ORDINANCE NO. 1761

AN ORDINANCE OF THE CITY OF FONTANA, ADOPTING THE PALLET YARD EIR ADDENDUM TO THE CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT (SCH NO. 2009091086) CERTIFIED FOR THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN (SWIP) AND ANNEXATION PROJECT APPROVING SPECIFIC PLAN AMENDMENT NO. 16-001 TO REGULATE AND INCLUDE DEVELOPMENT STANDARDS FOR PALLET YARDS AND REQUIRE ASPHALT/CONCRETE PAVING THROUGHOUT SWIP.

THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Southwest Industrial Park ("SWIP") Specific Plan Update and Annexation Area Project Specific Plan Update and Annexation Area includes approximately 3,111-acres, located within the southwestern portion of the City of Fontana ("City") and County of San Bernardino, California; and

Section 2. Pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City determined that a Program Environmental Impact Report ("PEIR") should be prepared pursuant to CEQA in order to analyze all potential adverse environmental impacts of the SWIP Specific Plan Update and Annexation Area; and

Section 3. The City prepared and certified the Final Program EIR ("PEIR") for the SWIP Specific Plan Update and Annexation Area, consisting of comments received during the 45-day public review and comment period on the Draft PEIR, written responses to those comments, and revisions and errata to the Draft PEIR. For the purposes of this Resolution, the "PEIR" shall refer to the Draft PEIR, as revised by the Final PEIR's errata section, together with the other sections of the Final PEIR; and

Section 4. The SWIP Specific Plan Update and Annexation Area Project was approved and adopted by the City on June 12, 2012 pursuant to the certified PEIR; and

Section 5. Specific Plan Amendment No. 16-001 is a request for approval of a Specific Plan Amendment to regulate, develop standards, and conditionally permit pallet yards in certain SWIP zoning Districts: Jurupa North Research and Development District [JND], Slover Central Manufacturing District [SCD], and Slover West Industrial District [SWD]); and this Specific Plan Amendment also includes the replacement of all references to slag and/or gravel with asphalt and/or concrete in the entire SWIP area; and

Section 6. the proposed project is consistent with the Fontana General Plan Land Use Element, the SWIP Specific Plan Update and the SWIP land use designations; and

Section 7. Pursuant to CEQA, when taking subsequent discretionary actions in amending the Specific Plan of a project for which an EIR has been certified, the lead agency is required to review any changed circumstances to determine whether any of the circumstances under Public Resources Code section 21166 and State CEQA Guidelines section 15162 require additional environmental review; and

Section 8. By way preparation of an addendum, staff evaluated the proposed project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166 and State CEQA Guidelines section 15162 by preparing an Environmental Analysis ("Addendum"); and

Section 9. Pursuant to State CEQA Guidelines section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be attached to the PEIR; and

Section 10. On January 17, 2017, a duly noticed public hearing was conducted by the Planning Commission; and

Section 11. On February 7, 2017, a duly noticed public hearing on the Addendum and the proposed project was held by the Planning Commission ("Commission") to consider the Addendum together with the PEIR, and to accept oral and written testimony from interested persons; and, received testimony and information from any and all parties, and recommended its approval to the City Council by resolution; and

Section 12. The Commission carefully considered all information pertaining to the proposed project, including the staff report, the Addendum together with the PEIR, and all of the information, evidence, and testimony presented at its public hearing on February 7, 2017; and

Section 13. Specific Plan Amendment No. 16-001 is in compliance with the General Plan; and,

Section 14. State CEQA Guidelines section 15164 requires lead agencies to prepare an addendum to a previously certified EIR if some changes or additions to the project are necessary, but none of the conditions requiring preparation of a subsequent EIR are present. The City Council has reviewed and considered the EIR and Addendum and finds that those documents taken together contain a complete and accurate reporting of all of the environmental impacts associated with the proposed project; and

Section 15. The City Council further finds that the Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City's Local Guidelines and that the EIR and Addendum, taken together, reflect the City's independent judgment; and

Section 16. Based on the substantial evidence set forth in the record, including but not limited to the EIR and the Addendum, the City Council finds that, based on the whole record before it, none of the conditions under State CEQA Guidelines section 15162 requiring subsequent environmental review have occurred because the proposed

project:

a) will not result in substantial changes that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

b) will not result in substantial changes with respect to the circumstances under which the proposed project is developed that would require major revisions of the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

c) does not present new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR documents were certified or adopted, as applicable, showing any of the following: (i) that the modifications would have one or more significant effects not discussed in the earlier environmental documentation; (ii) that significant effects previously examined would be substantially more severe than shown in the earlier environmental documentation; (iii) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the applicant declined to adopt such measures; or (iv) that mitigation measures or alternatives considerably different from those analyzed previously would substantially reduce one or more significant effects on the environment, but which the applicant declined to adopt.

