQMP* to calculate future regional emissions levels are based on land use planning data provided by lead agencies via their general plan documentation. Development projects that increase the intensity of use on a specific property beyond the respective general plan's vision may result in increased stationary area source emissions and/or vehicle source emissions when compared to the *AQMP* assumptions. However, if a project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the *AQMP*. The prevailing planning document for the Project Site is the City's General Plan, which designates the Project Site for "Residential Planned Community (R-PC)" and "Multi-Family Medium/High Residential (R-MFMH)" land uses and "Residential Planned Community (R-PC)" and "Multiple-Family Medium/High Density Residential (R-4)" zoning. The Project proposes a General Plan Amendment to change the land use designation to "General Industrial (I-G)" and a zone change application to change the zoning classification to "Southwest Industrial Park (SWIP) Specific Plan." Although the Project proposes a different land use than called for under the City's General Plan, the Project would have less than significant air quality impacts as determined under Threshold "b" below and thus would not conflict with the goals and objectives of the AQMP. Because the Project would not exceed the regional or localized air quality significance thresholds, the Project would not conflict with Consistency Criterion No. 2. (DEIR, pp. 4.3-25 to 4.3-26)

In summary, the Project would not result in a substantial adverse environmental impact due to an increase in the frequency or severity of existing air quality violations, the creation of new violations, the delay of timely attainment of air quality standards, or the interim emissions reductions specified in the *AQMP*, or the exceedance of growth assumptions in the *AQMP*. (DEIR, p. 4.3-26)

B. Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Regarding construction emissions for the Project, peak construction-related emissions of VOCs, NO_X, CO, SO_X, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed the applicable SCAQMD regional thresholds. Accordingly, the Project's construction activities would not emit substantial concentrations of these pollutants and would not contribute to an existing or projected air quality violation on a cumulatively considerable basis. Project construction impacts related to emissions of VOCs, NO_X, CO, SO_X, PM_{10}, and $PM_{2.5}$ would all be less than significant and no mitigation is required. (DEIR, p. 4.3-26)

Regarding operational emissions for the Project, Project-related operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Accordingly, the Project would not emit substantial concentrations of these pollutants during long-term operation and would not contribute to an existing or projected air quality violation. The Project's long-term emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant. (DEIR, p. 4.3-28)

C. Would the Project expose sensitive receptors to substantial pollutant concentrations? (Threshold "c")

Findings: Less-than-Significant Impact

Facts in Support of Finding: Localized emissions from Project construction and operations would not exceed the applicable SCAQMD thresholds for any criteria pollutant and impacts would be less than significant. (DEIR, pp. 4.3-28 to 4.3-29)

The receptor location with the greatest potential exposure to Project construction-related DPM emissions is an existing residence located at 10788 Mint Leaf Way approximately 740 feet east of the Project Site. At this receiver location, the maximum incremental cancer risk attributable to the Project is 1.24 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. Also, the non-cancer risk health index would be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. Project construction would not directly cause or contribute in a cumulatively-considerable manner to the exposure of receptors near the Project Site to substantial DPM emissions. Impacts would be less than significant. (DEIR, p. 4.3-30)

At the maximally exposed individual receptor (MEIR), which is a residence located at 16079 Tyrol Drive approximately 239 feet northwest of the Project Site, the maximum incremental cancer risk attributable to Project-related DPM emissions is calculated to be 1.19 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIR is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. All other residential locations in the general vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEIR due to their increased distance from Project-related truck activity and, therefore, would be exposed to lesser risk than the MEIR identified above. The Project would not directly cause or contribute in a cumulatively

considerable manner to the exposure of residential receptors near the Project Site to substantial DPM emissions. Impacts to residential receptors would be less than significant. (DEIR, p. 4.3-30)

At the maximally exposed individual worker (MEIW), located adjacent to the north side of the Project Site, the maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project Site is calculated to be 0.26 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIW is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0. All other places of business in the general vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEIW due to their increased distance from Project-related truck activity and, therefore, would be exposed to lesser risk than the MEIW identified above. Impacts to worker receptors would be less than significant. (DEIR, p. 4.3-31)

At the maximally exposed school child receptor (MEISC), the nearest schools are the Fontana Adult School, Citrus High School, and Jurupa Hills High School located approximately 13 feet, 330 feet, and 332 feet north of the Project Site. The maximum incremental cancer risk attributable to the DPM emissions from trucks traveling to/from the Project Site is calculated to be 0.50 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. The non-cancer health risk index at the MEIW is estimated to be <0.01, which would not exceed the SCAQMD non-cancer health risk index threshold of 1.0 (ibid.). All other school campuses in the general vicinity of the Project Site would be exposed to lower concentrations of Project-related DPM emissions than the MEISC due to their increased distance from Project-related truck activity and, therefore, would be exposed to lesser risk than the MEISC identified above. Impacts to school child receptors would be less than significant. (DEIR, p. 4.3-31)

D. Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people? (Threshold "d")

Findings: Less-than-Significant Impact

Facts in Support of Finding: During construction activities on the Project Site, odors could be produced by construction equipment exhaust or from the application of asphalt and/or architectural coatings. However, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance. Accordingly, the Project's construction would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant. (DEIR, p. 4.3-32)

During long-term operation, the Project would operate as a commerce center, which are not typically associated with the emission of objectionable odors. Temporary outdoor refuse storage could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the occupant(s) of the proposed

commerce center would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. As such, long-term operation of the Project would not create objectionable odors affecting a substantial number of people and all impacts would be less than significant. (DEIR, p. 4.3-32)

2.2.4 Biological Resources

A. Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service? (Threshold "a")

Finding: No Impact

Facts in Support of Finding:

Direct Impacts to Special-Status Plants: No special-status plants were observed on the Project Site by Alden biologists during field surveys and, due to the disturbed nature of the Project Site, the Project Site does not have potential to support special-status plant species. A permit to remove a heritage, significant and/or specimen tree may be required in accordance with the City Municipal Code, should any be present. (DEIR, p. 4.4-7)

Direct Impacts to Special-Status Wildlife: Alden biologists surveying the Project Site did not observe any sensitive wildlife species on the Project Site or detect any sign that any sensitive wildlife species may use the Site. Because the Project Site contains no natural habitat, substantial plant cover, or special site features that could be used by special-status wildlife species and because of the high level of human activity on the Site and adjacent areas, no special-status wildlife species are expected to be present on or periodically use the Project Site. (DEIR, p. 4.4-8)

Potential Indirect Impacts to Special-Status Biological Resources: The Project Site is highly disturbed under existing conditions and the Site is surrounded by developed, urban land uses. No natural or open spaces are located adjacent to the Project Site and it is unlikely that special-status plants or wildlife species occur within areas adjacent to the Site due to high levels of disturbance and ongoing human activity. Due to the lack of natural, undisturbed habitat surrounding the Project Site and the unlikely presence of listed or special-status plant or wildlife species in areas abutting the Site, the Project would not result in indirect impacts to listed or special-status biological resources. (DEIR, p. 4.4-8)

The Project Site is in area that is surrounded by existing development with habitat conditions very similar to those that exist on the Project Site. There are no native open space areas adjacent to the Project Site and no listed or special-status plant or wildlife species are expected to occur within the developed and disturbed areas abutting the site. Due to the lack of natural, undisturbed habitat surrounding the Project Site and the unlikely presence of listed or special-status plant or wildlife species in areas abutting the site, the Project would not result in indirect impacts to listed or special-status biological resources. (DEIR, p. 4.4-8)

B. Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: Based on field surveys conducted on the Project Site no riparian habitat is present on the Project Site and, none of the vegetation communities or land cover types observed on the Project Site (i.e., non-native grassland, disturbed, developed) are classified as a sensitive or natural community. Implementation of the Project would not have a substantial adverse effect on riparian habitat or other sensitive natural community identified in in local or regional plans, policies, or regulations, or by the CDFW or the USFWS; no impact would occur. (DEIR, p. 4.4-8)

C. Would the Project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Threshold "c")

Finding: No Impact

Facts in Support of Finding: The Project site does not contain any protected wetland or aquatic resources, including, but not limited to, natural drainages or water courses, wetland habitat, marsh, vernal pools, or coastal resources. As such, the Project would not have a substantial adverse effect on State- or federally-protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No impact would occur. (DEIR, pp. 4.4-8 to 4.4-9)

D. Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Threshold "e")

Finding: No Impact

Facts in Support of Finding: The Project would remove mature, trees and shrubs from the Project Site. A permit to remove a heritage, significant and/or specimen tree may be required in accordance with the City Municipal Code, should any be present. As required by the Tree Protection Ordinance, the Project Applicant would be required to have a professional arborist survey the Project Site prior to the issuance of a grading permit or any permit that authorized tree removal. Based on the findings of the arborist, the trees on the Project Site would require replacement at a minimum ratio of 1:1 to a maximum ratio of 4:1 depending on the size and health of the tree to be removed. If sufficient replacement trees are not provided on the site, the Municipal Code allows for fees to be paid to the City's tree account to provide for the planting of trees on City land in order to comply the requirements of the Municipal Code. The City would not issue a building permit until and unless compliance with the Tree Protection Ordinance can be demonstrated. Accordingly, implementation of the Project would not result in a conflict with the City's Tree Preservation Ordinance. A less-than-significant impact would occur. (DEIR, pp. 4.4-9 to 4.4-10)

E. Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Threshold "f")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, no impact would occur. (DEIR, p. 4.4-10)

2.2.5 Cultural Resources

A. Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Thirteen (13) single-family residences and outbuildings constructed between 1944 and 1969 were identified at ten separate properties (APN's 255-011-13, -14, -18, -19, and -25 to -30). The historic-age buildings were recorded as sites Temp-1 to Temp-10 with the SCCIC and were subsequently evaluated for significance. Sites Temp 1 to Temp-10 were determined to be not historically or architecturally significant under any CEQA criteria due to a lack of association with any significant persons or events and not being representative examples of any specific architectural style, period, or region. Accordingly, implementation of the Project would not result in a substantial adverse change to any historical resource as defined by CEQA Guidelines Section 15064.5, and impacts would be less than significant. (DEIR, p. 4.5-10)

B. Would the Project disturb any human remains, including those interred outside of formal cemeteries? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site does not contain a cemetery and no known formal cemeteries are located within the immediate Site vicinity. Field surveys conducted on the Project Site did not identify the presence of any human remains and no human remains are known to exist beneath the surface of the Project Site. Nevertheless, the remote potential exists that human remains may be unearthed during grading and excavation activities associated with Project construction. (DEIR, p. 4.5-11)

If human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner is required to contact the NAHC by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American

human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant. (DEIR, pp. 4.5-11 to 4.5-12)

2.2.6 Energy

A. Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project's construction process would require the use of fuels (gasoline and diesel) and electricity. Project-related construction would represent a "single-event" energy demand and would not require on-going or permanent commitment of energy resources. Project construction activities are estimated to consume approximately 281,358 kilowatt hours (kWh) of electricity, approximately 85,533 gallons of diesel fuel from operation of construction equipment, 32,423 gallons of diesel fuel from construction vendor trips, and 49,106 gallons of fuel from construction worker trips. (DEIR, p. 4.6-5)

The equipment used for Project construction would conform to CARB regulations and State emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive or less energy efficient than is used for comparable activities elsewhere in the region; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Additionally, Project construction activities would be required to comply with State law (Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3)) and CARB Air Toxic Control Measures that place restrictions on the length of time that diesel-powered equipment and vehicles can idle before powering down (thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment). Lastly, Project construction contractors would be required to comply with applicable CARB regulations regarding retrofitting, repowering, or replacement of older, less-efficient diesel off-road construction equipment. Accordingly, the equipment and vehicles employed in construction of the Project would not result in inefficient wasteful, or unnecessary consumption of fuel. (DEIR, p. 4.6-5)

Energy consumption in support of or related to Project operations would include transportation energy demands (energy consumed by passenger car and truck vehicles accessing the Project Site) and facility energy demands (energy consumed by building operations and Project Site maintenance activities). The Project's energy demand is calculated to be 396,865 gallons of fuel and 2,634,018 kWh of electricity per year. Refer to Subsection 4.4 from the Project's energy analysis (see *Technical Appendix F*) for detailed calculations of all components of the Project's operational energy use. It should be noted that City of Fontana Ordinance No. 1891 requires the Project to provide 100 percent of its electrical demand for non-refrigerated building space via rooftop solar panels, which for purposes of this analysis is estimated to be approximately 2,498,021per year. (DEIR, p. 4.6-6)

The Project's proposed buildings would incorporate contemporary, energy-efficient/energy-conserving design and operational programs (including the enhanced building/utility energy efficiencies mandated by the Energy Code and CalGreen). The Project will be subject to compliance with the 2022 California Green Building Code Standards that became effective on January 1, 2023, and mandate energy conservation features that are more stringent (energy-conserving) than prior versions of the respective codes. On this basis, the Project will inherently use less energy than comparable buildings constructed under prior versions of the Energy and CalGreen Codes. Project building operations would not result in the inefficient, wasteful, or unnecessary consumption of energy due to mandatory Energy Code and CalGreen compliance. Furthermore, the Project Site is within the existing service area of SCE, is capable of being served by the energy provider, and implementation of the Project would not cause or result in the need for additional energy facilities or energy delivery systems. (DEIR, p. 4.6-6)

From a transportation energy perspective, the Project Site's location proximate to regional and local roadway systems would tend to minimize VMT within the region, acting to reduce regional vehicle energy demands. The Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, nor associated excess and wasteful vehicle energy consumption. (DEIR, pp. 4.6-6 to 4.6-7)

B. Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding:

Federal Energy Regulations: The Project would not interfere with, nor otherwise obstruct intermodal transportation plans or projects that may be realized pursuant to the Intermodal Surface Transportation Efficiency Act of 1991 because SCAG is not planning for intermodal facilities on or through the Project Site. The Project supports the strong planning processes emphasized under TEA-21. The Project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21. (DEIR, p. 4.6-7)

State Energy Regulations: The Integrated Energy Policy Report (IEPR) policy recommendations to be implemented by energy providers in California. Electricity would be provided

to the Project by SCE. SCE is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2021 IEPR. Thus, because the SCE is consistent with the 2021 IEPR, the Project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2021 IEPR. Additionally, the Project would comply with the applicable Title 24 standards which would ensure that the Project energy demands would not be inefficient, wasteful, or otherwise unnecessary. As such, development of the Project would support the goals presented in the 2021 IEPR. (DEIR, pp. 4.6-7 to 4.6-8)

The Project supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan. (DEIR, p. 4.6-8)

The Project will design the building shell and building components, such as windows, roof systems, electrical and lighting systems, and heating, ventilating, and air conditioning systems to meet 2022 Energy Efficiency Standards, which would be confirmed by the City during the building permit review process. The Project also is required by State law to be designed, constructed, and operated to meet or exceed 2022 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the State's Title 24 Energy Efficiency Standards. (DEIR, p. 4.6-8)

No feature of the Project would interfere with implementation of the requirements under AB 1493. Notwithstanding, all model year 2009-2016 passenger cars and light duty truck vehicles traveling to and from the Project Site are required by law to comply with the legislation's fuel efficiency requirements. (DEIR, p. 4.6-8)

No feature of the Project would interfere with implementation of the requirements under RPS. Notwithstanding, energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 1078. (DEIR, p. 4.6-8)

Energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 350. No feature of the Project would interfere with implementation of the requirements under SB 350. (DEIR, p. 4.6-8)

Local Energy Regulations: The City of Fontana would require the Project to be designed, constructed, and operated to meet or exceed the California Green Building Standards Code (as adopted by Chapter 5 of the Fontana Municipal Code). The City would confirm the Project's compliance with the Building Code as part of the building permit review process. On this basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of the California Building Standards Code. (DEIR, p. 4.6-9)

The City of Fontana would require the Project to be designed, constructed, and operated to meet the requirements of Ordinance No. 1891, including the installation and operation of rooftop solar panels. The City would confirm the Project's compliance with Ordinance No. 1891 as part of the building permit review process and as part of the City's on-going code compliance process. On this

basis, the Project is determined to be consistent with, and would not interfere with, nor otherwise obstruct implementation of Ordinance No. 1891. (DEIR, p. 4.6-9)

2.2.7 Geology and Soils

A. Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving (Threshold "a"):

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

Finding: Less-than-Significant Impact

Facts in Support of Finding:

Rupture of Known Earthquake Fault: There are no known active or potentially active faults on or trending toward the Project Site and the Project Site is not located within a mapped Alquist-Priolo Earthquake Fault Zone. Because there are no known faults located on or trending towards the Project Site, there is no potential for the Project to directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. No impact would occur. (DEIR, p. 4.7-10)

Strong Seismic Ground Shaking: In conformance with the Municipal Code, the City will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the geotechnical report. With mandatory compliance with these standard and Site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less-than-significant. (DEIR, p. 4.7-11)

Seismic-Related Ground Failure: The Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBSC and Fontana Building Code, as noted above. Furthermore, and pursuant to the requirements of Fontana Municipal Code Chapter 26, Division 4, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the geotechnical report for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less-than-significant. (DEIR, p. 4.7-11)

Landslides: The Project Site is relatively flat and there are no steep slopes or recorded landslides in the immediate vicinity of the Project Site. Mandatory compliance with the recommendations contained within the Project Site's geotechnical reports (as required by City of

Fontana Municipal Code Chapter 26, Division 4) would ensure that the Project is engineered and constructed to maximize stability and preclude safety hazards to on-site and abutting off-site areas. Accordingly, the Project would not be exposed to substantial landslide risks, and implementation of the Project would not pose a substantial direct or indirect landslide risk to surrounding properties. Impacts would be less-than-significant. (DEIR, p. 4.7-11)

B. Would the Project result in substantial soil erosion or the loss of topsoil? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Pursuant to the requirements of the State Water Resources Control Board, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Lastly, the Project would be required to implement an erosion and dust control plan pursuant to Fontana Municipal Code Chapter 9, Article II (and to ensure compliance with SCAQMD Rule 403) to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, water quality impacts associated with construction activities would be less-than-significant and no mitigation measures would be required. (DEIR, p. 4.7-12)

Upon Project build-out, the Project Site would be covered by buildings, landscaping, and impervious surfaces. Stormwater runoff from the Project Site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site via an on-site storm drain system. Accordingly, the amount of erosion that would occur on the Project Site would be minimal and would be comparable to existing conditions. (DEIR, p. 4.7-12)

To meet the requirements of the City's Municipal Storm Water Permit, and in accordance with Fontana Municipal Code Chapter 23, Article IX, the Project Applicant would be required to prepare and implement a Storm Water Quality Management Plan (SWQMP), which is a Site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via Best Management Practices (BMPs). The SWQMPs for the Project, identify preventive, low impact development BMPs (such as the use of permeable surfaces across the site, catch basin inserts, and an underground retention system), non-structural source control BMPs (such as vacuum sweeping of parking lots and routine maintenance of catch inserts to prevent clogging and maximize removal efficiency), and structural source control BMPs (such as utilizing efficient irrigation systems that minimize overspray), to minimize erosion. The SWQMP also is required to establish a

post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less-than-significant impacts related to soil erosion. (DEIR, pp. 4.7-12 to 4.7-13)

C. Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site is relatively flat and the Project does not propose the construction of any manufactured slopes. Accordingly, the Project would result in less-than-significant impacts associated with landslide hazards. (DEIR, p. 4.7-13)

The geotechnical report prepared for the Project indicates that the Site's shrinkage/subsidence and settlement potential can be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill with optimum moisture content. The City will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the Project's geotechnical report. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less-than-significant. (DEIR, p. 4.7-13)

Lateral spreading is primarily associated with liquefaction hazards. The Project Site is not located within an area of liquefaction susceptibility based on its topography and soil characteristics. Thus, the potential for lateral spreading is low. Accordingly, impacts associated with lateral spreading would be less-than-significant. (DEIR, p. 4.7-13)

D. Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: Based on expansion index testing of soil samples, NorCal determined that near surface soils on the Project site have an expansion potential of "non-expansive." Accordingly, the Project site does not contain expansive soils and as such, would not create substantial direct or indirect risks to life or property associated with the presence of expansive soils. No impacts would occur. (DEIR, p. 4.7-13)

E. Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Threshold "e")