Further, based on the substantial evidence set forth in the record, including but not limited to the PEIR and the Addendum, the City Council finds that the applicable mitigation measures identified in the PEIR have been incorporated into a specific mitigation monitoring program for the proposed project and would ensure that any potential environmental impacts would be reduced to less than significant levels. Those impacts which were identified in the PEIR as significant and unavoidable remain significant and unavoidable. However, the proposed project would not add to or further exacerbate those previously identified significant impacts. Here, as detailed in the Addendum, substantial evidence supports clarifying the measures to ensure that they are fully effective in reducing potential impacts as recommended in the PEIR. No new mitigation measures are required to mitigate environmental impacts associated with the proposed project. Therefore, the Addendum supports the City's consideration of the proposed project, as outlined in the State CEQA Guidelines Section 15162 and 15164; and

Section 17. The City Council further finds that those impacts identified in the PEIR are significant and unavoidable remain significant and unavoidable under the proposed project but that the proposed project does not increase those previously identified impacts

in their severity; and

Section 18. The City Council further finds the CEQA Findings and Statements of Overriding Considerations adopted in support of the Specific Plan are attached as Exhibit "A", and by this reference incorporated herein, remain valid and appropriate for purposes of the proposed project; and

Section 19. The City Council hereby adopts the Addendum to the EIR; and

Section 20. Specific Plan Amendment No. 16-001 and adopt the proposed pallet yard standards attached as Exhibit "B" to replace pages 7-5 to 7-34, 9-5 to 9-34, 11-5 to 11-36, the definition section in SWIP, and repeal all references in the entire SWIP that refers to "compacted slag, gravel, or other similar material" and replace with "asphalt and/or concrete". All language proposed to be deleted shall be depicted as strikethrough and language proposed to be added as bold and underlined is hereby approved; and

Section 21. Based on the information presented to the City Council at the public hearing held for Specific Plan Amendment No. 16-001, on February 28, 2017, the testimony received, and the supporting documents in evidence, the City Council found that the proposed amendment is in conformance with the goals and policies of the General Plan to promote economic development by establishing a quick, consistent development process and to promote economic development by being business friendly at all levels of operation; and

Section 22. 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 Department of Community Development – Planning Division, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6; and

Section 23. Resolution Regarding Staff Direction: A Notice of Determination shall be filed with the County of San Bernardino and the State Clearinghouse within 5 (five) working days of final Project approval by the City Council.

Section 24. This Ordinance shall take effect thirty (30) days after the date of the adoption and prior to the expiration of fifteen (15) days from the passage thereof, shall be published by the City Clerk at least once in the Fontana Herald, a local newspaper of the general circulation, published and circulation in the City of Fontana, and henceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 14th day of March, 2017.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:
Jeff Ballinger
9656A1483C8E407...

City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Ordinance is the actual Ordinance adopted by the City Council and was introduced at a regular meeting on the 28th day of February, 2017, and was finally passed and adopted not less than five days thereafter on the 14th day of March, 2017, by the following vote to wit:

AYES: Mayor Warren, Mayor Pro Tem Sandoval, Council Members Roberts, Tahan and Armendarez
NOES:
ABSENT:
ABSTAIN:

DocuSigned by:
EBCDCFDA17754F5...
City Clerk of the City of Fontana

DocuSigned by:
9B476DAD890D46B...
Mayor of the City of Fontana

ATTEST:

DocuSigned by:
EBCDCFDA17754F5...
City Clerk

RESOLUTION NO. 2012-035

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CERTIFYING THE PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN UPDATE AND ANNEXATION PROJECT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Southwest Industrial Park ("SWIP") Specific Plan Update and Annexation Project (the "Project" or "Proposed Project") has been proposed by the City of Fontana (the "City"); and

WHEREAS, the SWIP Specific Plan Update and Annexation area, which includes approximately 3,111-acres, is located within the southwestern portion of the City of Fontana and County of San Bernardino, California; and

WHEREAS, the Proposed Project site is located along Interstate 10 (I-10), east of Interstate 15 (I-15), and north of State Route 60 (SR-60); and

WHEREAS, the Project would add a total of 1,311 acres to the existing Specific Plan area, including the annexation of 472 acres into the City; and

WHEREAS, the Proposed Project site has been divided into a total of nine districts, based on proposed land uses: the Speedway Industrial District, the Freeway Industrial Commercial District, the Slover West Industrial District, the Slover Central Manufacturing/Industrial District, the Slover East Industrial District, the Jurupa North Research and Development District, the Jurupa South Industrial District, the Residential Trucking District, and the Public Facilities (Kaiser High School) District; and

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

WHEREAS, the City issued a Notice of Preparation ("NOP") on a Draft PEIR on or about September 22, 2009 and circulated the NOP until October 29, 2009; and

WHEREAS, the City solicited comments from potential responsible and trustee agencies and members of the public; and

WHEREAS, the City held two scoping meetings in the afternoon and evening on

October 5, 2009 to gather public comments on the Proposed Project and its potential impacts on the physical environment; and

WHEREAS, the City received eight (8) written comments in response to the NOP, which assisted the City in narrowing the issues and alternatives for analysis in the Draft PEIR; and

WHEREAS, on or about October 24, 2011, the City initiated a 45-day public review period by filing a Notice of Completion and Availability with the State Office of Planning and Research and releasing the Draft PEIR for public review and comment; and

WHEREAS, pursuant to CEQA Guidelines section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others during the 45-day comment period; and

WHEREAS, the City received twelve (12) written comments during the public review period for the Draft PEIR; and

WHEREAS, the City has prepared a Final PEIR, consisting of comments received during the 45-day public review and comment period on the Draft PEIR, written responses to those comments, and revisions and errata to the Draft PEIR. For the purposes of this Resolution, the "PEIR" shall refer to the Draft PEIR, as revised by the Final PEIR's errata section, together with the other sections of the Final PEIR; and

WHEREAS, as contained herein, the City has endeavored in good faith to set forth the basis for its decision on the Proposed Project; and

WHEREAS, all the requirements of CEQA and the State CEQA Guidelines have been satisfied by the City in the PEIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Proposed Project have been adequately evaluated; and

WHEREAS, the PEIR prepared in connection with the Proposed Project sufficiently analyzes both the feasible Mitigation Measures necessary to avoid or substantially lessen the Proposed Project's potential environmental impacts and a range of feasible alternatives capable of eliminating or reducing these effects in accordance with CEQA and the State CEQA Guidelines; and

WHEREAS, all of the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and

WHEREAS, the environmental impacts identified in the PEIR that the City finds are less than significant and do not require mitigation are described in Section 2 hereof; and

WHEREAS, the environmental impacts identified in the PEIR as potentially

significant but which the City finds can be mitigated to a level of less than significant, through the imposition of feasible Mitigation Measures identified in the PEIR and set forth herein, are described in Section 3 hereof; and

WHEREAS, the environmental impacts identified in the PEIR as potentially significant but which the City finds cannot be mitigated to a level of less than significant, despite the imposition of feasible Mitigation Measures identified in the PEIR and set forth herein, are described in Section 4 hereof; and

WHEREAS, the cumulative impacts of the Project identified in the PEIR and set forth herein, are described in Section 5 hereof; and

WHEREAS, the significant and irreversible environmental changes that would result from the Proposed Project, but which would be largely mitigated, and which are identified in the PEIR and set forth herein, are described in Section 6 hereof; and

WHEREAS, the existence of any growth-inducing impacts resulting from the Proposed Project identified in the PEIR and set forth herein, are described in Section 7 hereof; and

WHEREAS, alternatives to the Proposed Project that might eliminate or reduce significant environmental impacts are described in Section 8 hereof; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the PEIR, and all oral and written evidence presented to it during all the meetings and hearings, all of which is incorporated herein by this reference; and

WHEREAS, the PEIR reflects the independent judgment of the City Council and is deemed adequate for the purpose of making decisions on the merits of this Proposed Project; and

WHEREAS, no comments made in the public hearings conducted by the City or any additional information submitted to the City have produced substantial new information requiring recirculation or additional environmental review under State CEQA Guidelines section 15088.5; and

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

THE CITY COUNCIL OF THE CITY OF FONTANA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: FINDINGS

At a session assembled on May 8, 2012, the City Council determined that, based on all of the evidence presented, including but not limited to the PEIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the

public, organizations and regulatory agencies, the following environmental impacts associated with the Project are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

SECTION 2: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The City Council hereby finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

A. AESTHETICS, LIGHT, AND GLARE

1. Scenic Resources

Impact: Future development associated with the Proposed Project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. (DPEIR p. 4.1-16.)