Finding: No Impact

Facts in Support of Finding: The Project is designed to connect to the City-owned municipal wastewater conveyance system, with wastewater treatment services supplied by the Inland Empire Utilities Authority (IEUA). The Project does not include septic tanks or alternative wastewater disposal systems. Accordingly, implementation of the Project would result in no impact related to the use of or performance of septic tanks and/or alternative wastewater systems. (DEIR, p. 4.7-14)

2.2.8 Greenhouse Gas Emissions

A. Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Implementation of the Project would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Implementation of the Project would not actively interfere with any future federally-, State-, or locally-mandated retrofit obligations (such as requirements to use new technologies such as diesel particulate filters, emissions upgrades to a higher tier equipment, etc.) enacted or promulgated to legally require development projects to assist in meeting State-adopted GHG emissions reduction targets, including those established under EO S-3-05, EO B-30-15, or SB 32. Therefore, the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would result in a less than significant impact. (DEIR, p. 4.8-23)

2.2.9 Hazards and Hazardous Materials

A. Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Threshold "a")

B. Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: A Phase I Environmental Site Assessment for the Project Site determined that the Project Site is considered a "low risk" for vapor intrusion. Impacts would be less-than-significant. (DEIR, p. 4.9-10)

Based on the evidence of residential use of the Site since the 1940's, septic systems were likely used on the Project Site, but it is unknown whether such systems, if used, are present and it cannot be known if they are present beneath the surface of the Site until grading or other excavation activity occurs across the Site. Regardless, since these septic systems would have been associated with residences or small non-hazard users, septic system features, if encountered during Project-related construction activities, would not be considered an environmental concern to the Site or its

surroundings. Any septic system found on-site would be required to be removed, handled, and disposed in accordance with all applicable local and State regulations, including but not limited to the California Code of Regulations (CCR) Title 5, Appendix H "Hazardous Materials Management Plans and Hazardous Materials Inventory Statements." Accordingly, with required and mandatory compliance with regulatory requirements, implementation of the Project would not expose the public or the environment to significant hazards associated with the removal and disposal of the on-site septic systems from the Project Site if they are encountered; impacts would be less-than-significant. (DEIR, pp. 4.9-10 to 4.9-11)

Due to the age of the residential structures located on the Project Site, there is a potential that the existing buildings may contain Asbestos-Containing Materials (ACMs) and/or Lead-Based Paints (LBPs). Mandatory compliance with the provisions of Rule 1403 would ensure that construction-related grading, clearing, and demolition activities do not expose construction workers or nearby sensitive receptors to significant health risks associated with ACMs. Because the Project's demolition and construction contractors would be required to comply with AQMD Rule 1403 during demolition activities, impacts due to asbestos would be less-than-significant. The demolition and construction contractors would also be required to comply with CCR Title 17 (Division 1, Chapter 8), which includes requirements such as employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Mandatory compliance with these regulations would ensure that construction workers and the public are not exposed to significant health hazards associated with LBPs during demolition and/or during transport of demolition waste to an appropriate disposal facility, and would ensure that impacts related to LBP remain less-than-significant. (DEIR, p. 4.9-11)

Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the EPA, DTSC, and the Santa Ana RWQCB. With mandatory compliance with applicable hazardous materials regulations, the Project would not create significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. A less-than-significant impact would occur. (DEIR, p. 4.9-12)

The Project would be required to comply with applicable laws and regulations during long-term operation of the Project. With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less-than-significant. (DEIR, p. 4.9-12)

C. Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Threshold "c")

<u>Finding:</u> Less-than-Significant Impact

Facts in Support of Finding: Jurupa Hills High School, Fontana Adult School, and Citrus High School are located within one-quarter mile of the Project Site. Additionally, Citrus Avenue, which is the designated truck route for the Project, is located along the western boundary of the Jurupa Hills High School property; therefore, trucks traveling to/from the Project site would pass by Jurupa Hills High School. Accordingly, the Project has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, and/or wastes within one-quarter mile of an existing or proposed school. The use of and transport of hazardous substances or materials to-and-from the Project Site during construction and long-term operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards. Accordingly, there would be no potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project Site and impacts would be less-than-significant. (DEIR, pp. 4.9-12 to 4.9-13)

Although impacts would be less-than-significant with compliance to applicable federal, State, and local regulations, MM 4.9-1 is included as a mitigation measure ensure regulatory compliance, which requires the building owners or occupants to provide a Hazardous Materials Business Emergency Plan (HMBEP) (if required by law) to the Superintendent's Office and Facilities Office of the Fontana Unified School District as well as the Principal of Jurupa Hills High School, Fontana Adult School, and Citrus High School. Additional mitigation measures are provided to address best practices for construction. Impacts would be less-than-significant. (DEIR, p. 4.9-13)

> ***MM 4.9-1****. Prior to the issuance of any new occupancy permit for a use/user within the buildings, and to the extent hazardous materials exist on-site and a Hazardous Materials Business Emergency Plan (HMBEP) is required by law, the Project Applicant shall provide a copy of its approved Emergency Response Plan to the Superintendent's Office and Facilities Office of the Fontana Unified School District as well as the Principal of Jurupa Hills High School, Fontana Adult School, and Citrus High School outlining how the building user will prevent or respond to spills or leaks of hazardous materials related to its facility/facilities and use of the Project Site. If so requested, the Project Applicant shall also meet with School District and Fire Department officials to discuss emergency response procedures as contained in the HMBEP for spills or leaks at the Project Site in relation to the nearby school facilities. This measure shall be implemented under the supervision of the City of Fontana's Planning Division, with input from the Fontana Unified School District Superintendent as appropriate. All meetings shall be documented and documentation shall be provided to the City Planning Department within 30 days of each meeting. Failure to abide by these procedures may be grounds for revocation of any conditional use permits or other discretionary approvals for specific warehouse uses on the Project Site.*
>
> ***MM 4.9-2****. Construction sites shall be secure to prevent trespassing. As a requirement of grading permits and building permits, a physical barrier consisting of a fence or wall with a minimum height of seven feet shall be provided along the property lines shared between any area of the Site under construction and Fontana Unified School District property where access between the properties could otherwise easily occur. The Developer/Applicant or construction contractor shall be responsible for installation of the barrier and for keeping the barrier in*

good repair during the duration of construction activity until the permanent perimeter wall or fence is installed.

MM 4.9-3*. As a requirement of grading permits and building permits, vehicles hauling construction materials and supplies to or from the Project Site shall not be permitted to use Oleander Avenue north of the Project Site.*

D. Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project Site is not included on any list of hazardous materials sites complied pursuant to Government Code Section 65962.5. Accordingly, no impact would occur. (DEIR, p. 4.9-13)

E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the project area? (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The closest airport to the Project Site is the Ontario International Airport located roughly 7.3 miles to the west. The Project Site is not located within any ONT Safety Zone or Airspace Protection Zone but is located in a noise impact zone (60-65 decibels). The Federal Aviation Administration (FAA) considers noise levels 65 dB CNEL and below to be acceptable for all land uses; therefore, the Project would not expose future employees on the Site to excessive noise levels (Fontana, 2018a, p. 11-9). Impacts would be less-than-significant. (DEIR, pp. 4.9-13 to 4.9-14)

F. Would the Project impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Threshold "f")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route. During construction, all materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Santa Ana Avenue, Citrus Avenue, or Oleander Avenue. Limited Project construction activities would occur within the Santa Ana Avenue, Citrus Avenue, and Oleander Avenue public right-of-way; however, for any work within the right-of-way that requires a partial or full closure of a vehicle travel lane, the construction contractor would be required to implement a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and must be approved by the City to ensure that emergency response is not adversely affected. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for

emergency vehicles. Accordingly, implementation of the Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur. (DEIR, p. 4.9-14)

G. Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Threshold "g")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located adjacent to wildlands nor is the Project Site located within or adjacent to a very high fire hazard severity zone. Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur. (DEIR, p. 4.9-14)

2.2.10 Hydrology and Water Quality

A. Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Developer/Applicant would be required to comply with Section 402 of the Clean Water Act, which authorizes the NPDES permit program that covers point sources of pollution discharging to a water body. The NPDES program would require the Project Developer/Applicant and/or construction contractor(s) to prepare a SWPPP and obtain authorization to discharge stormwater under an NPDES construction stormwater permit because the Project would result in construction on a site that is larger than one acre. The Project Developer/Applicant also would be required to comply with the California Porter-Cologne Water Quality Control Act (Section 13000 *et seq.*, of the California Water Code), which requires that comprehensive water quality control plans be developed for all waters within the State of California. (DEIR, p. 4.10-12)

Pursuant to the requirements of the Santa Ana RWQCB and Fontana Municipal Code Chapter 23, Article IX, the Project Developer/Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). In addition, the Project Developer/Applicant would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP will specify the Best Management Practices (BMPs) that the Project's construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Pursuant to Fontana Municipal Code Chapter 9, Article II, the Project Developer/Applicant also would be required to implement an erosion control plan to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the Project's construction does not violate any water quality standards or waste discharge

requirements. Therefore, water quality impacts associated with construction activities would be less than significant. (DEIR, p. 4.10-12)

The Project Developer/Applicant would be required to prepare and implement a Water Quality Management Plan (SWQMP) to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. Compliance with the preliminary SWQMPs would be required as a condition of Project approval pursuant to Fontana Municipal Code Chapter 23, Article IX, and long-term maintenance of on-Site BMPs would be required to ensure their long-term effectiveness. Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. The Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation. The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during long-term operation. Impacts would be less-than-significant. (DEIR, pp. 4.10-13 to 4.10-14)

B. Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would not utilize wells or any other groundwater extractive activities. Therefore, the Project would not directly draw water from the groundwater basin. Accordingly, implementation of the Project has no potential to substantially deplete or decrease groundwater supplies and the Project's direct impact to groundwater supplies would be less-than-significant. (DEIR, p. 4.10-14)

Development of the Project would increase impervious surface coverage on the Project Site which would, in turn, reduce the amount of water percolating down into the underground aquifer that underlies the Project Site. However, a majority of the groundwater recharge in the Chino Groundwater Basin occurs in the northern and western portions of the Basin (and north and west of the City of Fontana), within percolation or "recharge" basins. The Project Site is located in the eastern portion of the Chino Groundwater Basin and would not physically impact any of the major groundwater recharge facilities in the Basin. Therefore, the Project would not result in substantial, adverse effects to local groundwater levels. Additionally, the Project includes design features that would maximize the percolation of on-site storm water runoff into the groundwater basin, such permeable landscape areas. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge or impede sustainable groundwater management of the Chino Groundwater Basin. Based on the foregoing information, the Project would not interfere substantially with groundwater recharge. (DEIR, p. 4.10-14)

The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin. Impacts would be less-than-significant. (DEIR, p. 4.10-14)

C. Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would (Threshold "c"):

i. Result in substantial erosion or siltation on or off site?

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

iii. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

iv. Impede or redirect flood flows?

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project's development areas would include the installation of an integrated, on-site system of underground storm drain pipes, catch basins, and an underground infiltration/detention system to capture on-site stormwater runoff flows, convey the runoff across the property, and treat the runoff to minimize the amount of water-borne pollutants carried off site. Pursuant to the requirements of the State Water Resources Control Board, the Project Developer/Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). In addition, the Project would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the *Santa Ana River Basin Water Quality Control Program* involves the preparation and implementation of a SWPPP for construction-related activities. Lastly, the Project would be required to implement an erosion and dust control plan pursuant to Fontana Municipal Code Chapter 9, Article II, and also would be required to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Mandatory compliance with the SWPPP and the City-required erosion control plan would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Based on the foregoing information, water quality impacts associated with Project construction activities would be less-than-significant. (DEIR, pp. 4.10-14 to 4.10-15)

Erosion and Siltation: During operation of the Project, the Project Developer/Applicant would be required to prepare and implement a SWQMP, which is a Site-specific post-construction water quality management program that will be implemented to minimize erosion and siltation, pursuant to Fontana Municipal Code Chapter 23, Article IX. Compliance with the SWQMP is required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. Because the Project Developer/ Applicant would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, Project operation would result in less-than-significant impacts related to soil erosion and sedimentation. (DEIR, pp. 4.10-15 and 4.10-19)

Stormwater Runoff: Construction of the three proposed buildings would substantially reduce the amount of runoff discharged into the existing municipal storm drain system during peak storm events relative to existing conditions. Accordingly, the Project would not create or contribute runoff that would exceed the capacity of any existing storm water drainage system, and impacts would be less-than-significant. (DEIR, p. 4.10-20)

Flood Flows: According to the FEMA FIRM No. 06071C8665H, the Project Site is not located in a special flood hazard area, rather the Site is located in an area outside of the 500-year (0.2% annual chance) floodplain. Accordingly, the Project Site is not expected to be inundated by flood flows during the lifetime of the Project and the Project would not impede flood flows. No impact would occur. (DEIR, p. 4.10-20)

D. Would the Project result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Pacific Ocean is located over 41 miles southwest of the Project Site; consequently, there is no potential for the Project Site to be impacted by a tsunami as tsunamis typically only reach up to a few miles inland. The Project Site also is not subject to flooding hazards associated with a seiche because the nearest large body of surface water (Prado Reservoir) is located more than 13 miles southwest of the Project Site, which is too far away from the subject property to impact the property with a seiche. Furthermore, as noted in the City of Fontana General Plan EIR, the Project Site is not located within any mapped dam inundation area. Because the Project Site cannot be affected by a tsunami, seiche, or dam inundation, there is no potential for such hazards to inundate the Project Site and cause a release of waterborne pollutants. Accordingly, the Project would not release water pollutants due to inundation. No impact would occur. (DEIR, p. 4.10-20)

E. Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less-than-significant. (DEIR, p. 4.10-20)

The Project Site is located within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. No component of the Project would obstruct with or prevent implementation of the management plan for the Chino

Groundwater Basin. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less-than-significant. (DEIR, pp. 4.10-20 to 4.10-21)

2.2.11 Land Use and Planning

A. Would the Project physically divide an established community? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Under existing conditions, the Project Site contains residential and associated accessory structures and vacant, undeveloped land. The surrounding area consists of public schools to the north and east (Jurupa Hills High School, Fontana Adult School, and Citrus High School) beyond which further to the north and east are a mixture of residential neighborhoods, commercial uses, commerce center uses, and Interstate 10. Directly to the north of Jurupa High School are commerce center buildings under construction. (DEIR, p. 4.11-6)

Residential development is located to the west of Jurupa Hills High School on the opposite side (west side) of Citrus Avenue, to the east of Jurupa Hills High School, to the north of Fontana Adult School, and to the north and west of Citrus High School. Otherwise, the area is built out with non-residential uses the predominance of which are commerce center buildings. Conversion of the Project site from its existing residential use to commerce center use would continue the pattern of commerce center development along Santa Ana Avenue. Development of the Project would result in Jurupa Hills High School having commerce center development all along its southern and northern boundaries and Fontana Adult School having commerce center development along its southern boundary. However, implementation of the Project would not physically divide a community because the Project Site does not connect the adjacent schools to any residential communities. All of the land uses south of the Project Site and along Santa Ana Avenue are commerce center buildings. The residential uses to the northwest are physically separated from the Project Site by Citrus Avenue, a designated truck route. This residential area is surrounded by commercial and industrial development to the north, south, and west, and by Jurupa Hills High School to the east. (DEIR, pp. 4.11-6 to 4.11-7)

The Project would continue the pattern of development that has already occurred along Santa Ana Avenue, with commerce center development to the south and west. The area to the west contains the I-10 Citrus Distribution Center and the area to the south contains the Citrus Commerce Center with businesses including Goodman, Wolf, Subzero, and Cove. The Project would not involve the reconfiguration of streets that could have the potential to alter the surrounding pattern of future development. Therefore, implementation of the Project would not physically divide any existing, surrounding community and impacts would be less-than-significant. (DEIR, p. 4.11-7)

B. Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Implementation of the Project would require a General Plan Amendment to change the land use designation of the Project Site from "Residential Planned Community (R-PC)" and "Multi-Family Medium/High Residential (R-MFMH)" to "General Industrial (I-G)." Nonetheless, the Project would be consistent with applicable General Plan goals and policies related to environmental effects. (DEIR, p. 4.11-7)

A Specific Plan Amendment has been requested for the Project (SPA No. 22-002) which would amend the Southwest Industrial Park (SWIP) Specific Plan Land Use Plan to expand the SWIP boundary to include the Project Site. The Project Site would be incorporated into the SWIP's Slover East Industrial District (SED). The SPA would amend the City of Fontana Zoning District Map to change the zoning classification of the Project Site from "Residential Planned Community (R-PC)" and "Multiple-Family Medium/High Density Residential (R-4)" to "Southwest Industrial Park (SWIP) Specific Plan." Approval of the requested SPA would eliminate any potential inconsistency between the proposed Project and the site's underlying zoning classifications. The Project would not conflict with any development regulations and design standards in the Zoning Ordinance pertaining to the SWIP Specific Plan, and there are no components of the Project's proposed SPA that would result in impacts not already evaluated and disclosed by the EIR. Impacts would be less-than-significant. (DEIR, p. 4.11-14)

The Project would not conflict with the adopted goals of the RTP/SCS. The Project would not result in any land use and planning conflicts with the 2020 SCS/RTP. (DEIR, p. 4.11-14)

Implementation of the Project would not result in or cause NAAQS or CAAQS violations because construction of the Project would not exceed the SCAQMD regional threshold for VOC emissions. Although the Project proposes to change the General Plan land use designation to General Industrial (I-G) and the zoning designation to Southwest Industrial Park (SWIP) Specific Plan, the Project on an individual bases does not have an impact and as such, would not conflict with the goals and objectives of the AQMP. The Project is therefore, considered to be consistent with the AQMP and impacts would be less than significant. (DEIR, p. 4.11-16)

None of the intersections in the Project study area are part of the *San Bernardino CMP* roadway network, therefore, the Project would not result in a substantial environmental impact due to a conflict with the *San Bernardino County CMP* LOS standards for the *CMP* arterial roadway and freeway network. Land use and planning impacts associated with *CMP* consistency would thus be less than significant. (DEIR, p. 4.11-16)

2.2.12 Mineral Resources

A. Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? (Threshold "a") Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: The Project Site is not located within an area known to be underlain by regionally- or locally-important mineral resources or within an area that has the potential to be underlain by regionally- or locally-important mineral resources. Accordingly, implementation of the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. No impact would occur. (DEIR, p. 4.12-2)

2.2.13 Noise

A. Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The facts presented below evaluate three components of the Project that would generate noise – the construction process, on-site operational activities, and off-site traffic.

Project Construction Noise: Project-related construction noise would create temporary periods of noise when heavy construction equipment (i.e., bulldozer, trucks, concrete mixer, portable generators, power tools) is in operation and would cause a short-term increase in ambient noise levels. Project-related construction activities are expected to occur on weekdays (and, potentially, on Saturdays) during the hours when the City's Municipal Code does not limit construction noise (i.e., between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays). Accordingly, during these hours the Project construction noise levels would not exceed the standards established by the City and impacts would be less than significant. At all receiver locations, the Project's nighttime concrete pouring noise levels would not exceed the standards established by the City and impacts would be less than significant. (DEIR, pp. 4.13-15 to 4.13-16)

On-Site Operational Noise: Project operations will satisfy the City of Fontana 70 dBA L_{eq} daytime and 65 dBA L_{eq} nighttime exterior noise level standards at the nearest receiver locations. Furthermore, Project operations are not expected to generate a substantial daytime or nighttime noise level increase at the nearest receiver locations. Accordingly, the Project's stationary noise impact would be less than significant. (DEIR, p. 4.13-17)

Off-Site Traffic Noise: Under EP traffic conditions, Project-related traffic would contribute a maximum of 1.5 dBA CNEL to roadways in the vicinity of the Project Site. This incremental noise increase would not exceed the applicable significance thresholds under the EP scenarios; therefore, the Projects' contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant. (DEIR, p. 4.13-19)

Under Opening Year plus Cumulative traffic conditions, Project-related traffic would contribute a maximum of 1.4 dBA CNEL to roadways in the vicinity of the Project Site. This incremental noise increase would not exceed the applicable significance thresholds; therefore, the

Projects' contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant. (DEIR, p. 4.13-20)

Under Horizon Year plus Project traffic conditions, Project-related traffic would contribute a maximum of 1.3 dBA CNEL to roadways in the vicinity of the Project Site. This incremental noise increase would not exceed the applicable significance thresholds; therefore, the Projects' contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels. Impacts would be less than significant. (DEIR, p. 4.13-20)

B. For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project site is located within the ONT Noise Impact Zone (60 to 65 dBA CNEL noise contour). Pursuant to ONT ALUCP, all industrial land uses – including the logistics warehouse buildings proposed by the Project – are suitable within the 60 to 65 dBA CNEL noise contour with no sound attenuation needed. Accordingly, the Project would be a compatible use within the ONT Noise Impact Zone (60 to 65 dBA CNEL noise contour) and operation of the Project would not expose people working on the Project site to excessive noise levels. The Project's impact would be less than significant. (DEIR, p. 4.13-22)

2.2.14 Population and Housing

A. Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would employ construction workers in various trades over the estimated 18-month construction phase. Long-term employment estimates were calculated using average employment density factors from Southern California Association of Governments' (SCAG's) "Employment Density Study." SCAG reports that commerce center buildings in San Bernardino County employ an average of one (1) worker for every 1,195 s.f. of building area, which would yield 453 jobs (540,849 s.f. ÷ 1,195 s.f./employee = 453 employees) for proposed Buildings 1, 2, and 3. Although no development is currently proposed on 5.0 acres of the Project Site, should those 5.0 acres be developed in the future with up to 131,464 s.f. of building space, an additional 110 jobs could be generated (131,464 s.f. ÷ 1,195 s.f./employee = 110 employees). (DEIR, p. 4.14-4)

According to the Bureau of Labor Statistics (BLS), in December 2021, the Riverside-San Bernardino-Ontario region's civilian labor force exceeded 2,121,300 persons with 2,012,500 people employed and an unemployment rate of 5.1% (or 108,800 persons). Accordingly, the region has an ample supply of potential employees to fill the 453 to 563 jobs anticipated to be generated by the

Project. The Project's labor demand is not expected to draw substantial numbers of new, unplanned residents to the area. Furthermore, based on the most recent available data, approximately 90% of City of Fontana residents commute outside of the City for work and more housing units are expected to be built within the City over the next 20+ years; the Project would provide job opportunities closer to home for existing and future residents in the nearby area, which would subsequently help achieve a better job-to-housing balance. Based on the foregoing, the Project is not expected to be a catalyst for any substantial, unplanned population increase. (DEIR, p. 4.14-5)

To comply with SB 330, the Project would comply with the City of Fontana Municipal Code Chapter 30 Article XV "No Net Loss Density Bonus/Replacement Program," which was approved by the Fontana City Council via Ordinance No. 1906 on October 25, 2022. Containing approximately 19.6 acres of R-PC designated property and 9.8 acres of R-MFMH designated property, up to 125 dwelling units are permitted on the R-PC designated property and up to 382 dwelling units are permitted on the R-MFMH designated property for a total of 507 multi-family residential units on the Project Site. This housing unit capacity would be made available to other properties under the No Net Loss Density Bonus/Replacement Program. (DEIR, p. 4.14-6)

B. Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site contains eight residences under existing conditions, and implementation of the Project would remove these structures from the Project Site. Upon implementation of the Project, the current owners would sell their properties to the Project Applicant, self-relocate using proceeds from the sale at their discretion, and the structures on the Project Site would be removed. Displacement of seven people from the Project Site that would financially benefit from the sale of their properties does not constitute the displacement of substantial numbers of people. The removal of these structures from the Project Site would not substantially affect the supply of readily available housing units in the City. Therefore, implementation of the Project would not displace a substantial number of existing people or housing and would not necessitate the construction of replacement housing elsewhere. (DEIR, p. 4.14-6)

2.2.15 Public Services

A. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Fire Protection Services (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The construction and operation of the Project would increase the demand for fire protection by introducing three buildings on the Project Site. The introductions of buildings on the Project Site is not anticipated to result in an increase in demand for fire protection

services high enough to trigger the need to physically construct new fire protection facilities because Station 77 already exists near the Site which provides paramedic and fire services. Additionally, the Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the FFPD. The proposed buildings would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame construction. The Project would also install fire hydrants on the sites. Lastly, the proposed commerce center buildings would feature a fire alarm system and ceiling-mounted sprinklers. (DEIR, pp. 4.15-5 to 4.15-6)

Although the Project would not result in the need for new or expanded fire protection facilities, as a standard condition of approval, the Project Applicant would be required to pay impact fees for fire protection services in accordance with Section 21-122 of the Fontana Municipal Code. The City will collect Development Impact Fees (DIF) for the Project based on building square footage. The Project's payment of DIF fees, as well as increased property tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services. Based on the foregoing, the proposed Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities. (DEIR, p. 4.15-6)

B. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Police Protection (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project would introduce three new commerce center buildings to the Project Site, along with employees and visitors to the Project Site. This would result in an incremental increase in demand for police protection services. The Project is not anticipated to generate crime nor would the Project precipitate crime which would necessitate the construction of new or physically altered police facilities. Additionally, and pursuant to City of Fontana Municipal Code Section 21-122, the Project would be subject to payment of DIF fees, which the City uses in part to fund police protection services. Furthermore, property tax revenues generated from development of the Project Site would provide funding to offset potential increases in the demand for police services at Project build-out. The City of Fontana uses DIF fees and property tax revenues to help pay for police protection needs and other public services. Because Project implementation would not result in or require new or expanded police protection facilities and because the Project is required to contribute appropriate DIF fees to offset the Project's increased demand for police protection services, the Project's impacts to police protection services would be less-than-significant. (DEIR, pp. 4.15-6 to 4.15-7)

C. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental

impacts, in order to maintain acceptable service ratios, response times or other performance objectives for School Services (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project does not include residential land uses and would not directly introduce new school-age children within the Fontana Unified School District (FUSD) boundaries. Furthermore, the Project is not expected to draw a substantial number of new residents to the surrounding area as the result of unplanned population or housing growth and would not, therefore, indirectly increase unplanned enrollment at FUSD schools. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a direct demand for public school services, the Project Applicant would be required to contribute development impact fees to the FUSD in compliance with the Leroy F. Greene School Facilities Act of 1998, which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of building permits. Impacts to FUSD schools would be less-than-significant. (DEIR, p. 4.15-7)

D. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Library Services (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The Project does not include any residential land uses and would not directly create a demand for public library facilities or directly result in the need to modify existing or construct new library buildings. Demand placed on libraries is based on the generation of a resident population associated with a person's place of residence, and not typically their place of employment. The Project would not result in an increase in the City's population and would therefore not directly result in an increased demand for library facilities. (DEIR, p. 4.15-7)

E. Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for Other Public Services (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project does not include any residential land uses and, therefore, it is not anticipated that the proposed Project would result in a substantial increase in demand for public and/or private health care facilities. Nonetheless, the Project could result in an incremental

increase in demand for health services associated with the Project's addition of employees in the area. Existing public health facilities would accommodate nominal increases in demand, such as demand from the Project. Project implementation would not result in or require the physical construction, expansion, or alteration of public health facilities. (DEIR, p. 4.15-8)

2.2.16 Recreation

A. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Threshold "a")

Finding: No Impact

Facts in Support of Finding: The Project includes the proposed development of 24.4 acres of the 29.4-acre Project Site with three commerce center buildings and the reasonably foreseeable development of the remaining 5.0 acres with a similar use. The Project does not propose any residential development or other land use that may generate a population that would increase the use of existing parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. (DEIR, p. 4.16-3)

B. Does the Project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? (Threshold "b")

Finding: No Impact

Facts in Support of Finding: No on- or off-site recreation facilities would be constructed as part of the Project. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur. (DEIR, p. 4.16-4)

2.2.17 Transportation

A. Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along adjacent roadways under existing conditions. All proposed improvements within the public right-of-way would be installed in conformance with City design standards. Project construction activities that would occur in the public right-of-way and that could temporarily require the partial or a travel lane is required to adhere to the applicable construction control practices that are specified in the *State of California Department of Transportation Construction Manual* and the *California Manual on Uniform Traffic*

Control Devices, to minimize potential safety hazards. Based on the foregoing information, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. (DEIR, p. 4.17-12)

Although transportation safety impacts would be less than significant, the following mitigation measures are recommended to assure that design features will be implemented as part of the Project's implementation pertaining to bicycle and pedestrian safety. (DEIR, p. 4.17-14)

> ***MM 4.17-2****. Signs shall be installed at the truck exit driveways on Oleander Avenue directing trucks to turn southbound only. Trucks shall be prohibited from turning northbound on Oleander Avenue upon exiting the Project Site.*
>
> ***MM 4.17-3****. The Project Developer/Applicant and all successors in interest shall install and maintain signs at the Project driveway exits connecting with Citrus Avenue and Oleander Avenue at heights visible to truck drivers that state, "CAUTION, PEDESTRIAN AND BICYCLE CROSSINGS AHEAD." The City shall verify installation of the signs prior to the issuance of an occupancy permit and require as a condition of the occupancy permit that the signs be maintained in legible condition.*

B. Would the Project result in inadequate emergency access? (Threshold "d")

Finding: No Impact

Facts in Support of Finding: The types of vehicular traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along surrounding roadways under existing conditions. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City design standards. The City reviewed the Project's site plan drawings and determined that no hazardous transportation design features would be introduced through implementation of the Project. Specifically, all Project construction materials and equipment would be stored/staged on the Project Site and would not interfere with emergency vehicles traveling along Citrus Avenue, Santa Ana Avenue, or Oleander Avenue. Any Project construction activities that would occur within the Citrus Avenue, Santa Ana Avenue, or Oleander Avenue public right-of-way and requires a partial or full closure of a vehicle travel lane would require a traffic control plan that complies with the *California Manual on Uniform Traffic Control Devices* and that must be approved by the City of Fontana to ensure that emergency response is not adversely affected. Accordingly, the Projects' construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. (DEIR, p. 4.17-12)

2.2.18 Utilities and Services Systems

A. Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The facts presented below address the Project's potential to require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities.

Water and Water Treatment Facilities: Water demand features associated with the proposed Project would consist of interior plumbing devices, outdoor landscape irrigation, and potentially various industrial process systems depending on the buildings' end users. Water service would be provided to the Project Site by FWC. (DEIR, p. 4.19-9)

Building 1 would join the existing 12-inch water main along Citrus Avenue. Buildings 2 and 3 would each connect to the existing 18-inch water main along Santa Ana Avenue via proposed 3-inch water lines. Future development on the 5.0 acres that is not part of the currently proposed development plans is expected to connect to the water main along Santa Ana Avenue. The Project would not require the relocation or upsizing of any existing water lines off-site. The installation of onsite water lines that connect to the Citrus Avenue and Santa Ana Avenue lines are an inherent part of the Project's construction processes. All water utility installation work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated February 2022, published by Caltrans. There are no unique impacts associated with the installation of water infrastructure to serve the Project, and impacts would be less than significant. (DEIR, pp. 4.19-9 to 4.10-10)

While the Project would result in an incremental increase in demand for water treatment capacity, the Project's water demands would not result in or require new or expanded water treatment facilities beyond those facilities already planned as part of the San Gabriel Valley Water Company's Fontana Water Company Division *2020 Urban Water Management Plan* (UWMP). Impacts unique to the installation of water infrastructure would be less than significant. (DEIR, p. 4.19-10)

Wastewater and Wastewater Treatment Facilities: Sewer demand features associated with the proposed Project include interior plumbing devices in the proposed commerce center buildings. (DEIR, p. 4.19-10)

Buildings 1, 2, and 3 would each connect to the existing 8-inch sewer line installed along Santa Ana Avenue via proposed 6-inch sewer lines. Future development on the 5.0 acres that is not part of the currently proposed development plans also is expected to connect to the sewer line installed along Santa Ana Avenue. The Project would not require the relocation or upsizing of any existing sewer lines off-site. All wastewater utility installation work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated February 2022, published by Caltrans. There are no unique impacts associated with the installation of wastewater infrastructure to serve the Project, and impacts would be less than significant. (DEIR, p. 4.19-10)

The Project's wastewater would be conveyed to the RP-4 wastewater treatment facility operated by the IEUA, which has a treatment capacity of approximately 14 million gallons of

wastewater per day but, under existing conditions, only treats, on average, approximately 10 million gallons of wastewater per day. The excess capacity for RP-4 is approximately 4 million gallons per day, and sufficient to treat the Project's wastewater which would only comprise a small fraction of the available capacity. (DEIR, p. 4.19-10)

Stormwater Drainage Facilities: All storm water infrastructure installation work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated February 2022, published by Caltrans. There are no unique impacts associated with the installation of stormwater drainage infrastructure to serve the Project, and impacts would be less-than-significant. (DEIR, pp. 4.19-11 to 4.19-12)

Dry Utilities: Under existing conditions, overhead electrical lines supported on wooden poles are located along the frontage of the Project Site with Citrus Avenue, Santa Ana Avenue, and Oleander Avenue. As part of the Project's development, these lines would be relocated underground along the frontages of the Project Site. Other dry utility lines are available in the Santa Ana Avenue right-of-way, to which the Project would make connections during the construction phase. All electric line undergrounding and other dry utility installation work that occurs within a public street right of way must adhere to the construction control practices that reduce impacts that are specified in the State of California Department of Transportation Construction Manual, dated February 2022, published by Caltrans. There are no unique impacts associated with the installation of dry utilities to serve the Project (DEIR, p. 4.19-12)

B. Would sufficient water supplies be available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The San Gabriel Valley Water Company Fontana Water Company (FWC) Division would provide potable water service to the Project. The FWC UWMB reports that during five-year drought conditions beginning in 2021, FWC's supplies are projected to be adequate to meet projected demands, even without water conservation, and water conservation is expected, thereby reducing FWC's reliance on the Chino Basin supply. The FWC UWMP also reports that water demands in the FWC water service area are expected to increase but represent a more than 10 percent decrease in the 2040 projected water demand from FWC's prior 2015 UWMP due to water conservation efforts. Because the Project involves a General Plan Amendment, the Project would be inconsistent with the growth assumptions used by FWC to calculate its future water service obligations. Using a water use rate of 2,200 gallons per day (gpd) per acre derived from recorded water use data in industrial/commercial areas within FWC's service area, the Project would generate an estimated water demand of 53,680 gallons per day (24.4 acres x 2,200 gpd = 53,680 gpd), or 59.6 AFY. In comparison to FWC's total projected 2024 water demand of 48,943 AFY, the Project' demand would be only approximately one-tenth of one percent (0.12%) of the total demand, and a minor increase in overall water supply demand across FWC's service area resulting in less than significant impacts on water supply. (DEIR, pp. 4.19-12 to 4.19-13)

C. Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Wastewater generated by the Project would be treated at IEUA's RP-4 wastewater treatment plants. Under existing conditions, RP-4 has an excess treatment capacity of approximately 4 million gallons per day, while Project operations are conservatively estimated to generate approximately 53,680 of wastewater per day. Accordingly, implementation of the Project would utilize approximately 1.3% of the excess treatment capacity at RP-4. Accordingly, RP-4 has sufficient excess capacity to treat wastewater generated by the Project in addition to existing commitments. Implementation of the Project would not create the need for any new or expanded wastewater facility. Because there is adequate capacity at existing treatment facilities to serve Project demands, impacts would be less than significant, and mitigation is not required. (DEIR, p. 4.19-13)

D. Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Threshold "d")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The facts presented below address the Project's solid waste generation.

Construction Waste: During construction of the Project, demolition material would be generated from removal of existing residential structures and associated accessory structures located on the Project Site. Waste also would be generated by the construction process on the Project Site, primarily comprising discarded materials and packaging. Based on the proposed building sizes of 153,129 s.f. (Building 1), 198,166 s.f. (Building 2), and 199,813 s.f. (Building 3), for a total building space of 551,108 s.f., and using a construction waste generation factor of 4.34 pounds per square foot, approximately 1,195.9 tons of waste would be generated over the course of Project construction ([551,108 sq. ft. × 4.34 lbs/sq. ft] ÷ 2,000 lbs/ton = 1,195.9 tons). AB 939 requires that a minimum of 50% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies) consistent with the State's solid waste reduction goals; therefore, the Project is estimated to generate up to 598.0 tons of construction waste requiring disposal at a landfill.

The Project's construction would occur over a period of approximately 18 months (540 days), which corresponds to approximately 2.2 tons of construction waste being generated per day of construction activity. As of 2019, the Mid-Valley Landfill's peak daily disposal was 5,330 tons, which represents 71% of the maximum daily capacity with 29% capacity available. The Project's estimated construction-related generated waste represents approximately 0.03% ([2.2 tons ÷ 7,500 tons] × 100 = ~ 0.03%) of Mid-Valley Landfill's maximum daily capacity. Thus, the small volume of solid waste generated during Project construction (2.2 tons per day) would neither exceed State or local disposal standards nor exceed the local infrastructure capacity to handle the waste disposal; therefore, impacts

to landfill capacity associated with near-term Project construction activities would be less-than-significant. (DEIR, pp. 4.19-13 to 4.19-14)

Operational Waste: Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of commerce center building area, long-term operation of the Project would generate approximately 3.91 tons of solid waste per day ([551,108 sq. ft. × 1.42 lbs/ 100 sq. ft] ÷ 2,000 lbs/ton = 3.91 tons). A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, Project operation would generate up to approximately 1.96 tons per day of solid waste requiring disposal at a landfill. As of February 2019, the Mid-Valley Landfill's peak daily disposal was 5,330 tons, which represents 71% of the maximum daily capacity with 29% capacity available. The projected estimated operation-related generated waste represents approximately 0.05% ([2.07 tons ÷ 7,500 tons] × 100 = ~ 0.05%) of Mid-Valley Landfill's maximum daily capacity. Thus, the small volume of solid waste expected to be generated during Project operation (3.91 tons per day) would neither exceed State or local disposal standards nor exceed the local infrastructure capacity to handle the waste disposal; therefore, impacts to landfill capacity associated with long-term Project operational activities would be less-than-significant. (DEIR, p. 4.19-14)

E. Would the Project comply with federal, State, and local management and reduction statutes and regulations related to solid waste? (Threshold "e")

Finding: Less-than-Significant Impact

Facts in Support of Finding: In order to assist the City of Fontana in achieving the mandated goals of the Integrated Waste Management Act, and pursuant to City of Fontana Municipal Code Chapter 24, the Project's building occupant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Cal Pub Res. Code Section 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. Further, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week. The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less-than-significant. (DEIR, pp. 4.19-14 to 4.19-15)

2.2.19 Wildfire

A. Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan? (Threshold "a")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site does not contain any emergency facilities nor is it physically part of an emergency evacuation route. As part of the discretionary review process, the City reviewed the Project's application materials to ensure that appropriate emergency ingress and egress would be available to and from the Project Site and that circulation on the Project Site would be adequate for emergency vehicles. The development of Project as proposed would introduce one driveway access point along Citrus Avenue, three driveway access points along Santa Ana Avenue, and two driveway access points along Oleander Avenue. In the event of a wildfire emergency, emergency personnel are trained to direct vehicle traffic along the street system and designated evacuation routes to ensure safe and efficient evacuations. There are no components of the Project that would substantially impair an emergency response plan. Accordingly, implementation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and impacts would be less-than-significant. (DEIR, pp. 4.20-5 to 4.20-6)

B. Would the Project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Threshold "b")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project Site and areas surrounding the Project Site are not in an area identified as being subject to wildfires. The areas surrounding the Project Site are fully developed with limited non-irrigated vegetative fuel. North of the Project Site is Jurupa Hills High School and the Fontana Adult School, which have paved parking areas and baseball/softball fields adjacent to the Project Site. While the baseball/softball fields are open areas, they are regularly mowed and maintained. Similarly, to the east of the Project Site is baseball/softball fields that are regularly mowed and maintained. South and east of the Project Site is fully developed with commercial/industrial uses. The development of the Project Site as proposed would reduce the risk of wildfire by transforming the property partially developed with residential housing and associated accessory structures into a developed property complete with irrigated landscaping, paving, and fire sprinkler systems in the buildings. Impacts would be less-than-significant. (DEIR, p. 4.20-6)

Under existing conditions, the Project Site is classified for residential land uses. According to the City's LHMP (2017) residential structures are the least fire resistive in their construction and the population groups that inhabit them are the least prepared to evacuate in a large-scale wildfire event. The Project Applicant is proposing a General Plan Amendment and Specific Plan Amendment to redesignate the property from planned residential use to general industrial designations to allow for construction of the three commerce center buildings that are proposed. The commerce center buildings are proposed to be constructed with concrete tilt-up walls, and concrete is very fire resistant compared to what would occur if the Project Site was developed with residential housing. As such, the proposed Project would reduce fire risk on the Project Site. Due to the Project Site's location in context to surrounding development, and the Project's construction type of commerce center buildings with concrete tilt-up construction that would be built in compliance with all applicable Building and Fire Codes, and include irrigated landscaping, fire protection systems, and interior sprinkler systems, there

is no reasonable potential that the Project would expose the Project Sites' occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. (DEIR, p. 4.20-6)

C. Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Threshold "c")

Finding: Less-than-Significant Impact

Facts in Support of Finding: The Project entails the construction and operation of three concrete tilt-up dock high commerce center buildings. Building 1 would be a maximum of 153,129 s.f., Building 2 would be a maximum of 198,166 s.f., and Building 3 would be a maximum of 199,813 s.f. (for a collective total of 551,108 s.f. of total building area at full buildout). Associated site improvements for the Project would include drive aisles, irrigated landscaping, utility infrastructure, exterior lighting, and signage. No components of the Project would trigger the installation or maintenance of offsite infrastructure or wildfire management features that could result in exacerbated fire risks. (DEIR, p. 4.20-7)

D. Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Threshold "d")

Finding: Less-than-Significant Impact

Facts in Support of Finding: Should the Project Site ever be affected by wildfire, there is no potential that the Project Site could affect other properties by induced flooding, slope instability, or landslides. Under existing and proposed conditions, the Project Site exhibits little topographic variation, and development on the Project Site as proposed would not involve any uses containing natural vegetation or other features subject to wildland fire hazards that could cause flooding or landslides. (DEIR, p. 4.20-7)

The areas surrounding the Project Site is fully developed. North of the Project Site is Jurupa Hills High School and the Fontana Adult School, which have paved parking areas and baseball/softball fields adjacent to the Project Site. While the baseball/softball fields are open areas, they are regularly mowed and maintained. Similarly, to the east of the Project Site is baseball/softball fields that are regularly mowed and maintained. South and east of the Project Site is fully developed with commercial/industrial uses. The development of the Project Site as proposed would reduce the risk of wildfire by transforming the property partially developed with residential housing and associated accessory structures into a developed property complete with irrigated landscaping, paving, and fire sprinkler systems in the buildings. As a result, fire risk on surrounding properties would be reduced and impacts would be less-than-significant. (DEIR, p. 4.20-7)

2.3 Impacts Identified in the EIR as Potentially Significant that Have been Mitigated to a Level of Less than Significant

The City Council hereby finds that feasible mitigation measures have been identified in the EIR that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level, pursuant to CEQA Guidelines § 15091(a)(1). The potentially significant impacts, and the mitigation measures that will reduce them to a less than significant level, are as follows:

2.3.1 Biological Resources

A. Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Threshold "d")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: The Project Site does not contain natural, surface drainage/watercourse or ponding features. Additionally, there are no water bodies on or adjacent to the Project Site that could support fish. Therefore, there is no potential for the Project to interfere with the movement of native resident or migratory fish. The Project Site also does not serve as a wildlife corridor nor is it connected to an established corridor, and there are no native wildlife nurseries on or adjacent to the Site. Therefore, there is no potential for the Project to impede the use of a native wildlife nursery Site. Based on the foregoing information, the Project would result in no impact to any native resident or migratory fish, established wildlife corridor, or native wildlife nursery sites. (DEIR, p. 4.4-9)

The Project would remove vegetation (i.e., trees, shrubs, and grasses) from the Project Site that serves as provides potential roosting and nesting habitat for birds common to the Fontana area. Numerous non-sensitive bird species common to the Fontana area were observed on the Project Site, including but not limited to a killdeer, house finch, mourning dove, and red-tailed hawks. Although these species are not considered special-status or sensitive based on their prevalence in southern California, the MBTA and California Fish and Game Code are in place to protect these bird species, among others, while nesting. If Project construction occurs during the avian nesting season (February 15 – September 1) and active nests are present on the Project Site, significant impacts to nesting birds could occur. The Project's potential to impact nesting birds is a significant impact for which mitigation is required. (DEIR, p. 4.4-9)

To ensure that Project impacts to migratory wildlife species are mitigated to a level of less than significant, the following mitigation measures and regulatory requirement are required. (DEIR, pp. 4.4-11 to 4.4-12)

> ***MM 4.4-1****. In order to ensure compliance with the MBTA and California Fish and Game Code, the initial clearing, grubbing, and grading of land shall occur outside of the nesting season (i.e., outside of the period February 1 through September 15) if feasible. If Prior to any ground-disturbing activities must occur during the nesting season, a pre-construction nesting bird*

survey shall be conducted by a qualified Dedicated Biologist 3 days prior to the ground-disturbing activities. If birds are found to be nesting inside or within 250 feet (500 feet for raptors) of the impact area, construction shall be postponed at the discretion of a qualified biologist, until it is determined that the nest is no longer active.

a. The applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.

b. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.

c. *When an active nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers.*

Implementation of Mitigation Measure MM 4.4-1 would ensure that pre-construction surveys are conducted for nesting birds protected by State and federal regulations in the event that vegetation is removed from the Project Site during the breeding season. If nesting birds are present on the Project Site, the mitigation requires avoidance of active bird nests in conformance with accepted protocols and regulatory requirements. With implementation of the required mitigation, potential direct and cumulatively-considerable impacts to nesting birds protected by State and federal regulations would be reduced to below a level of significance. (DEIR, p. 4.4-12)

2.3.2 Cultural Resources

A. Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? (Threshold "b")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: BFSA conducted a cultural resources inventory of the Project Site, which included a records search through the SCCIC at CSU Fullerton and an intensive pedestrian survey of the Project Site. The results of this records search indicate that no prehistoric cultural resources have been recorded on or within a one-half mile radius of the Project Site. Additionally, no prehistoric resources were observed on the Project Site during the intensive field survey. Therefore, implementation of the Project would not cause a substantial adverse change in the significance of a known prehistoric archeological resource pursuant to CEQA Guidelines Section 15064.5. (DEIR, pp. 4.5-10 to 4.5-11)

Given the lack of any previously identified prehistoric sites within or near the Project Site and the magnitude of ground disturbance on the Project Site over the previous 90-plus years, there is little potential for any prehistoric resources to be present or disturbed by the proposed developments. Notwithstanding, excavations on portions of the Project Site would exceed five (5) feet below the existing ground surface while previously disturbed soils on-site (i.e., artificial fills) extend only to a depth of approximately 1 to 4 feet below the ground surface; thus, excavations on-site that would occur within previously undisturbed soils could, in theory, contain prehistoric archaeological resources. If any prehistoric cultural resources are unearthed during Project construction that meet the definition of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 and are disturbed or damaged by Project construction activities, impacts to those prehistoric cultural resources would be potentially significant. Mitigation is thus required in the form of conditions of approval imposed on the Project that set forth the procedures that would be followed should subsurface resources be discovered. As discussed below, with implementation of mitigation, direct and cumulatively-considerable impacts would be less than significant. (DEIR, p. 4.5-11)

Mitigation: To ensure that Project impacts to any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction are mitigated to a level of less than significant, the following mitigation measures are required. (DEIR, p. 4.5-13)

> ***MM 4.5-1*** *Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.*

MM 4.5-2 *Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.*

MM 4.5-3 *Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.*

Implementation of MMs 4.4-1 through 4.4-3 would ensure the proper identification and subsequent treatment of any significant archaeological resources that may be encountered during ground-disturbing activities associated with Project construction. With implementation of the required mitigation, the Project's potential impacts to important archaeological resources would be reduced to less-than-significant. Cumulatively-considerable impacts would likewise be reduced to less than significant. (DEIR, p. 4.5-14)

2.3.3 Geology and Soils

A. Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Threshold "f")

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: There are no known unique paleontological resources or unique geologic features on the Project Site under existing conditions. However, the Project Site is underlain by late to middle Pleistocene old alluvial fan deposits which are accorded a "High" sensitivity for containing paleontological resources. In the event that the Project's construction activities encroach into previously undisturbed older alluvium deposits, the Project could result in impacts to important paleontological resources if such resources are unearthed and not properly treated. Therefore, the Project's potential to directly or indirectly destroy a unique paleontological resource buried beneath the ground surface is determined to be a significant impact and mitigation is required. (DEIR, p. 4.7-14)

Mitigation: The following mitigation measures would address the Project's potential to result in impacts to previously-undiscovered paleontological resources that may be present beneath the Project Site's surface. (DEIR, p. 4.7-16)

MM 4.7-1. *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Fontana that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.*

MM 4.7-2. *The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed late Pleistocene old alluvial fan deposits starting at a depth of 5 feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.*

MM 4.7-3. *Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.*

MM 4.7-4. *A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Fontana prior to issuance of the first occupancy permit.*

Implementation of MM 4.7-1 through MM 4.7-4 would ensure that grading activities within late to middle Pleistocene old alluvial fan deposits would be subject to monitoring by a qualified paleontologist or paleontological monitor, and requires that any uncovered paleontological resources are recovered and prepared for long-term preservation at an accredited institution (university or museum). Implementation of the required mitigation would reduce the Project's direct and cumulatively-considerable impacts to paleontological resources to below a level of significance. (DEIR, pp. 4.7-16 to 4.7-17)

2.3.4 Tribal Cultural Resources

A. Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site feature, place, cultural landscape that is geographically defined in terms of the size and scope of the

landscape, sacred place, or object with cultural value to a California Native American tribe, and that is (Threshold "a"):

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

Finding: Less-than-Significant Impact with Mitigation

Facts in Support of Finding: No prehistoric resource sites, features, places, or landscapes were identified on the surface of the Project Site during field work conducted by BFSA in 2022 that are either listed or eligible for listing in the California Register of Historic Places. No resources were identified on the Project Site that meet any of the four criteria listed to be eligible for the California Register and no prehistoric resource sites or isolates were found on the Project Site. Furthermore, no substantial evidence was presented to or found by the City of Fontana that led to the identification of any obvious known and physically identifiable resources on the Project Sites that in the City's discretion had the potential to be considered a tribal cultural resource. (DEIR, p. 4.18-4)

As part of the SB 18 and AB 52 consultation processes required by State law, the City of Fontana sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area on October 13, 2022. No responses to the SB18 and AB 52 consultation invitations were received. (DEIR, p. 4.18-5)

Although given the lack of any previously identified prehistoric sites within or near the Project Site and the magnitude of ground disturbances on the Project Site over the previous 90-plus years, there is little potential for any prehistoric resources to be present or disturbed by the proposed development. Notwithstanding, excavations on portions of the Project Site would exceed five (5) feet below the existing ground surface while previously disturbed soils on-site (i.e., artificial fills) extend only to a depth of approximately 1 to 4 feet below the ground surface; thus, excavations on the Project Site that would occur within previously undisturbed soils could, in theory, contain tribal cultural resources. If any tribal cultural resources are unearthed during Project construction that meet the definition of a tribal cultural resource according to Public Resources Code Section 21074 and that is: (i) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (ii) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, impacts to the tribal cultural resource would be significant. Mitigation is thus required. As discussed below, with implementation of mitigation, direct and cumulatively-considerable impacts would be less than significant. (DEIR, p. 4.18-5)

The Project Site does not contain a known cemetery site and human remains have not been previously discovered on the sites. Mandatory compliance with State law (California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98) would ensure that, in the unlikely

event that human remains are discovered during Project construction, the remains would be identified in accordance with proper protocols and the remains would be treated or disposed with appropriate dignity. Accordingly, the Project would not result in a substantial adverse effect to tribal cultural resources associated with human remains. (DEIR, p. 4.18-5)

Mitigation: To ensure proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development, MM 4.5-1 through MM 4.5-3 are required. (DEIR, p. 4.18-6)

> ***MM 4.5-1*** *Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.*
>
> ***MM 4.5-2*** *Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.*
>
> ***MM 4.5-3*** *Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.*

Implementation of MMs 4.5-1 through 4.5-3 would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less than significant. (DEIR, p. 4.18-6)

2.4 Impacts Identified in the EIR as being Significant and Unavoidable

The City Council hereby finds that, despite the incorporation of mitigation measures outlined herein and in the EIR, the following impacts from the proposed Project and related approvals cannot be fully mitigated to a less than significant level by any feasible mitigation measures pursuant to CEQA Guidelines 15091(a)(2) and (a)(3), which are infeasible as a result of specific economic, legal, social, technological, and other considerations, or are within the responsibility and jurisdiction of another public agency. A Statement of Overriding Considerations is therefore included herein. For the reasons set forth in the Statement of Overriding Considerations, the City Council finds and declares, in its independent judgment, that the Project's benefits substantially outweigh and justify the following significant and unavoidable impacts:

2.4.1 Greenhouse Gas Emissions

A. Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Threshold "a")

Finding: Significant and Unavoidable Cumulatively-Considerable Impact

Facts in Support of Finding: The Project is calculated to emit 4,971.67 $MTCO_2e$ per year. Approximately 78 percent of the emissions are calculated to come from mobile sources (tailpipe emissions). The Project's GHG emissions would exceed the significance threshold of 3,000 MTCO2e per year, resulting in a cumulatively considerable impact. (DEIR, p. 4.8-21)

Mitigation: The Project would be required to implement design measures to maximize energy efficiency and reduce GHG emissions as required by State law (for example, the use of energy efficient appliances as required by the CBSC) and by local regulations (for example, the installation of electric vehicle charging stations, the use of zero-emission yard equipment, and limitations on diesel vehicle idling, as required by Ordinance No. 1891). Although mandatory compliance with applicable State and local regulations would reduce Project-related GHG emissions, these requirements would not substantially reduce Project mobile source GHG emissions (i.e., emissions from construction equipment, passenger cars, and heavy-duty trucks), which comprise approximately 78 percent of all Project-related GHG emissions. Mobile source GHG emissions are regulated by State and federal fuel standards and tailpipe emissions standards and are outside of the control and authority of the City, the Project Applicant, and future Project occupants. CEQA Guidelines Section 15091 provides that mitigation measures must be within the responsibility and jurisdiction of the Lead Agency (i.e., City) in order to be implemented. Two mitigation measures have been identified that are feasible for the City to enforce. (DEIR, p. 4.8-24)

MM 4.8-1 *No portion of the buildings shall include cold storage space.*

MM 4.8-2 *Building roofs shall be solar-ready and shall be outfitted with a solar photovoltaic system that either supplies 100 percent of the building user's anticipated electricity demand or is the maximum size feasible given applicable Building Code requirements, clearance requirements around roof-mounted equipment, Southern California Edison interconnection regulations, transformer capacity, and other code compliance constraints. Prior to issuance*

of a shell building permit, the City of Fontana shall verify that all or part of the roof structure is designed to support the installation of solar panels. The roof-mounted solar photovoltaic systems shall be installed within 12 months of issuance of the first occupancy permit.

As noted above, a majority of the Project's GHG emissions would be produced by mobile sources. Neither the Project Applicant nor the Lead Agency (City of Fontana) can substantively or materially affect reductions in Project mobile-source emissions beyond federal and State regulations. Accordingly, the City finds that the Project's GHG emissions are a significant and unavoidable cumulatively-considerable impact for which no feasible mitigation is available. (DEIR, p. 4.8-24)

2.4.2 Noise

A. Would the Project result in generation of excessive groundborne vibration or groundborne noise levels? (Threshold "b")

Finding: Significant Direct Short-Term Unavoidable Impact

Facts in Support of Finding: Construction activities on the Project Site would utilize equipment that has the potential to generate vibration. One of the receiver locations in the vicinity of the Project Site would be exposed to vibration levels that exceed the applicable significance threshold. The typical Project construction vibration levels will exceed the building damage thresholds at the building façade of the Fontana Adult School relocatable classrooms (receiver location R4). The Project-related construction vibration impacts would be potentially significant during the construction activities at the Project Site and mitigation is required. (DEIR, pp. 4.13-21 to 4.13-22)

Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not result in the exposure of persons to excessive groundborne vibration or noise levels during long-term operation and a less-than-significant impact would occur. (DEIR, p. 4.13-22)

Mitigation: While the analysis shows that the construction noise levels would not exceed the construction-related daytime noise level threshold of 80 dBA $L_{eq,}$ additional noise abatement should be considered for the Fontana Adult School relocatable classrooms (receiver location R4). The provision of a temporary 8-foot-high noise barrier separating the Project Site and the Fontana Adult School relocatable classrooms will reduce the construction noise levels by approximately 5.7 dBA L_{eq}. With the temporary 8-foot-high noise barrier, the construction noise level will be further reduced to 70.2 dBA L_{eq}. Though construction noise is temporary and intermittent, and will not present any long-term impacts, the following mitigation measures are set forth. (DEIR, pp. 4.13-24 to 4-13-26)

MM 4.13-1*. As a condition of the Building 2 grading permit and building permit, to reduce construction noise, the contractor shall be required to install a minimum 8-foot-high temporary construction perimeter noise barrier for the duration of construction activities at the property boundary that adjoins the Fontana Adult School. The noise control barrier shall include the following:*

a) *The noise control barrier must present a solid face from top to bottom.*

b) *The noise barrier shall be constructed using one of the following materials with no decorative cutouts or line-of-sight openings between shielded areas and the noise source:*

- *An acoustical blanket (e.g. vinyl acoustic curtains, quilted blankets, or equivalent) attached to the construction site perimeter fence or equivalent temporary fence posts.*
- *Any combination of these construction materials satisfying a weight of at least 4 pounds per square foot of face area.*

c) *The noise barrier shall be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.*

d) *During all construction activities, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project Site.*

To address significant direct construction-related vibration impacts under threshold b, the following mitigation measure shall be implemented:

MM 4.13-2*. As a condition of the Building 2 grading permit and building permit, during construction activities, when the Fontana Adult School relocatable classrooms are occupied, a 20-foot buffer setback will be required for the operation of large pieces of construction equipment. No large, loaded trucks, heavy mobile equipment greater than 80,000 pounds, jack hammers or vibratory roller shall occur within 20-feet of occupied structures. Instead, small rubber-tired or alternative equipment, as well as soil compaction equipment shall be used during Project construction to reduce vibration effects on nearby Fontana Adult School structures and their occupants. This requirement also shall be noted on all grading plans, building plans, and shall be specified in construction bid documents and construction contracts.*

MM 4.13-3*. Prior to the commencement of construction activities on the Building 2 site, the Project Applicant/Developer or construction contractor shall be required to supply its construction schedule to Fontana Adult School. Best efforts shall be made by the Project Applicant/Developer to work with Fontana Adult School and schedule construction activities that are least disruptive to school activities occurring in the relocatable classrooms located within 20 feet of the Building 2 construction site. The Project Applicant/Developer also shall work with Fontana Adult School on the feasibility of temporarily relocating the classrooms to another portion of the school campus while Project construction activity is occurring.*

Upon implementation of MM 4.13-1 through MM 4.13-3, Project construction vibration levels still exceed the 0.3 PPV (in/sec) construction vibration threshold. The Project's construction activities would have a significant direct impact on occupied structures at the Fontana Adult School that are located within 20 feet of construction activities on the Building 2 site. (DEIR, p. 4.13-26)

2.4.3 Transportation

A. Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Threshold "a")

Finding: Significant Direct and Cumulatively-Considerable Impact

Facts in Support of Finding: Implementation of the Project would not conflict with the goals and policies of SCAG's regional planning program that are applicable to the Project and related to vehicular and non-vehicular circulation. The Project would not conflict with any applicable General Plan policies addressing the circulation system. As such, Project impacts would be less-than-significant. (DEIR, p. 4.17-7)

The Project would not conflict with any applicable *Active Transportation Plan* goals addressing the circulation system, but would conflict with Objective 1.A related to VMT. The regional average VMT per for San Bernardino County is 17.1 VMT per employee; therefore, for analysis purposes, the City's VMT significance threshold is set at 14.54 VMT per employee. The Project would generate 16.77 VMT per employee in the baseline year and 16.14 VMT per employee in cumulative year 2040, which is approximately 16.77 percent above the existing baseline for the baseline year and 11 percent above baseline in cumulative year 2040. Because the Project would generate VMT that is above the regional baseline, the Project is considered to substantially influence or increase VMT within the City. The Project would conflict with this objective, which is a significant impact. (DEIR, p. 4.17-10)

Mitigation: The following mitigation measure is imposed to address VMT impacts. (DEIR, p. 4.17-13)

> ***MM 4.17-1****. Building users shall be required to prepare and implement a Transportation Demand Management Program (TDMP), which shall be reviewed and approved by the City of Fontana prior to the issuance of an occupancy permit. The TDMP shall include feasible strategies to reduce vehicle miles traveled by employees, such as carpooling or vanpooling programs, public transportation use incentives, and walking and biking to work incentives.*

The Project would result in a conflict with the Fontana General Plan, Active Transportation Plan, Objective 1.A because the Project would generate VMT that is above the regional baseline. The TDMP required by MM 4.17-1 is not assured to reduce the Project's direct and cumulatively-considerable impact due to Project-related VMT to less than significant. Neither the Project Applicant nor the City of Fontana has the jurisdictional authority to mandate or monitor the effectiveness of the business practices of private enterprises such as the implementation of TDMP measures, nor assure a change in human behavior such as the choice to carpool, walk, or bike to and from work. For these reasons, the effectiveness of VMT mitigation cannot be reasonably assured. (DEIR, p. 4.17-14)

B. Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (Threshold "b")

Finding: Significant Direct and Cumulatively-Considerable Impact

Facts in Support of Finding: Employment estimates were calculated using average employment density factors from Southern California Association of Governments' (SCAG's) "Employment Density Study." SCAG reports that commerce center buildings in San Bernardino County employ an average of one (1) worker for every 1,195 s.f. of building area, which would yield 453 jobs (540,849 s.f. ÷ 1,195 s.f./employee = 453 employees) for proposed Buildings 1, 2, and 3. (SCAG, 2001, p. 15). Although no development is currently proposed on 5.0 acres of the Project Site, should those 5.0 acres be developed in the future with up to 131,464 s.f. of building space, an additional 110 jobs could be generated (131,464 s.f. ÷ 1,195 s.f./employee = 110 employees). In total, the Project could thus produce between 453 and 563 jobs. (DEIR, p. 4.17-11)

For the proposed Building 1, Building 2, and Building 3, and the 5.0-acre parcel, assuming 563 employees (slightly more than would be generating using the SCAG employment generation factor), under Baseline (2022) traffic conditions, the Project is calculated to generate 16.77 VMT per employee. The Project's VMT would be approximately 15.34 percent above the average regional trip length, which would not meet the VMT reductions required by the applicable significance threshold (15 percent below the average regional trip length). Accordingly, the Project's VMT impact is considered to be significant and the Project would conflict with or be inconsistent with CEQA Guidelines Section 15064.3.