Supporting Explanation: The project site exhibits little topographic relief, possesses no geologic formations that could be characterized as scenic resources, and the project site has been previously disturbed within an urbanized area. (DPEIR p. 4.1-17.) In addition, there are no records of any significant historical structures existing on-site. (*Ibid.*) Also, no designated State or County scenic highways exist in the vicinity of the project site. (*Ibid.*) It is anticipated that future development associated with the Proposed Project would result in an improvement in the visual character of the area. (*Ibid.*)

The only resources on-site potentially exhibiting scenic value are the extant windrows that divide interior properties and add visual interest throughout the southern portion of the project site. (*Ibid.*) To minimize impacts in regards to mature trees, the Project would comply with Article III - Preservation of Heritage, Significant and Specimen Trees of the City of Fontana Municipal Code. (*Ibid.*) Adherence would provide some protection for existing windrows and other heritage and specimen trees located within the project site; however, the Code's provisions allow removal of trees located within the ultimate right-of-way of public streets as shown within the Circulation Element of the City's General Plan. (*Ibid.*) Section 28-67(a)(1) requires replacement of eucalyptus tree windrows at a ratio of up to 4:1, depending upon the health of the tree. (*Ibid.*) Thus, impacts in this regard would be less than significant. (*Ibid.*)

2. Visual Character – Long Term

Impact: Future development associated with the Proposed Project would not permanently degrade the visual character of the site and/or its immediate surroundings. (DPEIR p. 4.1-18.)

Supporting Explanation: The project area is highly industrialized in nature, primarily supporting heavy industrial and trucking/distribution-related uses. (*Ibid.*) Generally, the project area is void of valuable scenic resources. (*Ibid.*) Implementation of the Proposed Project is anticipated to result in a substantial long-term change in the visual character of the project area; however, that change would not be characterized as "degrading." (*Ibid.*) Rather, future development is expected to introduce new structures that are attractive in design, well-landscaped and well-maintained. (*Ibid.*) In addition, implementation of the Project would result in major road and infrastructure improvements, including appropriate streetscape and landscaping amenities. (*Ibid.*)

To minimize impacts related to visual character, the Proposed Project includes an extensive range of land use and development regulations that set specific requirements for development intensity, lot dimensions, setbacks, structure heights, and accessory buildings. (DPEIR pp. 4.1-18 – 19.) Streetscape requirements would implement street trees, shrubs, groundcover, and gateway improvements. (DPEIR p. 4.1-19.) Thus, impacts in regards to long-term visual character are anticipated to be less than significant. (*Ibid.*)

3. Light and Glare

Impact: Future development associated with the Proposed Project would not create a new source of light/glare that would adversely affect nighttime views in the area. (DPEIR p. 4.1-19.)

Supporting Explanation: Future development associated with the Proposed Project would allow for construction and operation of a mix of commercial, industrial, and office land uses within the project site. (*Ibid.*) Such development would have the potential to create new sources of outdoor light and glare in the form of streetlights, exterior lighting, and lighting for the purposes of safety, as well as glare effects caused by reflective surfaces. (*Ibid.*) These new sources of light and glare would be most visible from development along adjacent roadways, and to receptors such as residents and traveling motorists. (*Ibid.*)

Per the land use and development regulations provided in the Specific Plan Update, all future development would be required to comply with the lighting requirements of the City's Municipal Code (Chapter 30), to reduce the potential for light and/or glare effects to occur. (*Ibid.*) In addition, outdoor lighting will not exceed 20 feet in height unless it has a light cutoff of 90 degrees or less, in which case a maximum height of 30 feet may be allowed. (*Ibid.*)

Consistent with the Municipal Code and Specific Plan Update development regulations, and as applicable, all exterior lighting shall be adequately controlled and

shielded to prevent glare and undesirable illumination to adjacent properties or streets. (*Ibid.*) Adequate lighting levels shall be provided to ensure a safe environment, while not creating areas of intense light or glare. (DPEIR pp. 4.1-19 – 20.) Light fixtures and poles shall also be designed and placed in a manner consistent and compatible with overall site and building design, and high-intensity security lighting fixtures shall not substituted for site or landscape lighting or general building exterior illumination, but shall limited to loading and storage locations or other similar service areas. (DPEIR p. 4.1-20.) In addition, all lighting provided to illuminate parking areas or buildings shall be positioned so as to direct light away from adjoining properties. (*Ibid.*)

These regulations are considered to be either design measures or existing regulations rather than mitigation measures pursuant to CEQA standards. (*Ibid.*) Incorporation of such features into future development within the project site would ensure proper design, installation, and operation of exterior lighting, thereby reducing the potential for glare effects or light spillover onto adjacent properties. (*Ibid.*) As such, consistency with the Municipal Code and lighting requirements of the Specific Plan Update would ensure that potential impacts associated with light and glare would be less than significant. (*Ibid.*)

B. AIR QUALITY

1. Carbon Monoxide Hotspots

Impact: The Proposed Project would not result in a significant increase in localized CO emissions along congested roadways and intersections. (DPEIR p. 4.2-33.)

Supporting Explanation: Carbon monoxide emissions are a function of vehicle idling time, meteorological conditions and traffic flow. (DPEIR p. 4.2-33.) Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (i.e., adversely affect residents, school children, hospital patients, the elderly, etc.). (*Ibid.*) The SCAQMD requires a quantified assessment of CO hotspots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (two percent) for any intersection with an existing level of service LOS D or worse. (*Ibid.*) Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections. (*Ibid.*) Table 4.2-5, Project Buildout Carbon Monoxide Concentrations, provides the list of intersections within the project area that required a CO hotspot analysis. (DPEIR pp. 4.2-33 – 34.)

Table 4.2-5
Project Buildout Carbon Monoxide Concentrations

Intersection	1-Hour CO (ppm)[1]		8-Hour CO (ppm)[1]	
	1-Hour Standard	Future + Project	8-Hour Standard	Future + Project
Etiwanda Avenue and Jurupa Street	20 ppm	2.5	9 ppm	1.75
Mulberry Avenue and Slover Avenue	20 ppm	2.8	9 ppm	1.96
Mulberry Avenue and Jurupa Street	20 ppm	2.5	9 ppm	1.75
Mulberry Avenue and SR-60 Westbound Ramps	20 ppm	2.6	9 ppm	1.82
Mulberry Avenue and SR-60 Eastbound Ramps	20 ppm	2.5	9 ppm	1.75
Cherry Avenue and Valley Boulevard	20 ppm	2.6	9 ppm	1.82
Cherry Avenue and I-10 Eastbound Ramps	20 ppm	3.6	9 ppm	2.52
Cherry Avenue and Slover Avenue	20 ppm	2.7	9 ppm	1.89
Cherry Avenue and Jurupa Street	20 ppm	2.5	9 ppm	1.75
Hemlock Avenue-Fontana Avenue and Valley Boulevard	20 ppm	2.2	9 ppm	1.54
Beech Avenue and Slover Avenue	20 ppm	2.3	9 ppm	1.61
Citrus Avenue and Valley Boulevard	20 ppm	2.5	9 ppm	1.75

Table 4.2-5 (continued)
Project Buildout Carbon Monoxide Concentrations

Intersection	1-Hour CO (ppm)[1]		8-Hour CO (ppm)[1]	
	1-Hour Standard	Future + Project	8-Hour Standard	Future + Project
Citrus Avenue and I-10 Eastbound Ramps	20 ppm	3.0	9 ppm	2.1
Citrus Avenue and Slover Avenue	20 ppm	2.5	9 ppm	1.75
Citrus Avenue and Santa Ana Avenue	20 ppm	2.3	9 ppm	1.61
Sierra Avenue and Slover Avenue	20 ppm	2.4	9 ppm	1.68
Sierra Avenue and Jurupa Street	20 ppm	2.4	9 ppm	1.68

Notes:
1. As measured at a distance of 10 feet from the corner of the intersection predicting the highest value. Presented 1 hour CO concentrations include a background concentration of 2.1 ppm. Eight-hour concentrations are based on a persistence of 0.7 of the 1-hour concentration.