Mitigation: Mitigation measure MM 4.17-1 shall apply. (DEIR, p. 4.17-13)

***MM 4.17-1**. Building users shall be required to prepare and implement a Transportation Demand Management Program (TDMP), which shall be reviewed and approved by the City of Fontana prior to the issuance of an occupancy permit. The TDMP shall include feasible strategies to reduce vehicle miles traveled by employees, such as carpooling or vanpooling programs, public transportation use incentives, and walking and biking to work incentives.*

The TDMP required by MM 4.17-1 is not assured to reduce the Project's direct and cumulatively-considerable impact due to Project-related VMT to less than significant. Neither Because no feasible mitigation is available to assure VMT reduction for the Project's employees to below the City's calculated average VMT, the Project would result in a significant and unavoidable direct and cumulatively considerable impact.

2.5 Cumulative Impacts

Regarding the Project's potential to result in cumulative impacts, the City hereby finds as follows:

2.5.1 Aesthetics

The Project site is flat and does not contribute to any prominent scenic vistas under existing conditions. Views of the San Gabriel Mountains and Jurupa Hills are available in the Project area; however, such

views are available throughout the cumulative study area and are not unique to the Project Site's vicinity.

Views to the Jurupa Hills from Santa Ana Avenue are already partially blocked by commerce center development located on the south side of Santa Ana Avenue; because the Project Site is located on the north side of Santa Ana Avenue, it has no potential to further block views of the Jurupa Hills from Santa Ana Avenue and would not make a cumulative contribution to view blockage. From Jurupa Hills High School and Fontana Adult School, views of the Jurupa Hills are already partially blocked by existing trees located on the southern boundary of the school sites and commerce center development located on the south side of Santa Ana Avenue. Introduction of the Project would not obstruct views to landforms in the distance to any greater extent than already blocked by existing trees and commerce center buildings located on the south side of Santa Ana Avenue and the Project's impact would be less than cumulatively considerable.

From north-south oriented Citrus Avenue and Oleander Avenue, the Project would not significantly contribute to view obstruction to the Jurupa Hills and San Gabriel Mountains because the views to these features are due north and due south and the Project is located on the east and west sides of these roads. In addition, proposed Building 2 and Building 3 would be set back from Oleander Avenue by approximately 74 feet and Building 1 would be set back from Citrus Avenue by approximately 22 feet with a landscaped berm positioned between Building 1 and Citrus Avenue. Given the heights of the Jurupa Hills and San Gabriel Mountain landform features ranging from approximately 1,300 feet to 10,064 feet amsl at their highest elevations, they would still be visible along and above the horizon. Accordingly, with buildout of the Project and other developments within the Project's viewshed, impacts to scenic vistas would not be cumulatively significant and the Project's contributions would be less-than cumulatively considerable.

The Project Site is not located within close proximity to any designated State scenic routes and does not contain any scenic resources. Therefore, the Project has no potential contribute to a cumulatively significant impact to scenic resources within a designated scenic route corridor.

As with the Project, new development in the surrounding area would be subject to applicable development regulations and design standards, including, but not limited to the Fontana Municipal Code and the SWIP Specific Plan. Mandatory compliance to applicable development regulations and design standards would ensure that developments would incorporate high quality building materials, site design, and landscaping to minimize the potential for adverse effects due to a conflict with applicable zoning and other regulations governing scenic quality. In addition, the Project's design incorporates various architectural and landscape features to enhance and/or screen views of the interior of the site from the surrounding public street system. Accordingly, Project-related impacts due to a conflict with applicable zoning and other regulations governing scenic quality would be less-than-cumulatively considerable when considered in context with the existing visual character and quality of the Project site's surroundings, which is considered an urbanized environment.

With respect to potential cumulative light and glare impacts, development on the Project site would be required to comply with City of Fontana Municipal Code § 30-265 and § 30-266 and applicable design guidelines from the SWIP Specific Plan, which sets standards for exterior lighting/fixtures. The

restriction on unshielded light fixtures and "spill over" lighting enforced by these lighting regulations has the effect of minimizing light and glare that would affect daytime views and/or create sky glow. Additionally, development projects with artificial light sources in surrounding jurisdictions would be required to comply with the light reduction requirements applicable in their respective jurisdiction. Although cumulative development in the Project's surrounding area is expected to introduce new sources of artificial lighting and potentially reflective materials, the required compliance with the applicable municipal code requirements would ensure that future cumulative development does not introduce substantial sources of artificial lighting or glare. As such, the Project would not contribute to cumulatively considerable, adverse impacts to the existing daytime or nighttime views of the Project Site or its surroundings. (DEIR, p. 4.1-15)

2.5.2 Agriculture And Forestry Resources

This cumulative impact analysis considers development of the proposed Project in conjunction with other development projects and planned development within southwestern San Bernardino County. Lands within southwestern San Bernardino County generally exhibit similar climate, geologic, and soil characteristics, and agricultural production is evaluated by San Bernardino County and the State of California at the County level.

The Project Site does not contain any Farmland as defined by CEQA Guidelines Appendix G Section II(a), and the Project would not result in the conversion of any Farmland to non-agricultural use. Accordingly, no cumulatively-considerable impacts to Farmland would occur with implementation of the proposed Project.

The Project Site is not zoned for agricultural use, is not used for agricultural production under existing conditions, and is not subject to any Williamson Act contracts. As such, no cumulatively-considerable impacts would occur due to a conflict with existing agricultural zoning, existing agricultural use, or Williamson Act contracts.

Under existing conditions, there are no off-site properties in the vicinity of the Project Site that comprise agriculturally-zoned property. Therefore, the Project would not cause development of non-agricultural uses within the vicinity of agriculturally zoned property, and no cumulatively-considerable impacts would occur.

The Project Site, and the surrounding areas are not zoned for forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). As such, the Project has no potential to conflict with such zoning, and no cumulatively-considerable impacts would occur. In addition, the Project has no potential to result in the loss of forest land or conversion of forest land to non-forest use, and no cumulatively-considerable impacts due to the loss or conversion of forest land would occur. Additionally, there are no components of the Project that could result in the conversion of forest land to non-forest use, as there are no lands used for forest land uses; thus, no cumulatively-considerable impacts would occur. (DEIR, p. 4.2-7)

2.5.3 Air Quality

The AQMP evaluates regional conditions within the Basin and sets regional emission significance thresholds for both construction and operation of development projects that apply to project-specific impacts and cumulatively-considerable impacts. Thus, if a project exceeds the SCAQMD regional emissions thresholds, project-specific impacts would also result in a cumulatively-considerable increase in emissions for those pollutants for which the basin in is non-attainment. Project implementation would not conflict with the SCAQMD's 2016 AQMP because construction of the Project would not exceed the SCAQMD regional thresholds for any of the criteria pollutants. Although the Project proposes a general plan amendment and zone change to amend land use and zoning designations, the Project on an individual bases does not have an impact and as such, would not conflict with the goals and objectives of the AQMP. Accordingly, the Project would be consistent with the 2016 AQMP; therefore, there is no potential for the Project to result in a cumulatively considerable effect on the environment due to an inconsistency with the 2016 AQMP.

Based on SCAQMD guidance, any exceedance of a regional or localized threshold for criteria pollutants also is considered to be a cumulatively considerable effect, while air pollutant emissions that fall below applicable regional and/or localized thresholds are not considered cumulatively considerable. The Project would not emit any air pollutants during construction or operation that exceed the applicable SCAQMD regional or localized threshold and, thus, the Project would result in effects to regional and local air quality that would not be cumulatively considerable.

There are no Project components that would expose a substantial number of sensitive receptors to objectionable odors. There are no known sources of offensive odors in the Project area. Because the Project's construction and operation would not create substantial and objectionable odors and because there are no sources of objectionable odors in the areas immediately surrounding the Project Site, there is no potential for odors from the Project Site to commingle with odors from nearby development projects and expose nearby sensitive receptors to substantial, offensive odors. Accordingly, implementation of the Project would result in a less-than-significant cumulative impact related to odors. (DEIR, p. 4.3-33)

2.5.4 Biological Resources

This cumulative impact analysis for biological resources considers development of the Project in conjunction with other development projects in the vicinity of the Project Site as well as full General Plan buildout of the cities of Fontana, Rialto, and Jurupa Valley as well as the unincorporated community of Bloomington.

The Project Site does not contain any special-status plant or wildlife species nor does the Site have the potential to support such species. Therefore, the Project would not impact any special-status plant or wildlife species and, thus, the Project would have no potential to contribute to a cumulative impact to special-status plant and/or animal species.

The Project would not impact any riparian or sensitive natural communities; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact to these resources.

The Project would not impact any State-protected or federally-protected wetlands. Accordingly, the Project has no potential to contribute to a cumulatively-considerable impact to State or federally protected wetlands.

The Project would remove vegetation that has the potential to support nesting birds protected by federal and State regulations. A wide range of habitat and vegetation types have the potential to support nesting birds; therefore, it is likely that other development projects within the cumulative study area also may impact nesting birds. Thus, the Project has the potential to contribute to a cumulatively-considerable impact to nesting birds.

The Project would not conflict with any local policies or ordinances protecting biological resources. Other development projects in the cumulative study area would be required to comply with applicable local policies and/or ordinances related to the protection of biological resources as a standard condition of review/approval. Because the Project and cumulative development would be prohibited from violating applicable, local policies or ordinances related to the protection of biological resources, a cumulatively-considerable impact would not occur.

The Project Site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Because there is no conservation plan applicable to the Project impact area, there is no potential for the Project to contribute to the violation of a conservation plan. No cumulative impact would occur. (DEIR, p. 4.4.11)

2.5.5 Cultural Resources

The potential for implementation of the Project to contribute to cumulative impacts to historical resources was analyzed in conjunction with other projects located in areas that were once similarly influenced by the historical context of the City of Fontana and surrounding area. Record searches and field surveys indicate the absence of significant historical sites and resources on the Project Site; therefore, implementation of the Project has no potential to contribute towards a significant cumulative impact to historical sites and/or resources.

The potential for Project construction to result in cumulatively-considerable impacts to prehistoric archaeological resources were also analyzed in conjunction with other projects located in the traditional use areas of Native American tribes that are affiliated to the Project Site. Development activities on the Project Site would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown prehistoric archaeological resources during Project construction are low due to the magnitude of disturbance that has occurred on the Project Site due to past uses of the properties. Nonetheless, a remote potential exists for subsurface prehistoric archaeological resource that meet the CCR Section 15064.5 definition of a significant archaeological resource to be discovered on the Project Site – and other development project sites in the region – during construction activities. Accordingly, the Project has the potential to contribute to a significant cumulative impact to prehistoric archaeological sites and/or resources. Therefore, the Project would result in a cumulatively-considerable impact to prehistoric archaeological resources, if such resources are unearthed during

Project construction, for which mitigation is required. As discussed below, with implementation of mitigation, cumulatively-considerable impacts would be less than significant.

Mandatory compliance with the provisions of California Health and Safety Code Section 7050.5 as well as Public Resources Code Section 5097 et seq., would assure that all development projects within the region treat human remains that may be uncovered during development activities in accordance with prescribed, respectful and appropriate practices, thereby avoiding significant cumulative impacts. (DEIR, p. 4.5-12)

2.5.6 Energy

The Project and other new development projects within the cumulative study area would be required to comply with all of the same applicable federal, State, and local regulatory measures aimed at reducing fossil fuel consumption and the conservation of energy. Accordingly, the Project would not cause or contribute to a significant cumulatively considerable impact related to conflicts with a State or local plan for renewable energy or energy efficiency. (DEIR, p. 4.6.9)

2.5.7 Geology And Soils

With the exception of erosion hazards, potential hazardous effects related to geologic and soil conditions addressed under Thresholds “a,” “c,” “d,” and “e” are unique to the Project Site, and inherently restricted to the specific property proposed for development. That is, issues including fault rupture, seismic ground shaking, liquefaction, landslides, and expansive soils would involve effects to (and not from) a proposed development project, are specific to conditions on the subject property, and are not influenced or exacerbated by the geologic and/or soils hazards that may occur on other, off-site properties. Further, as noted in the foregoing analysis, all potential Project-related direct and indirect impacts related to potential hazardous effects related to geologic and soil conditions would be precluded through mandatory conformance with the CBSC, Fontana Municipal Code, other standard regulatory requirements, and the Site-specific geotechnical recommendations contained within the Project’s geotechnical report, which will be incorporated into the Project’s design via conditions of approval. Because of the Site-specific nature of these potential hazards and the measures to address them, there would be no direct or indirect connection to similar potential issues or cumulative effects to or from other properties.

Regulatory requirements mandate that the Project incorporate design measures during construction and long-term operation to ensure that significant erosion impacts do not occur. Other development projects in the vicinity of the Project Site would be required to comply with the same regulatory requirements as the Project to preclude substantial adverse water and wind erosion impacts. Because the Project and other projects within the cumulative study area would be subject to similar mandatory regulatory requirements to control erosion hazards during construction and long-term operation, cumulative impacts associated with wind and water erosion hazards would be less-than-significant.

The Project’s potential to result in cumulative impacts to paleontological resources (Threshold “f”) is similar to that of other projects located in the region that are underlain by older alluvial soils. Because the older alluvial soils present on the Project Site contain high paleontological sensitivity and because this geologic layer is present throughout the City of Fontana and southern California, the potential to

impact paleontological resources is a cumulatively-considerable impact for which mitigation is required. (DEIR, p. 4.7-15)

The following mitigation measures are imposed to address the Project's potential to result in impacts to previously-undiscovered paleontological resources that may be present beneath the Project Site's surface. (DEIR, p. 4.7-16)

> ***MM 4.7-1*** *Prior to the issuance of a grading permit, the Project Applicant shall provide evidence to the City of Fontana that a qualified paleontologist ("paleontologist") has been retained by the Project Applicant or contractor to conduct monitoring of excavation activities and has the authority to halt and redirect earthmoving activities in the event that suspected paleontological resources are unearthed.*
>
> ***MM 4.7-2*** *The paleontologist shall conduct full-time monitoring during grading and excavation operations in undisturbed late Pleistocene old alluvial fan deposits starting at a depth of 5 feet below the existing ground surface. The paleontologist shall be equipped to salvage fossils if they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall be empowered to temporarily halt or divert equipment to allow for the removal of abundant and large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or if present, are determined upon exposure and examination by the paleontologist to have a low potential to contain or yield fossil resources.*
>
> ***MM 4.7-3*** *Recovered specimens shall be properly prepared to a point of identification and permanent preservation, including screen washing sediments to recover small invertebrates and vertebrates, if necessary. Identification and curation of specimens into the collections of the Division of Geological Sciences, San Bernardino County Museum, shall be required for discoveries of significance as determined by the paleontological monitor.*
> ***MM 4.7-4*** *A final monitoring and mitigation report of findings and significance shall be prepared, including lists of all fossils recovered, if any, and necessary maps and graphics to accurately record the original location of the specimens. The report shall be submitted to the City of Fontana prior to issuance of the first occupancy permit.*

Implementation of the required mitigation would reduce the Project's cumulatively-considerable impacts to paleontological resources to below a level of significance.

2.5.8 Greenhouse Gas Emissions

GCC occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130[f]). Accordingly, the analysis provided in Subsection 4.8.5 reflects a cumulative impact analysis of the effects related to the Project's GHG emissions, which concludes that

the Project would not conflict with an applicable GHG-reduction plans, policies, or regulations but would generate cumulatively-considerable GHG emissions that may have a significant impact on the environment because the Project would exceed the SCAQMD's GHG emissions threshold of 3,000 MTCO2e per year. (DEIR, p. 4.8-23)

2.5.9 Hazardous And Hazardous Material

The Project's construction and operation would be required to comply with all applicable federal, State, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Although the end user(s) of the Project Site are not presently known, if businesses that use or store hazardous materials occupy the Project, the business owners and operators would be required to comply with all applicable federal, state, and local regulations to ensure proper use, storage, and disposal of hazardous substances. Such uses also would be subject to additional review and permitting requirements by the San Bernardino County Fire Department. Similarly, any other developments in the area proposing the construction of uses with the potential for use, storage, or transport of hazardous materials also would be required to comply with applicable federal, State, and local regulations, and such uses would be subject to additional review and permits from their local oversight agency. Therefore, the potential for release of toxic substances or hazardous materials into the environment, either through accidents or due to routine transport, use, or disposal of such materials, would be reduced to a less-than-significant cumulative level. Accordingly, the Project's potential to contribute to a cumulatively significant hazardous materials impact would be less-than-significant. (DEIR, p. 4.9-14)

The Project Site is located within one-quarter mile of Jurupa Hills High School, Fontana Adult School, and Citrus High School. All area cumulative development Projects would be required to comply with applicable federal, State, and local regulations related to the use, storage, and transport of hazardous materials. Compliance with these regulations would ensure the safe handling of hazardous materials, including the appropriate response and clean-up in the event of an accident, to preclude substantial health and safety hazards to students at Jurupa Hills High School, Fontana Adult School, and Citrus High School. Potential cumulative impacts to students at Jurupa Hills High School, Fontana Adult School, and Citrus High School related to the use, handling, and transport of hazardous materials would be less-than-significant.

The Project Site is not located on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, the Project has no potential to contribute to substantial, cumulative effects related to the development or re-development of contaminated property.

The Project is not a noise-sensitive land use and would not be adversely affected by noise from operations at the ONT. In addition, the Project would not introduce any land use to the Project Site that would conflict with the ONT ALUCP. Therefore, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area and would not contribute to a cumulatively considerable impact associated with airport hazards.

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route; thus, there is no potential for the Project to contribute to any cumulative impacts associated with an adopted emergency response plan or emergency evacuation plan.