The projected traffic volumes were modeled using the BREEZE ROADS dispersion model. (DPEIR p. 4.2-34.) The resultant values were then added to an ambient concentration. A receptor height of 1.8 meters was used in accordance with the EPA's recommendations. (*Ibid.*) The calculations assume a meteorological condition of almost no wind (0.5 m/s), a flat topological condition between the source and the receptor and a mixing height of 1,000 meters. (*Ibid.*) A standard deviation of five degrees was used for the deviation of wind direction. (*Ibid.*) The suburban land

classification was used for the aerodynamic roughness coefficient. (*Ibid.*) This follows the BREEZE ROADS user's manual definition of suburban as, "regular coverage with large obstacles, open spaces roughly equal to obstacle heights, villages, mature forests." (*Ibid.*)

For the purposes of this analysis, the ambient concentration used in the modeling was the highest one-hour measurement from 2009 (the latest year data was available) of SCAQMD monitoring data at the Riverside-Rubidoux Monitoring Station (the Fontana Monitoring Station does not have available hourly CO concentrations). (*Ibid.*) Actual future ambient CO levels may be lower due to emissions control strategies that would be implemented between now and the Project buildout date. (*Ibid.*)

The intersections in the study area currently operate at an LOS ranging from LOS A to LOS F for PM peak hour activities. (*Ibid.*) At project buildout, 16 of these intersections would operate at LOS D or worse in an unmitigated condition, with 14 of these requiring CO hotspot analyses. (*Ibid.*) As indicated in Table 4.2-5, CO concentrations would be well below the state and Federal standards. (*Ibid.*) The modeling results are compared to the CAAQS for CO of 9 ppm on an eight-hour average and 20 ppm on a one-hour average. (*Ibid.*) Neither the one-hour average nor the eight-hour average would be equaled or exceeded. Impacts in regards to CO hotspots would be less than significant. (*Ibid.*)

C. BIOLOGICAL RESOURCES

1. Local Ordinances

Impact: Future development in the Proposed Project area would not conflict with local policies or ordinances protecting biological resources. (DPEIR p. 4.3-14.)

Supporting Explanation: Future development within the project area could involve the removal of heritage, significant, or specimen trees. (DPEIR p. 4.3-15.) Chapter 28 Article III of the City's Municipal Code establishes regulations for the protection and preservation of heritage trees, significant trees, and specimen trees on public and private property. (*Ibid.*) Project development involving tree removal would be subject to the provisions of Chapter 28 Article III of the Municipal Code. (*Ibid.*) In particular, Code Section 28-64, Permit Required for Removal of Heritage, Significant and Specimen Trees, specifies no person shall remove or cause the removal of any heritage, significant, or specimen tree unless a Tree Removal Permit is first obtained. (*Ibid.*) Impacts in this regard are considered less than significant following compliance with the provisions of the Municipal Code. (*Ibid.*)

D. CULTURAL RESOURCES

1. Human Remains

Impact: Future development occurring within the Proposed Project area would not result in significant impacts related to the disturbance of human remains, including those interned outside of formal cemeteries. (DPEIR p. 4.4-18.)

Supporting Explanation: No conditions exist that suggest human remains are likely to be found within the boundaries of the project site. (*Ibid.*) Due to the level of past disturbance in the project area, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. (*Ibid.*) Notwithstanding, ground-disturbing activities in the project site, such as grading or excavation, have the potential to disturb as yet unidentified human remains. (DPEIR pp. 4.4-18 – 19.) If human remains are found, those remains would require proper treatment, in accordance with applicable laws. (DPEIR p. 4.4-19.) The California Health and Safety Code Section 7050.5-7055 describes the general provisions for human remains. (*Ibid.*) Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. (*Ibid.*) As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the "most likely descendant." (*Ibid.*) If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overly adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. (*Ibid.*) Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be less than significant. (*Ibid.*)

E. LAND USE AND PLANNING

1. Physically Divide an Established Community

Impact: Future development associated with the Proposed Project would not physically divide an established community. (DPEIR p. 4.6-14.)

Supporting Explanation: The Proposed Project is not expected to divide an established community. (*Ibid.*) The Project proposes to implement a range of industrial, commercial, public, and residential uses, similar to what exists within the site boundaries today. (*Ibid.*) The Project includes a "Residential Trucking" land use district, which is intended to allow for the continued operation of existing home-based trucking/heavy equipment units in several focused areas on-site. (*Ibid.*) Existing development within the project area is already divided by the existing local roadway network, and the Project is not anticipated to create additional physical barriers between these uses. (*Ibid.*) Thus, impacts in this regard are not anticipated to be significant. (*Ibid.*)

2. City of Fontana General Plan, Zoning and Development Code

Impact: The Proposed Project would not directly conflict with the policy or regulations of the City's General Plan or Zoning and Development Code adopted for the purpose of avoiding or mitigating an environmental effect. (DPEIR p. 4.6-15.)