The Project Site is not located within or in close proximity to areas identified as being subject to wildland fire hazards and would have no potential to contribute to adverse, cumulative wildland fire hazards. (DEIR, p. 4.9-15)

2.5.10 Hydrology And Water Quality

Water Quality: Project construction and the construction of other projects in the cumulative study area would have the potential to contribute waterborne pollution, including erosion and siltation, to the Santa Ana River Watershed. Pursuant to the requirements of the State Water Resources Control Board and the Santa Ana RWQCB, all construction projects that disturb one (1) or more acres of land area are required to obtain coverage for construction activities under the State's General Construction NPDES Permit. In order to obtain coverage, an effective Site-specific SWPPP is required to be developed and implemented. The SWPPP must identify potential on-site pollutants and identify an effective combination of erosion control and sediment control measures to reduce or eliminate discharge of pollutants to surface waters. In addition, the Project Developer/Applicant and all cumulative developments in the Santa Ana River Basin would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program, which establishes water quality standards for ground and surface waters of the region. Compliance with these mandatory regulatory requirements, would ensure that development projects within the Santa Ana River watershed, including the proposed Project, would not contribute substantially to water quality impairments during construction. Operational activities on the Project Site would be required to comply with the Project's three SWQMPs to minimize the amount of waterborne pollution, including erosion and sediment, discharged from the Site. Other development projects within the watershed would similarly be required by law to prepare and implement Site specific SWQMPs to ensure that runoff does not substantially contribute to water quality violations. Accordingly, operation of the Project would not contribute to cumulatively-considerable water quality effects.

Groundwater Supplies and Management: A majority of the groundwater recharge in the Chino Groundwater Basin occurs in the northern and western portions of the Basin (and north and west of the City of Fontana), within percolation basins. The Project would not physically impact any of the major groundwater recharge facilities in the Basin and other development projects in the Basin similarly would be prohibited by the Chino Basin Watermaster from resulting in adverse physical effects to recharge basins. The Project incorporates permeable landscape areas and other design features (i.e., an underground infiltration/detention system) that would allow surface runoff to infiltrate into the groundwater basin. Other development projects would similarly be required by the lead agency for the project to incorporate design features (e.g., through minimum landscaped area requirements and site-specific WQMP requirements) that facilitate percolation and minimize surface runoff. Lastly, the Chino Groundwater Basin is an adjudicated basin that operates under a court-ordered management plan to ensure the long-term sustainability of the Basin. No component of the Project would obstruct with or prevent implementation of the Basin's management plan and other development projects within the Basin would be prohibited from any activity that would endanger the health and sustainability of the groundwater basin. Based on the lack of impacts to groundwater recharge facilities, the provision of design measures that would facilitate percolation, and compliance with the Basin's groundwater

management plan, cumulative development would not result in a considerable, adverse effect to local groundwater supplies.

Flooding: Construction of the Project and other development projects within the Santa Ana River Basin would be required to comply with federal, State, and local regulations and applicable regional and local master drainage plans in order to mitigate flood hazards both on- and off-site. Compliance with federal, State, and local regulations and applicable drainage plans would require development sites to be protected from flooding during peak storm events (i.e., 100-year storm) and also would not allow development projects to expose downstream properties to increased flooding risks during peak storm events. In addition, future development proposals within the Santa Ana River Basin would be required to prepare hydrologic and hydraulic calculations, subject to review and approval by the responsible City/County Engineer, to demonstrate that substantial on- and/or off-site flood hazards would not occur. As discussed under the response to Threshold "c," the Project is designed to ensure that runoff from the Project Site during peak storm events is substantially reduced relative to existing conditions. Because the Project and all other developments throughout the Santa Ana River Basin, would need to comply with federal, State, and local regulations to ensure that stormwater discharges do not substantially exceed existing volumes or exceed the volume of available conveyance infrastructure, a substantial cumulative impact related to flood hazards would not occur.

Additionally, the Project Site is not located within a special flood hazard area or in an area subject to inundation. Accordingly, development on the Project Site would have no potential to impede or redirect flood flows and a cumulatively-considerable impact would not occur. (DEIR, p. 4.10-22)

2.5.11 Land Use And Planning

Under existing conditions, the Project Site is physically separated from residential land uses to the east by the sports fields for Citrus High School and by Cypress Avenue, and physically separated from the residential land uses to the northeast by Citrus Avenue. No residential land uses are located to the north or south of the Project Site. The Project is designed to connect with Citrus Avenue, Santa Ana Avenue, and Oleander Avenue, and continue the pattern of development that already has been established to the south and west of the Project Site. The Project does not involve the reconfiguration of streets that could have the potential to alter the surrounding pattern of future development. Therefore, implementation of the Project would not physically divide any existing, surrounding community and would not cause or cumulatively contribute to the division of an established community. As development occurs elsewhere throughout the cities of Fontana, Rialto, Rancho Cucamonga, and the larger San Bernardino County area, any proposal to change the underlying land use or development intensity for a specific property would not have the potential to result in conflict with applicable land plans and result in substantial, adverse environmental effects with implementation of an amendment to the applicable land use plan. The Project would not result in any cumulatively-considerable land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations beyond those identified in other Subsections of this EIR. (DEIR, p. 4.11-17)

2.5.12 Mineral Resources

As mapped by the DOC, the Project Site does not contain known mineral resource deposits. As such, the Project does not have potential to result in cumulatively-considerable impacts due to the loss of

availability of a known mineral resource that would be of value to the region or residents of the State. No cumulatively considerable impacts would occur. The City of Fontana's General Plan does not designate the Project Site as mineral resource recovery sites, and there are no other land use plans that identify the Project Site or surrounding areas for containing mineral resources. As such, the Project does not have potential to result in cumulatively-considerable impacts due to the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No cumulatively-considerable impacts would occur. (DEIR, p 4.12-2)

2.5.13 NOISE

Construction Noise: There are several known active, pending, or planned construction projects in the immediate vicinity of the Project Site. To the north at the southeast corner of Citrus Avenue and Slover Avenue is a warehouse project. Southeast of the Project Site is the Goodman Logistics Center Fontana III Warehouse Project and the Fontana Foothills high-cube warehouse and distribution center project. West of the Project Site is the Southwest Industrial Park (SWIP) Specific Plan development which includes industrial, commercial, and office uses. The complete list of cumulative projects in the vicinity of the Project is provided in Table 4.0-1 in Section 4.0, Environmental Analysis, of this EIR. In the event that construction on the Project Site occurs simultaneously with construction of other nearby projects, the effect to sensitive receptors in proximity to the Project Site (to the north and to the east) would not be cumulatively considerable in consideration of the existing built environment. Specifically, Santa Ana Avenue separates the Project Site from other development projects that may be under construction to the south and Citrus Avenue separates the Project Site from other development projects that may be under construction to the west. Roadway noise would overshadow any construction noise from those projects. Accordingly, there is no potential for the Project to contribute to the exposure of nearby sensitive receptors to substantial temporary (construction-related) increases in daytime or nighttime ambient noise levels.

Stationary Noise: The analysis presented for Threshold "a" addresses the Project's contribution of noise to existing cumulative noise sources (i.e., ambient noise) in the Project area. As previously shown in this Subsection, the Project's noise contribution would not be perceptible to noise-sensitive receptors in the Project area during daytime or nighttime hours. The Project's permanent stationary noise impacts would not be cumulatively-considerable.

Traffic Noise: The analysis presented under Threshold "a" evaluates the Projects' traffic noise contribution along study area roadways with consideration of cumulative development (Opening Year plus Cumulative and Horizon Year scenarios). As summarized in that analysis, the Projects' traffic noise contributions along study area roadways would not exceed applicable significance thresholds and, therefore, would not be cumulatively-considerable under near- or long-term conditions.

Groundborne Vibration and Noise: During construction, the Project's peak vibration impacts would occur during the grading phase when large pieces of equipment, like bulldozers, are operating on-site. (During the non-grading phases of Project construction, when smaller pieces of equipment are used on-site, the Project's vibration would be minimal.) Vibration effects diminish rapidly from the source; therefore, the only reasonable sources of cumulative vibration in the vicinity of the Project Site could occur on properties abutting these sites. All cumulative development in the area is located south of

Santa Ana Avenue, west of Citrus Avenue, or further north (not adjacent to) the Project Site, and as such, vibration sources would be on the opposite sides of these roads or already developed land and not comingle with the Project's construction-related activities to elevate vibration levels experienced at off-site properties. Accordingly, there is no potential for the Project to contribute to the exposure of persons to substantial temporary groundborne vibration or noise. Under long-term conditions, the Project would not include or require equipment or activities that would result in perceptible groundborne vibration beyond the Project Site. Trucks would travel to and from the Project Site along local roadways; however, vibration levels for heavy trucks operating at the posted speed limits on paved surfaces are not perceptible beyond the roadway. The Project would not cumulatively-contribute to the exposure of persons to excessive groundborne vibration or noise levels during long-term operation.

Airport Noise: The Project would not involve the construction, operation, or use of any public airports or public use airports. There are no conditions associated with implementation of the Project that would contribute airport noise or exposure of additional people to unacceptable levels of airport noise. Accordingly, the Project would have no potential to cumulatively-contribute to impacts associated with noise from a public airport, public use airport, or private airstrip. Additionally, the Project Site and the immediately surrounding area are not subject to substantial airport- or air traffic-related noise. Accordingly, there is no potential for cumulative development to expose persons residing or working in the Project area to excessive airport-related noise levels. (DEIR, p. 4.13-24).

2.5.14 Population And Housing

The Project would not lead to substantial unplanned population growth or remove a substantial amount of housing that would require the construction of replacement housing elsewhere. As such, the Project does not have the potential to contribute to a cumulatively significant impact associated with the need to construct unplanned housing units. The Project would supply employment opportunities for an estimated 453 to 563 persons. Although population growth resulting from the employment opportunities offered at the Project Site is not expected because the Projects' employees are expected to already live in the local area, based on the availability of a local workforce, the surrounding area has ample supply of housing (with additional housing development expected in the City into the future) to accommodate any population growth in the area that could indirectly occur due to employment-demand generation from the Project and other developments in the area that will offer new employment opportunities. Citywide, Fontana has additionally planned for new housing to meet its RHNA allocation of 17,477 new housing units in the 2021-2029 planning period, for households at a range of income levels (Fontana, 2022). The creation of employment opportunities by the Project would benefit the City and the larger Inland Empire region by helping to achieve a better jobs-to-housing balance and encouraging residents to work locally instead of commuting outside of the City for work. As such, the Project's contribution to unplanned housing and population growth would not be cumulatively considerable. (DEIR, p. 4.14-7)

2.5.15 Public Services

The cumulative study area for public services encompasses the service area of the FFPD, Fontana Police Department, FUSD, and the San Bernardino County Library System, and assumes full buildout of the general plans for jurisdictions within these service areas.

Although the proposed Project would be adequately served by fire protection services based on the proximity from the nearby fire station facility, the Project would nonetheless result in an incremental increase in requests for service, which would affect the fire department's ability to provide acceptable levels of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures, increased traffic volumes, and increased population. When considered in the context of on-going cumulative development throughout San Bernardino County, such impacts would be cumulatively considerable. However, the proposed Project and all cumulative developments within San Bernardino County would be required to contribute DIF fees pursuant to County Ordinance No. 659. Mandatory DIF fee contributions by the Project and cumulative developments would ensure that adequate funding is provided to the FFPD for the acquisition of additional facilities, equipment, and personnel. Accordingly, the proposed Project's impact to the FFPD is evaluated as less-than-cumulatively considerable.

Although the Project Site would be adequately served by police facilities, the increased population that would be generated by the Project, when considered in conjunction with other on-going development throughout Fontana, has the potential to adversely affect service response times. However, the proposed Project and all cumulative developments would be required to contribute DIF fees pursuant to City of Fontana Municipal Code Section 21-122, which the City uses in part to fund police protection services. Therefore, with mandatory payment of DIF fees, the Project impacts to police protection services would be less-than-cumulatively considerable.

With respect to school services, the Project would not directly increase the City's population and is not expected to result in an indirect increase in the City's population, and therefore would have no impact on school services. Regardless, the Project Applicant would be required to contribute development impact fees to the FUSD in compliance with California Senate Bill 50 (SB 50, Greene). The payment of school mitigation impact fees authorized by SB 50 is deemed to provide "full and complete mitigation of impacts" on school facilities from the development of real property (California Government Code Section 65995). Accordingly, Project impacts to school services would be less-than-cumulatively considerable.

The Project would also have less-than-significant and less-than-cumulatively considerable impacts to library services because the Project would not directly create a demand for public library facilities and would not directly result in the need to modify existing or construct new libraries.

Although the proposed Project is not expected to result in an increase in the City's service population, the construction and operation of three commerce center buildings on the Project Site could result in an incremental increase in demand for health services due to the addition of employees in the area. Cumulative growth is not expected to result in or require the physical construction, expansion, or

alteration of public health facilities; therefore, the Project impacts would be less-than-cumulatively considerable. (DEIR, p. 4.15-9)

2.5.16 Recreation

The Project proposes to develop the Project Site with three commerce center buildings. Accordingly, the Project does not include recreational facilities and the Project does not propose any type of residential use or other land use which would generate a population that would require the construction or expansion of recreational facilities or existing neighborhood or regional parks. Accordingly, no cumulatively considerably impact associated with recreational facility development or use would occur as a result of development of the Project. The Project would not impact any recreational facilities on a cumulatively considerable basis. Cumulative effects associated with implementation of the Project is evaluated throughout this EIR under the appropriate issue headings. Where cumulative impacts have been identified, mitigation measures have been imposed to reduce such impacts to the maximum feasible extent. There are no conditions that would result in cumulatively significant impacts to the environment that are not already disclosed by this EIR or that are inherent to recreation. Therefore, a cumulatively considerable impact associated with recreation facilities would not occur. (DEIR, p. 4.16-4)

2.5.17 Transportation

The Project would conflict with Goal 1, Objective 1.A, of the Fontana Active Transportation Plan, which calls for a reduction of VMT by 4% by 2035. The Project would generate 16.77 VMT per employee (approximately 15.34 percent above the existing baseline) and thereby would conflict with this objective, resulting in a cumulatively-considerable impact. (UC, 2023, p. 72).

The Project would result in a significant and unavoidable VMT impact. Under cumulative traffic conditions, the VMT impact would be cumulatively considerable. In summary, SBTAM was utilized to calculate the Projects' VMT, at 16.77 VMT per employee. The VMT for all traffic analysis scenarios including for future cumulative conditions is then normalized by dividing by the Project TAZ's employees. Project Cumulative Year 2040 VMT per employee is 16.14, which is above the significance threshold of 14.54 VMT per employee by 11 percent. The Project would not conflict with the San Bernardino County CMP none of the goals or policies within the CMP are applicable to private development projects. Therefore, would have no potential to contribute to a conflict with the CMP that would result in a cumulatively considerable environmental effect.

The following mitigation measure is imposed to address VMT impacts. (DEIR, p. 4.17-13)

> ***MM 4.17-1***. *Building users shall be required to prepare and implement a Transportation Demand Management Program (TDMP), which shall be reviewed and approved by the City of Fontana prior to the issuance of an occupancy permit. The TDMP shall include feasible strategies to reduce vehicle miles traveled by employees, such as carpooling or vanpooling programs, public transportation use incentives, and walking and biking to work incentives*.

Finally, the Project would not contribute to a significant cumulative impact under the topics discussed under Thresholds "c" and "d" because the Project would not cause or exacerbate existing transportation

design safety concerns or adversely affect emergency access and there are no cumulative development projects adjacent to the Project Site that could contribute additive effects that could degrade motor vehicle or pedestrian safety or emergency vehicle access in proximity to the Project Site. (DEIR, p. 4.17-13).

Although transportation safety impacts would be less than significant, the following mitigation measures are recommended to assure that design features will be implemented as part of the Project's implementation pertaining to bicycle and pedestrian safety (DEIR, p. 4.17-14.).

> ***MM 4.17-2****. Signs shall be installed at the truck exit driveways on Oleander Avenue directing trucks to turn southbound only. Trucks shall be prohibited from turning northbound on Oleander Avenue upon exiting the Project Site.*
>
> ***MM 4.17-3****. The Project Developer/Applicant and all successors in interest shall install and maintain signs at the Project driveway exits connecting with Citrus Avenue and Oleander Avenue at heights visible to truck drivers that state, "CAUTION, PEDESTRIAN AND BICYCLE CROSSINGS AHEAD." The City shall verify installation of the signs prior to the issuance of an occupancy permit and require as a condition of the occupancy permit that the signs be maintained in legible condition.*

2.5.18 Tribal Cultural Resources

The potential for Project construction to result in cumulatively-considerable impacts to tribal, religious, and cultural resources were analyzed in conjunction with other projects located in southwestern San Bernardino County and northwestern Riverside County that occur in the same tribal influence areas as the Project Site. The other development projects within these areas would have a similar potential to uncover tribal cultural resources during construction activities. Therefore, the potential for Project construction to impact tribal cultural resources is a cumulatively-considerable impact for which mitigation is required. (DEIR, p. 4.18-6)

Mitigation Measures MMs 4.5-1 through 4.5-3 shall apply (DEIR, p. 4.18-5)

> ***MM 4.5-1****. Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.*
>
> ***MM 4.5-2****. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological*

material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

MM 4.5-3*. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.*

Implementation of MMs 4.5-1 through 4.5- 3 would be reduced to less than significant. (DEIR, p. 4.18-5)

2.5.19 Utilities And Service Systems

The Project would require water, wastewater, and stormwater drainage services and infrastructure, as well as solid waste disposal during construction and operation of the Project. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with ministerial and discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Because the comprehensive utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, cumulatively considerable impacts to utilities and service systems would not occur. (DEIR, p. 4.19-15)

2.5.20 Wildfire

The Project Site does not contain any emergency facilities nor does it serve as an emergency evacuation route, and the Project would not serve as an evacuation route under long-term conditions. During construction, and at Project build-out, the proposed Project would be required to maintain adequate access for emergency vehicles. Other cumulative developments similarly would be required to accommodate emergency access and facilities. As such, cumulatively-considerable impacts would be less-than-significant.

The Project entail the development a property located in an area that is fully developed with limited non-irrigated vegetative fuel. The development of the Project Site as proposed would reduce the risk of wildfire by transforming the property partially developed with residential housing and associated accessory structures into a developed property complete with irrigated landscaping, paving, and fire sprinkler systems in the buildings. As such, cumulatively-considerable impacts would be less-than-significant.

The Project proposes to develop three commerce center buildings with associated site improvements. No components of the Project would trigger the installation or maintenance of wildfire management features that could result in exacerbated fire risks. As such, cumulatively-considerable impacts would be less-than significant.

Under existing and proposed conditions, the Project Site exhibits little topographic variation, and development on the Project Site as proposed would not involve any uses containing natural vegetation or other features subject to wildland fire hazards. As such, the Project has no potential to cumulatively contribute to impacts associated with the exposure of people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Cumulatively considerable impacts would not occur. (DEIR, p. 4.20-8)

2.6 Significant Irreversible Environmental Changes Which Would Be Caused by the Proposed Project Should It Be Implemented

The CEQA Guidelines require EIRs to address any significant irreversible environmental changes that would be involved in the proposed action should it be implemented (CEQA Guidelines Section 15126.2(c)). An environmental change would fall into this category if: a) the project would involve a large commitment of non-renewable resources; b) the primary and secondary impacts of the project would generally commit future generations to similar uses; c) the project involves uses in which irreversible damage could result from any potential environmental accidents; or d) the proposed consumption of resources are not justified (e.g., the project results in the wasteful use of energy). (DEIR, p. 5-2)

Determining whether the Project may result in significant irreversible environmental changes requires a determination of whether key non-renewable resources would be degraded or destroyed in such a way that there would be little possibility of restoring them. Natural resources, in the form of construction materials and energy resources, would be used in the construction of the proposed Project. The consumption of these natural resources would represent an irreversible change to the environment. However, development of the Project Site would have no measurable adverse effect on the availability of such resources, including resources that may be non-renewable (e.g., construction aggregates, fossil fuels). Additionally, the Project is required by law to comply with the California Green Building Standards Code (CALGreen) in effect at the time of building permit issuance, which will minimize the Projects' demand for energy, including energy produced from non-renewable sources. A more detailed discussion of Project energy consumption is provided in EIR Subsection 4.6, *Energy*. (DEIR, p. 5-2)

Implementation of the Project would commit the Project Site to a three-building commerce center facility and reasonably comment a 5.0-acre parcel to developing with an industrial use. The land use proposed for the Project Site is compatible with the existing industrial land use that is located to the south and west and also compatible with the use of Citrus Avenue (which abuts the Project Site on the west) as a City-designated truck route. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City's General Plan. For this reason, the Project would not result in a significant, irreversible change to nearby, off-site properties. (DEIR, p. 5-2)

EIR Subsection 4.8, *Hazards and Hazardous Materials*, provides an analysis of the potential for hazardous materials to be transported to/from the Project Site and/or used on the Project Site during construction and operation. As concluded in Subsection 4.8, mandatory compliance with federal, State, and local regulations related to hazardous materials handling, storage, and use by all Project construction contractors (near term) and occupants (long-term) would ensure that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the Project Site. (DEIR, p. 5-2)

As discussed in detail under EIR Subsection 4.5, *Energy*, the Project would not result in a wasteful, inefficient, or unnecessary consumption of energy. Accordingly, the Project would not result in a significant, irreversible change to the environment related to energy use. (DEIR, p. 5-3)

Based on the above, Project construction and operation would require the commitment of limited, slowly renewable and non-renewable resources. However, this commitment of resources would not be substantial and would be consistent with regional and local growth forecasts and development goals for the area. The loss of such resources would not be highly accelerated when compared to existing conditions, and such resources would not be used in an inefficient or wasteful manner. Project construction and operation would adhere to the sustainability requirements of Title 24, Green Building Code, and CALGreen. Therefore, the Project would not result in the commitment of large quantities of natural resources that would result in significant irreversible environmental changes. (DEIR, p. 5-3)

2.7 Growth-Inducing Impacts of the Proposed Project

CEQA requires a discussion of the ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment (CEQA Guidelines Section 15126.2(d)). New employees and new residential populations represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. (DEIR, p. 5-3)

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with an increase in population or employment and thus reducing or removing the barriers to growth. This typically occurs in suburban or rural environs where population growth results in increased demand for service and commodity markets responding to the new population of residents or employees. (DEIR, p. 5-3)

According to regional population projections included in SCAG's *Connect SoCal*, the City of Fontana's population is projected to grow by 75,700 residents between 2016 and 2045 (approximately 0.99 percent annual growth) (SCAG, 2020). Over this same time period, employment in the City is expected to add 18,400 new jobs (approximately 0.84 percent annual job growth) (ibid). Economic growth would likely take place as a result of the Project's operation as commerce center facilities. The Project's employees (short-term construction and long-term operational) would purchase goods and services in the region, but any secondary increase in employment associated with meeting these goods

and services demands is expected to be accommodated by existing goods and service providers and, based on the amount of existing and planned future commercial and retail services available in area near the Project Site, would be highly unlikely to result in any unanticipated, adverse physical impacts to the environment. In addition, the Project would create jobs, a majority of which would likely be filled by residents of the housing units either already built or planned for development within the City Fontana and nearby incorporated and unincorporated areas. Accordingly, because it is anticipated that most of the Project's future employees would already be living in the City of Fontana or the immediate surrounding Inland Empire area, the Project's introduction of new employment opportunities on the Project Site would not induce substantial growth in the area. (DEIR, p. 5-3)

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies such as SCAG. Significant growth impacts also could occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. (DEIR, p. 5-4)

The area surrounding the Project Site consist of public facilities to the north, public facilities and residential to the east, and industrial to the south and west. Development of the Project Site is not expected to place short-term development pressure on abutting properties because these areas are already built-out. (DEIR, p. 5-4)

Based on the foregoing analysis, the Project would not result in substantial, adverse growth-inducing impacts. (DEIR, p. 5-4)

2.8 Project Alternatives

The EIR analyzed three alternatives to the Project as proposed and evaluated these alternatives for their ability to avoid or reduce the Project's significant environmental effects while also meeting the majority of the Project's objectives. The City finds that it has considered and rejected as infeasible the alternatives identified in the EIR and described below. This section sets forth the potential alternatives to the Project analyzed in the EIR and evaluates them in light of the Project objectives, as required by CEQA.

Where significant impacts are identified, section 15126.6 of the State CEQA Guidelines requires EIRs to consider and discuss alternatives to the proposed actions. Subsection (a) states:

> (a) An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation. An EIR is not required to consider

> alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Subsection 15126.6(b) states the purpose of the alternatives analysis:

> (b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.

In subsection 15126.6(c), the State CEQA Guidelines describe the selection process for a range of reasonable alternatives:

> (c) The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the Project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency's determination. Additional information explaining the choice of alternatives may be included in the administrative record. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.

The range of alternatives required is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. Alternatives are limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project.

2.8.1 Alternatives Considered but not Carried Forward for Detailed Analysis

Section 15126.6(c) of the State CEQA Guidelines specifies that an EIR should (1) identify alternatives that were considered by the lead agency but were eliminated from detailed consideration because they were determined to be infeasible during the scoping process; and (2) briefly explain the reasons underlying the lead agency's determination. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives; (ii) infeasibility; and/or (iii) inability to avoid significant environmental impacts.

The following alternative was considered but not carried forward:

A. *<u>No Development Alternative</u>*

The No Development Alternative considers no development on the Project Site beyond what occurs on the Site under existing conditions. Under this Alternative, the residential uses on the approximately 29.4-acre Project Site would be retained while the undeveloped portions of the Site would be kept vacant for the foreseeable future. No roadway frontage improvements including sidewalks would occur on Citrus Avenue, Santa Ana Avenue, or Oleander Avenue. This Alternative was used to compare the environmental effects of the proposed Project with an alternative that would leave the property in its existing state. (DEIR, p. 6-2)

Implementation of the No Development Alternative would result in no physical environmental impacts to the Project Site beyond those that have historically occurred on the Project Site and that will continue to occur into the future from routine activities. All potentially significant effects of the Project would be avoided by the selection of this Alternative. However, the No Development Alternative would not facilitate frontage sidewalk improvements to Citrus Avenue, Santa Ana Avenue, and Oleander Avenue and would not generate or accommodate demand for additional housing. Because the No Development Alternative would not result in development of the Project Site and would not promote local economic development, including through the creation of new jobs and the expansion of the local tax base, the No Development Alternative would not meet the Project's objectives. (DEIR, p. 6-10)

2.8.2 Alternatives Selected for Analysis in the EIR

The alternatives selected for further detailed review within the EIR focus on alternatives that could the Project's significant environmental impacts, while still meeting most of the basic Project objectives. Those alternatives include:

A. No Project Alternative

The No Project Alternative considers the development of the Project Site in accordance with its existing land use designation of "Residential Planned Community (R-PC)" and "Multi-Family Medium/High Residential (R-MFMH)" land uses. The R-PC land use designation allows up to 6.4 dwelling units per acre and the R-MFMH land use designation allows up to 39 dwelling units per acre. Under this alternative, the Project Site is assumed to be developed with high density residential housing. Containing approximately 19.6 acres of R-PC designated property and 9.8 acres of R-MFMH designated property, this alternative assumes 125 dwelling units on the R-PC designated property and 382 dwelling units on the R-MFMH designated property for a total of 507 multi-family residential units on the Project Site. The R-MFMH would have a maximum permitted lot coverage of 70% and the R-PC would have a maximum permitted lot coverage of 45%. Building heights would be up to 55-feet. The extent of physical ground disturbance is expected to be the same as would occur under the proposed Project. This alternative is considered to compare the environmental effects of the Project against a development proposal that conforms to the land use standards and development regulations prescribed by the City of Fontana General Plan and Municipal Code under the Project Site's existing land use and zoning designations (DEIR, pp. 6-2 to 6-3)

The No Project Alternative would result in the development of 507 multi-family residential units with a maximum lot coverage of 70% and 55-foot structure height across the remainder of Project Site. Implementation of the No Project Alternative would result in identical physical environmental impacts as compared to the Project related to biological resources, geology and soils, cultural resources, and

tribal cultural resources because the extent and depth of ground disturbance would be similar. Although the building type would be different (multi-family residential instead of commerce center development), the intensity of use on the site would be similar resulting in similar less than significant construction-related effects and long-term effects associated with aesthetics, public services, utilities and service systems, and wildfire. Because truck traffic would be less under the No Project Alternative, but total vehicle trips would likely increase, operational impacts related to air quality, GHG, and noise would be similar under the No Project Alternative and the GHG impact and short-term construction-related vibration impact would remain significant and unavoidable. The Project's VMT impact would be omitted as the No Project Alternative's VMT impact would be based on service population and less than significant. The No Project Alternative would not meet any of the Project's objectives. (DEIR, p. 6-16)

B. Reduced Project Alternative

The Reduced Project Alternative considers the development of the Project with any of the three buildings being developed in any combination. Under these Alternatives, only Building 1 could be developed, only Building 2 could be developed, only Building 3 could be developed, or any combination of two buildings could be developed, including Buildings 1 and 2, Buildings 1 and 3, or Buildings 2 and 3. Areas not developed with a building would retain their existing condition. These alternatives are used to evaluate scenarios that would reduce the total building area on the Project site relative to the Project but still allow productive commerce center on portions of the Project Site. (DEIR, p. 6-3)

The Reduced Project Alternative scenario in which only one building would be implemented would reduce the Project's significant and unavoidable GHG emission impacts but a scenario in which two buildings would be implemented, the GHG impact would be reduced but not to below a level of significance. In all scenarios of any one or a combination of two buildings being implemented, the alternative would reduce the Project's less than significant impacts to biological resources, cultural resources, energy, geology and soils, hydrology and water quality, noise, public services, recreation, tribal cultural resources, and utilities and service systems. The Reduced Project Alternative would increase impacts associated with wildfire potential due a portion of the site remaining undeveloped or in residential use. All other impacts from the Reduced Project Alternative would be similar to the Project.

The Reduced Project Alternative would meet all of the Project's objectives; however, only a portion of the Project would be constructed and become operational, and a portion of the Project Site would remain undeveloped or in residential use. As such, the Project objectives would be met to a lesser extent than the Project. (DEIR, p. 6-22)

2.8.3 Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in the EIR. In general, the environmentally superior alternative as defined by CEQA should minimize adverse impacts to the Project Site and its surrounding environment. (DEIR, p. 6-23)

Both the No Development Alternative and No Project Alternative would avoid or reduce all or some of the Project's significant environmental impacts and, therefore, can be considered environmentally superior to the Project. Both the No Development Alternative and No Project Alternative are considered to be a "no project" alternative as defined by CEQA Guidelines Section 15126.6(e)(3). If a "no project" alternative is identified as the environmentally superior alternative then the EIR shall also identify an environmentally superior alternative among the other alternatives (see CEQA Guidelines Section 15126.6(e)(2). (DEIR, p. 6-23)

The Reduced Project Alternative, in the scenarios of only Building 1 or only Building 3 being implemented, is the Environmentally Superior Alternative, although it does not meet the Project objectives to the extent as the Project. (DEIR, p. 6-23)

3.0 Statement of Overriding Considerations

The City Council hereby declares that it has balanced the benefits of the Project against any unavoidable environmental impacts in determining whether to approve the Project. Pursuant to the CEQA Guidelines Section 15093, if the benefits of the Project outweigh its unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

Having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the Mitigation Measures contained in the EIR, the Mitigation Monitoring and Reporting Program (MMRP), and herein, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after implementation of all feasible mitigation, the City Council has determined that each of the following social, economic and environmental benefits of the Project separately and individually outweigh the potential unavoidable adverse impact and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

A. The Project provides for the development of a functional, well serviced, and attractive commerce center development that improves and maximizes economic viability within the City by the orderly transition of both developed and vacant land into productive commerce center use.

B. The Project attracts new employment-generating business to the City of Fontana thereby increasing household earnings and reducing the need for members of the local workforce to commute outside the area for employment.

C. The Project provides for public roadway frontage improvements including a public sidewalk on Citrus Avenue, Santa Ana Avenue, and Oleander Avenue.

D. The Project will allow a property to be developed as a productive, revenue-generating facility that will contribute revenue to the City of Fontana on an ongoing basis and allow the City to improve the level of services it can provide to its residents and businesses.

E. The Project will assist in meeting the substantial demand for commerce buildings in the City and across the Inland Empire and will promote a mix of land uses along Santa Ana Avenue

that provide for a sound and diversified economic base and ample employment opportunities for the citizens of Fontana.

F. Through Project design features, mandatory compliance with the CALGreen, and the implementation of the mitigation measures contained in the Final EIR, the Project will implement energy conservation measures and include contemporary energy efficient/energy conserving designs and operational programs.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Project outweigh the identified significant adverse environmental impact of the Project that cannot be mitigated to a less than significant level. The City Council finds the Project's benefits separately and individually outweigh all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

4.0 Additional Facts on Record

4.1 Adoption of a Monitoring Plan for Mitigation Measures

Pursuant to Section 21081.6 of the Public Resources Code, the City of Fontana hereby adopts the Mitigation Monitoring and Reporting Program ("MMRP"). The City finds that the MMRP is designed to ensure compliance with the changes (i.e., mitigation measures) imposed on the Project to mitigate or avoid effects on the environment during Project implementation. The MMRP is on file with the City of Fontana Community Development Department, 8353 Sierra Avenue, Fontana, CA 92335.

4.2 Custodian of Record

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Fontana Community Development Department, 8353 Sierra Avenue, Fontana, CA 92335. The custodian for these records is Salvador Quintanilla, Senior Planner. This information is provided in compliance with Public Resources Code Section 21081.6.

Recorded at request of:	)
Clerk, City Council	)
City of Fontana	)
	)
When recorded return to:	)
City of Fontana	)
8353 Sierra Avenue	)
Fontana, CA 92335	)
Attention: City Clerk	)
	)
	Exempt from Filing Fees, Government Code Section 6103

DEVELOPMENT AGREEMENT NO. 23-005

A DEVELOPMENT AGREEMENT BETWEEN

CITY OF FONTANA
a California Municipal Corporation
("City")

and

ACACIA REAL ESTATE GROUP, INC.,
("Owner")

ATTACHMENT NO. 11

DEVELOPMENT AGREEMENT NO. 23-005

This Development Agreement (hereinafter "Agreement") is entered into effective on the date it is recorded with the San Bernardino County Recorder (hereinafter the "Effective Date") by and among the City of Fontana, a California municipal corporation (hereinafter, "CITY"), and Acacia Real Estate Group, Inc. (hereinafter, "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864 et seq. of the Government Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement with respect to that certain real property located north of Santa Ana Avenue, east of Citrus Avenue, and west of Oleander Avenue (APNs: 0255-021-17, -18, -22 thru -24, 0255-011-13, -14, -18, -19, -25 thru -32). as more particularly described on Exhibit "A" and shown on Exhibit "B" to this Agreement (the "Property"), and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, prior to the adoption of the Development Approvals described in this Agreement, the City Council of the City of Fontana reviewed, considered, and certified the Environmental Impact Report ("EIR") for the Oleander Citrus Industrial Center of which the Project, as that term is defined below, is a part, and made findings concerning the mitigation measures for the Project, and adopted a Mitigation Monitoring and Reporting Program in accordance with CEQA and the State and City CEQA Guidelines; and

WHEREAS, DEVELOPER has filed an application for, and the City Council has approved Master Case (MCN) No. 22-053, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 22-009 (Building No. 1), Design Review No. 22-061 (Building No. 2) Tentative Parcel Map (TPM) No. 22-030 (Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 22-031 (Building No. 3), General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, and Specific Plan Amendment No. 22-002 (collectively, the "Project").

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and any Specific Plan applicable thereto; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Fontana, a municipal corporation, organized and existing pursuant to the laws of the State of California.

1.1.3 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.4 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

(a) conditional use permits and design review permits;

(b) tentative parcel maps;

(c) General Plan and Zoning Code amendments; and,

(d) grading, encroachment and building permits.

1.1.5 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.6 “Development Impact Fee” means a monetary exaction other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, but does not include park “in lieu” fees specified in Government Code Section 66477, fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, or fees collected pursuant to agreements with redevelopment agencies which provide for the redevelopment of property in furtherance or for the benefit of a redevelopment project for which a redevelopment plan has been adopted pursuant to the Community Redevelopment Law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code).

1.1.7 “Development Plan” means the Existing Development Approvals and the Existing Land Use Regulations, as those terms are defined herein, applicable to development of the Property.

1.1.8 “Effective Date” means the date the ordinance approving this Agreement becomes effective.

1.1.9 “Existing Development Approvals” means all Development Approvals approved or issued prior to the Effective Date.

1.1.10 “Existing Land Use Regulations” means all Land Use Regulations in effect on the Effective Date.

1.1.11 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land,

including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of proposed buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

(a) the conduct of businesses, professions, and occupations;

(b) taxes and assessments;

(c) the control and abatement of nuisances;

(d) the granting of encroachment permits and the conveyance of rights and interests which provide for the use of or the entry upon public property;

(e) the exercise of the power of eminent domain.

1.1.12 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.13 “OWNER” means the persons and entities listed as OWNER on page 1 of this Agreement and their successors in interest to all or any part of the Property.

1.1.14 “Project” means the development of the Property contemplated by the Development Plan as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.15 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.16 “Public Benefit Fee” means the one-time public benefit fee described in Section 4.3 of this Agreement.

1.1.17 “Reservations of Authority” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.18 “Subsequent Development Approvals” means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.19 “Subsequent Land Use Regulations” means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” — Legal Description of the Property.

Exhibit “B” — Map showing Property and its location.

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the legal or equitable owner of the fee simple title to the Property or a portion thereof.

2.3 Term. The initial term of this Agreement shall commence on the Effective Date, and shall continue for a period of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. Notwithstanding the foregoing, the term of this Development Agreement may be extended for an additional five (5) years following expiration of the initial term, provided the following have occurred:

(a) OWNER provides at least ninety (90) days written notice to CITY prior to the expiration of the initial term; and

(b) OWNER shall have obtained building permits for at least sixty-seven percent (67%) of the gross area of the industrial building(s) contemplated by the Project; and

(c) OWNER is not then in uncured default of this Agreement.

The initial term and, if and upon extension, the 5-year extension, shall sometimes be referred to herein collectively as the “Term.”

The term of this Agreement shall not be considered to run and shall toll for any period in which the Project is being challenged or litigated by a third-party.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410 et seq., to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following conditions precedent:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY, in writing, of such sale, transfer or assignment and shall provide CITY with an executed agreement, in a form substantially similar to that attached hereto as Exhibit "A" which has been deemed reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring owner shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the Property.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section.

2.4.4 Partial Release of Purchaser, Transferee or Assignee of Industrial or Commercial Lot. A purchaser, transferee or assignee of a lot, which has been finally subdivided as provided for in the Development Plan and for which a commercial or industrial plot plan for development of the lot has been finally approved pursuant to the Development Plan, may submit a request, in writing, to CITY to release said lot from the obligations under this Agreement relating to all other portions of the property. Within thirty (30) days of such request, CITY shall review, and if the above conditions are satisfied shall approve the request for release and notify the purchaser, transferee or assignee in writing thereof. No such release approved pursuant to this Subsection 2.4.4 shall cause,

or otherwise affect, a release of OWNER from its duties and obligations under this Agreement.

2.4.5 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy or temporary certificate of occupancy has been issued for a building on the lot, and the fees set forth under Section 4 of this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or canceled in whole or in part only by written consent of all parties in the manner provided for in Government Code Section 65868 and the Development Agreement Policies. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Any amendment of this Agreement which has been requested by OWNER shall only be processed and considered by the CITY upon the payment of the applicable processing charge.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

(e) Termination of this Agreement based on any default of OWNER and following the termination proceedings required by the Development Agreement Policies.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement. Upon such termination, any public facilities and services mitigation fees paid pursuant to Section 4.2 of this Agreement by OWNER to CITY buildings on which construction has not yet begun shall be refunded to OWNER by CITY.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below; or (iii) on the date of delivery shown in the records of the telegraph company after transmission by telegraph to the recipient named below. All notices shall be addressed as follows:

If to CITY:
City of Fontana
8353 Sierra Avenue
Fontana, CA 92335
Attn: City Manager
Telephone: (909) 350-7600

Copy to:
Best, Best & Krieger, LLP
2855 E Guasti Road
Ontario, CA 91761
Attn: City Attorney
Telephone: (909) 989-8584
Facsimile: (909) 944-1441

If to OWNER:
Acacia Real Estate Group, Inc.
Attn: David B. Pittman
260 Newport Center Drive, Suite 100
Newport Beach, CA 92660
Telephone: (714) 270-0777

Copy to:

Freeman, Freeman, Smiley
Attn: Jon S. Grizel
5 Park Plaza, Suite No. 650
Irvine, CA 92614
Telephone: (949) 252-2715

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise its discretion in accordance with the Development Plan, and as provided by this Agreement including, but not limited to, the Reservations of Authority. CITY shall accept for processing, review and action all applications for Subsequent Development Approvals, and such applications shall be processed in the normal manner for processing such matters.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo, (1984) 37 Cal.3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment, subject only to any

timing or phasing requirements set forth in the Development Plan or the Phasing Plan set forth in Section 3.4. Notwithstanding anything to the contrary set forth in this Section 3.3 or in this Agreement, City acknowledges that OWNER shall have no obligation to construct the Project and that OWNER shall not be subject to any penalty nor shall City be entitled to any legal or equitable remedy, including, without limitation, a claim for specific performance of this Agreement, if OWNER determines not to construct the Project for any reason.

3.4 Phasing Plan. Development of the Property shall be subject to all timing and phasing requirements established by the Development Plan.

3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and CITY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in CITY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

(a) Alter the permitted uses of the Property as a whole; or,

(b) Increase the density or intensity of use of the Property as a whole; or,

(c) Increase the maximum height and size of permitted buildings; or,

(d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,

(e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.6 Reservations of Authority.

3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the following Subsequent Land Use Regulations shall apply to the development of the Property.

(a) Processing fees and charges of every kind and nature imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued.

(b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records, hearings, reports, recommendations, appeals and any other matter of procedure.

(c) Regulations, policies, and rules governing construction standards and specifications including, without limitation, the CITY's Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and Grading Code.

(d) Regulations imposing Development Exactions; provided, however, that no such subsequently adopted Development Exaction shall be applicable to development of the Property unless such Development Exaction is applied uniformly to development, either throughout the CITY or within a defined area of benefit which includes the Property. No such subsequently adopted Development Exaction shall apply if its application to the Property would physically prevent development of the Property for the uses and to the density or intensity of development set forth in the Development Plan. In the event any such subsequently adopted Development Exaction fulfills the same purposes, in whole or in part, as the fees set forth in Section 4 of this Agreement, CITY shall allow a credit against such subsequently adopted Development Exaction for the fees paid under Section 4 of this Agreement to the extent such fees fulfill the same purposes.

(e) Regulations which may be in conflict with the Development Plan but which are reasonably necessary to protect the public health and safety. To the extent possible, any such regulations shall be applied and construed so as to provide OWNER with the rights and assurances provided under this Agreement.

(f) Regulations which are not in conflict with the Development Plan. Any regulation, whether adopted by initiative or otherwise, limiting the rate or timing of development of the Property shall be deemed to conflict with the Development Plan and shall therefore not be applicable to the development of the Property.

3.6.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations which do not conflict with the Development Plan, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.6.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole

cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.6.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.7 Public Works. If OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction.

3.8 Provision of Real Property Interests by CITY. In any instance where OWNER is required to construct any public improvement on land not owned by OWNER, OWNER shall at its sole cost and expense provide or cause to be provided, the real property interests necessary for the construction of such public improvements. In the event OWNER is unable, after exercising reasonable efforts, including, but not limited to, the rights under Sections 1001 and 1002 of the Civil Code, to acquire the real property interests necessary for the construction of such public improvements, and if so instructed by OWNER and upon OWNER'S provision of adequate security for costs CITY may reasonably incur, CITY shall negotiate the purchase of the necessary real property interests to allow OWNER to construct the public improvements as required by this Agreement and, if necessary, in accordance with the procedures established by law, use its power of eminent domain to acquire such required real property interests. OWNER shall pay all costs associated with such acquisition or condemnation proceedings. This section 3.8 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.9 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.10 Tentative Parcel Map Extension. Notwithstanding the provisions of Section 66452.6 of the Government Code, no tentative subdivision map or tentative parcel map,

heretofore or hereafter approved in connection with development of the Property, shall be granted an extension of time except in accordance with the Existing Land Use Regulations.

3.11 Vesting Tentative Maps. If any tentative or final subdivision map, or tentative or final parcel map, heretofore or hereafter approved in connection with development of the Property, is a vesting map under the Subdivision Map Act (Government Code Section 66410 et seq.) and if this Agreement is determined by a final judgment to be invalid or unenforceable insofar as it grants a vested right to develop to OWNER, then and to that extent the rights and protections afforded OWNER under the laws and ordinances applicable to vesting maps shall supersede the provisions of this Agreement. Except as set forth immediately above, development of the Property shall occur only as provided in this Agreement, and the provisions in this Agreement shall be controlling over any conflicting provision of law or ordinance concerning vesting maps.

3.12 Utilities. The Project shall be connected to all utilities necessary to provide adequate water, sewer, gas, electric, and other utility service to the Project. OWNER shall contract with the CITY for CITY-owned or operated utilities serving the Project for such prices and on such terms as may be mutually agreed to between the parties.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs which will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER which should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount and Components of Fee(s). Development Impact Fees (DIF) shall be paid by OWNER. The DIF amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained in this Agreement shall affect the ability of the CITY to impose new DIF or amend the amounts of existing DIF. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, DIF established or imposed by such other public agencies, even though such DIF may be collected by CITY.

4.2.2 Time of Payment. The fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permits. No fees shall be payable for building permits issued prior to the Effective Date of this Agreement, but the fees required pursuant to Subsection 4.2.1 shall be paid prior to the re-issuance or extension of any building permit for which such fees have not previously been paid.

4.2.3 Credits. OWNER shall be entitled to credit against the fees required pursuant to Subsection 4.2.1 for the dedication of land, the construction of improvements or the payment of fees.

4.3 Public Benefit Fee. Prior to the issuance of the Certificate of Occupancy for the building, as consideration for the privileges conferred by this Agreement, OWNER shall pay to the City a one-time public benefit fee totaling $2,298,608.25.

5. FINANCING OF PUBLIC IMPROVEMENTS.

If deemed appropriate, CITY and OWNER will cooperate in the formation of any special assessment district, community facilities district or alternate financing mechanism to pay for the construction and/or maintenance and operation of public infrastructure facilities required as part of the Development Plan. CITY also agrees that, to the extent any such district or other financing entity is formed and sells bonds in order to finance such reimbursements, OWNER may be reimbursed to the extent that OWNER spends funds or dedicates land for the establishment of public facilities. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic Review. The Planning Director shall review this Agreement annually, on or before the anniversary of the Effective Date, in order to ascertain the good faith compliance by OWNER with the terms of the Agreement. OWNER shall submit an Annual Monitoring Report, in a form acceptable to the Planning Director, within 30 days after written notice from the Planning Director. The Annual Monitoring Report shall be accompanied by an annual review and administration fee sufficient to defray the estimated costs of review and administration of the Agreement during the succeeding year. The amount of the annual review and administration fee shall be set annually or as deemed necessary by resolution of the City Council.

6.2 Special Review. The City Council may order a special review of compliance with this Agreement at any time. The Planning Director shall conduct such special reviews.

6.3 Procedure.

(a) During either a periodic review or a special review, OWNER shall be required to demonstrate good faith compliance with the terms of the Agreement. The burden of proof on this issue shall be on OWNER.

(b) Upon completion of a periodic review or a special review, the Planning Director shall submit a report to the City Council setting forth the evidence concerning good faith compliance by OWNER with the terms of this Agreement and his or her recommended finding on that issue.

(c) If the City Council finds on the basis of substantial evidence that OWNER has complied in good faith with the terms and conditions of this Agreement, the review shall be concluded.

(d) If the City Council makes a preliminary finding that OWNER has not complied in good faith with the terms and conditions of this Agreement, the Council may modify or terminate this Agreement as provided in Section 6.4 and Section 6.5. Notice of default as provided under Section 7.4 of this Agreement shall be given to OWNER prior to or concurrent with, proceedings under Section 6.4 and Section 6.5.

6.4 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.3, CITY determines to proceed with modification or termination of this Agreement, CITY shall give written notice to OWNER of its intention so to do. The notice shall be given at least ten calendar days prior to the scheduled hearing and shall contain:

(a) The time and place of the hearing;

(b) A statement as to whether or not CITY proposes to terminate or to modify the Agreement; and,

(c) Such other information as is reasonably necessary to inform OWNER of the nature of the proceeding.

6.5 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, OWNER shall be given an opportunity to be heard. OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on OWNER. If the City Council finds, based upon substantial evidence, that OWNER has not complied in good faith with the terms or conditions of the Agreement, the City Council may terminate this Agreement or modify this Agreement to impose such conditions as are reasonably necessary to obtain compliance with the terms of this Agreement. . The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.6 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder.

Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the

Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. DEFAULT AND REMEDIES.

7.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

7.2 Specific Performance. Except as set forth in Section 3.3, above, the parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against CITY as provided in Section 7.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

7.3 Release. Except for non-damage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California

Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

7.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.5 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

7.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8. THIRD PARTY LITIGATION.

8.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan existed as of the Effective Date of this Agreement ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination.

CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

8.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including reasonable attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall

promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

8.3 Indemnity. In addition to the provisions of 8.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including reasonable attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

8.4 Environmental Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including reasonable attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

8.5 Reservation of Rights. With respect to Sections 8.2, 8.3 and 8.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including reasonable attorneys' fees, upon billing and accounting therefor.

8.6 Survival. The provisions of this Sections 8.1 through 8.6, inclusive, shall survive the termination of this Agreement.

9. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and

modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY , the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

10. MISCELLANEOUS PROVISIONS.

10.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the period required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

10.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

10.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

10.4 Governing Law; Interpretation. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

10.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

10.6 Singular and Plural. As used herein, the singular of any word includes the plural.

10.7 Joint and Several Obligations. If at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

10.8 Time of Essence. Time is of the essence in the performance of .the provisions of this Agreement as to which time is an element.

10.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right

to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

10.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

10.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, epidemics, pandemics, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

10.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

10.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

10.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

10.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

10.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the

terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

10.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement.

10.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

10.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of the Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

10.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with

the issuance of estoppel certificates under this Section 10.20 prior to CITY's issuance of such certificates.

10.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Development Agreement on the last day and year set forth below.

OWNER

ACACIA REAL ESTATE GROUP, INC.,
a California corporation

By: _____
David Pittman
Its: President
Dated:_____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____ _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ **(Seal)**

CITY:

CITY OF FONTANA, a California municipal corporation

By:_____
Acquanetta Warren, Mayor

Dated: _____

By: _____
Matthew C. Ballantyne, City Manager

ATTEST:

By:_____
Germaine McClellan Key, City Clerk

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP

_____
City Attorney

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of _____)

On _____ before me, _____ _____
(insert name and title of the officer)

personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ **(Seal)**

5703203.2
27967-940

NOTICE OF DETERMINATION

TO: _X_ County Clerk, County of San Bernardino

___ Office of Planning and Research

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

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

Project Title: Master Case (MCN) No. 20-099: General Plan Amendment No. 22-004, Zone Change No. 22-005, Specific Plan Amendment No. 22-002, Development Agreement No. 23-005, Tentative Parcel Map No. 20709 (TPM No. 22-009) (Building No. 1), Tentative Parcel Map No. 20708 (TPM No. 22-030) (Building No. 2), and Tentative Parcel Map No. 20707 (TPM No. 22-031) (Building No. 3), Design Review No. 22-029 (Building No. 1), Design Review No. 22-061 (Building No. 2), and Design Review No. 22-062 (Building No. 3).

State Clearinghouse Number: 2022110389

Name of Person or Agency carrying out project: Doug Hinrichs, Acacia Real Estate Development c/o HPA Inc., 18831 Bardeen Ave., Suite No. 100, Irvine, CA 92612.

Project Location: The Project Site is located north of Santa Ana Avenue and between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection. The approximately 29.8-acre Project Site includes 18 parcels, including Assessor Parcel Numbers (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

Project Description: Master Case No. 22-053: General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002 and Development Agreement (DA) No. 23-005, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 22-009 (Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 22-030 (Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 22-031 (Building No. 3) - a request for the development of three (3) industrial commerce buildings totaling approximately 540,849 square feet within three project sites totaling 24.4 acres and associated on-site and off-site improvements. No development is currently proposed on APN 0255-011-15 (5 acre site).

This is to certify that the City of Fontana approved the above described project on June 20, 2023 and made the following determinations:

1. The project __X__ will ___ will not have a significant effect on the environment.
2. An Environmental Impact Report (EIR) was prepared and fully analyzed the effects of the project. The EIR thoroughly analyzed and discussed all potential environmental impacts.
3. Mitigation measures X were ____ were not made a condition of the approval of the project.
4. A Statement of Overriding Considerations X_ was __ was not adopted for this project.
5. Findings X 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 Addenda are specified as follows:

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

DiTanyon Johnson
Principal Planner

Date Received for Filing

FONTANA
CALIFORNIA

NOTICE OF PUBLIC HEARING

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

In compliance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof, the Agenda will be made available in appropriate alternative formats to persons with a disability. Should you need special assistance to participate in this meeting, please contact the City Clerk's Department by calling (909) 350-7602. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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

Master Case (MCN) No. 22-053, General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002, Development Agreement (AGR) No. 23-005, Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 20709 (TPM No. 22-009, Building No. 1), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 20708 (TPM No. 22-030, Building No. 2), Design Review No. 22-062 (Building No. 3), Tentative Parcel Map (TPM) No. 20707 (TPM No. 22-031, Building No. 3): a request for the development of approximately 24.4 acres of a 29.4-acre property (APNs 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24) with three industrial commerce center buildings having maximum sizes of 151,618 square feet (s.f., Building No. 1), 196,336 s.f. (Building No. 2), and 192,895 s.f. (Building No. 3) with a total of 504,849 s.f. and improvements to the sites which include screen walls, vehicular parking areas, drive aisles, and landscaping. The project will consolidation various parcels into 1 parcel for the development of Building Nos. 1 through 3; revision of the site's General Plan land use designation from Residential Planned Community (R-PC) and Multi-Family Medium/High Density Residential (R-MFMH) to General Industrial (I-G); revision of the zoning designation from Residential Planned Community (R-PC) and Multi-Family Medium/High Density Residential (R-4) to Southwest Industrial Park (SWIP) Specific Plan, Slover East Industrial District; and revision of the SWIP Specific Plan to expand the SWIP boundaries to include the Project Site. The applicant has also prepared a development agreement.

Environmental Determination: This project has been determined to have a significant effect on the environment and a Draft Environmental Impact Report (EIR) (SCH No. 2022110389) has been prepared pursuant to Sections 15080 to 15097 and Section 15163 of the California Environmental Quality Act (CEQA).

Location of Property: The Project Site is located north of Santa Ana Avenue, between Citrus Avenue and Oleander Avenue, and at the northeast corner of the Santa Ana Avenue and Oleander Avenue intersection. The approximately 29.8-acre Project Site includes 18 parcels, including Assessor Parcel Numbers (APNs) 0255-011-13, -14, -15, -18, -19, -25, -26, -27, -28, -29, -30, -31, and -32, and 0255-021-17, -18, -22, -23, and -24.

FONTANA
CALIFORNIA

Date of Hearing: June 20, 2023

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

Time of Hearing: 6:00 P.M.

The City of Fontana (City) has prepared a Final Environmental Impact Report (FEIR) for the proposed project. The FEIR is available for review at City Hall (8353 Sierra Avenue Fontana, CA 92335) and online at Environmental Documents | Fontana, CA - Official Website (fontanaca.gov). Should you have any questions concerning this project, please contact Salvador Quintanilla, Senior Planner, at (909) 350-6656. E-mail: squintanilla@fontanaca.gov

ANY INTERESTED PARTY MAY PROVIDE INFORMATION BY LETTER OR EMAIL WHICH MAY BE OF ASSISTANCE TO THE PLANNING COMMISSION. A COPY OF THE APPLICATION AND ENVIRONMENTAL DOCUMENTATION IS AVAILABLE FOR INSPECTION. PLEASE CONTACT THE PLANNER LISTED ABOVE.

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.

Publish: June 9, 2023

PUBLIC COMMENTS FOR MCN NO. 22-053 FROM PLANNING COMMISION MEETING JUNE 20, 2023

PH-A

Maria Torres

From: Marven Norman <marven.n@ccaej.org>
Sent: Tuesday, June 20, 2023 2:25 PM
To: Planning
Cc: Ana Gonzalez; Elizabeth Sena
Subject: June 20 Meeting Public Hearing-A Letter from CCAEJ
Attachments: fontana_pc_ph-a_20jun23.pdf

CAUTION - EXTERNAL SENDER - THIS EMAIL ORIGINATED OUTSIDE OF THE CITY'S EMAIL SYSTEM
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Hello Planning Commission,

Please find attached a letter from CCAEJ regarding Public Hearing-A on the agenda for this evening's meeting. A confirmation of receipt would be appreciated.

Cheers,
Marven E. Norman (he/him/his), Policy Coordinator
Center for Community Action and Environmental Justice
Centro de Acción Comunitaria y Justicia Ambiental
| C: (951) 543-1743 | E: marven.n@ccaej.org | W: https://www.ccaej.org

CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
"Bringing People Together to Improve Our Social and Natural Environment"

June 20, 2023

City of Fontana
Attn: Fontana Planning Commission
8535 Sierra Avenue
Fontana, CA

Re: Planning Commission Public Hearing A

Dear Fontana Planning Commission,

On behalf of the Center for Community Action and Environmental Justice and Fontana community members, we are writing in opposition to Item Public Hearing A on the agenda this evening, Master Case No. 22-053: General Plan Amendment (GPA) No. 22-004, Zone Change Application (ZCA) No. 22-005, Specific Plan Amendment (SPA) No. 22-002 and Development Agreement (DA) No. 23-005, Tentative Parcel Map (TPM) No. 22-009 (Building No. 1), Design Review (DRP) No. 22-029 (Building No. 1), Tentative Parcel Map (TPM) No. 22-030 (Building No. 2), Design Review No. 22-061 (Building No. 2), Tentative Parcel Map (TPM) No. 22-031 (Building No. 3), Design Review No. 22-062 (Building No. 3), and Final Environmental Impact Report for the development of three (3) industrial commerce buildings totaling approximately 540,849 square feet within a project area totaling 29.4 acres. We are calling on the Planning Commission to stand up for the community and especially the children who attend the adjacent schools and **reject** the certification of the EIR and this Project.

The most pressing concern of this Project is its proximity to the Jurupa Hills High School which is located directly adjacent on the north side. With a combined area of more than 540,000 square feet, the three structures will result in hundreds of truck trips per day passing directly by the schools, pumping substantial amounts of pollution into the lungs of the students and overall community. Although it is true that they are large enough to be subject to the South Coast Air Quality Management District's Rule 2305, the target date for zero-emissions compliance remains many years in the future, leaving the community subject to diesel pollution in the interim.

Another concern is the rezoning of the land from its current designation of residential. In 2019, the Legislature passed Senate Bill 330 which among other things, requires that in specified areas, the rezoning of land from residential must be accompanied by an "upzone site" where higher density is designated to account for the loss of housing capacity in the formerly residentially zoned area. Based on the Project information, the City is aware of the existence of this requirement. However, instead of fulfilling the obligation to designate an actual upzone site, the City continues to rely on a problematic Unit Bank which does not meet the requirements of the law but instead allows the City to shirk the responsibility of identifying where to transfer housing capacity to ensure no net loss of housing in the city.

Finally, we are concerned about the site design itself. Based on the Project Plans which are included in the agenda document, it appears that the primary truck access for all three of the separate buildings will be on Citrus and Oleander Avenues instead of Santa Ana, further rubbing

Mailing Address
P.O. Box 33124
Jurupa Valley CA 92519

Physical Address
3840 Sunnyhill Drive, Suite A
Jurupa Valley CA 92509

Tel: **951-360-8451**
Fax: 951-360-5950
www.ccaej.org

salt into the wound of the overall Project by concentrating the truck traffic in a manner which is in direct conflict with the school site. This presents a threat of not only air quality, but traffic safety as well by introducing dozens of trucks onto those two routes and if the driveways allow all movements, exacerbating safety issues which already exist in the area.

In conclusion, this Project is not right for this location. The continued placement of warehouses directly adjacent to schools in the city is an abomination and the loss of the housing capacity is unacceptable. The Fontana community deserves better and it is the duty of the Planning Commission to ensure that better is provided. We urge you to decline to certify the EIR and deny approval of this Project.

If there are any questions or concerns, please do not hesitate to reach out for clarification.

Sincerely,

Marven Norman
Policy Specialist

CC: Inland Equity Partnership

CCAEJ is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, CCAEJ's founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the 'Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. ***CCAEJ*** prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.