Supporting Explanation:

City of Fontana General Plan

There are a total of six different existing General Plan land use designations throughout the 3,111-acre project site. (DPEIR p. 4.6-15.) Although the vast majority of the project area is designated either General Industrial (I-G) or Light Industrial (I-L), smaller areas of Open Space (OS), Public Facilities (P-PF), General Commercial (C-G), and Community Commercial (C-C) also exist on-site. (*Ibid.*)

Approval of the Project would require an amendment to the General Plan to revise the Land Use, Housing, and Circulation Elements in addition to the Land Use Map and other exhibits to ensure that the Specific Plan Update and General Plan are internally consistent. (*Ibid.*)

The Proposed Project would serve as both the City's policy statement regarding future development within the site, as well as a tool to implement the provisions of the General Plan as it applies to the project area. (*Ibid.*) Per California Government Code Section 65451, specific plans are permitted to regulate site development, including permitted uses, densities, community design and building size and placement. (*Ibid.*) Specific plans also govern the type and extent of open space, landscaping and roadways, and the provision of infrastructure and utilities. (*Ibid.*) Because the development guidelines established in a specific plan focus on the unique needs of a specific area, specific plans allow greater flexibility than is possible with conventional zoning. (*Ibid.*) Specific plans must be compatible with the goals and policies of the adopted general plan of local jurisdictions. (*Ibid.*) The City's General Plan contains numerous goals and policies to guide development and uses planned within the City. (*Ibid.*) The Proposed Project would be in compliance with the relevant policies and specific actions of the City's General Plan. (*Ibid.*) Therefore, impacts would be less than significant in this regard. (*Ibid.*)

City of Fontana Zoning and Development Code

The majority of the project site is composed of areas already within the existing Specific Plan, and thus are zoned SWIP Specific Plan. (*Ibid.*) Additional zoning districts within project site boundaries include General Industrial (M-2), Light Industrial (M-1), Public Facilities (P-PF), and Community Commercial (C-1). (*Ibid.*) Approval of the Project would require a zone change so that all areas within project boundaries are zoned SWIP Specific Plan. (*Ibid.*)

The Article II, Division 9 of the City's Zoning and Development Code establishes the purpose for the specific plan zoning. (DPEIR p. 4.6-16.) Based on the Zoning and Development Code, the goals of a specific plan are to:

1. To promote and protect the public health, safety, and welfare.
2. To implement the goals and objectives of the General Plan.
3. To enhance the quality of development.
4. To obtain the quality of life resulting from comprehensive and orderly planning.
5. To encourage greater flexibility and more creative and imaginative designs for large scale projects.
6. To promote efficient use of land while providing a variety of housing choices and commercial and industrial activities, a high level of amenities, and preservation of natural and scenic open space.
7. To promote a process for review and regulation of large scale comprehensively planned urban communities. (*Ibid.*)

The Proposed Project would be consistent with the intentions of a specific plan under the City's Zoning and Development Code. (*Ibid.*)

The Land Use and Development Regulations of the Project contain the development specifications, regulations and design guidelines for all development projects within the project site. (*Ibid.*) Development of the project area would occur in accordance with the permitted uses and the Land Use and Development Code established by the Specific Plan Update. (*Ibid.*)

The Proposed Project proposes a total of nine land use districts. (*Ibid.*) Each land use district reflects its own range of allowable uses and permit requirements, in addition to development standards that regulate FAR, lot dimensions, and the size of proposed structures. (*Ibid.*) All development within the project site would be required to comply with the development standards established by the Proposed Project. (*Ibid.*)

Overall, future development associated with the Project would be subject to review through the development application process and would be analyzed by the City to ensure that the development is consistent with the development regulations and requirements. (*Ibid.*) Although a zone change would be required as part of the Project, compliance with the development standards of the Proposed Project, once adopted, and compliance with all applicable site development regulations and requirements would ensure that development of the Proposed Project would not conflict with the land use plans, policies and regulations of the City's Zoning and Development Code. (*Ibid.*) Therefore, with approval of the proposed zone change, the Proposed Project would be considered consistent with the Zoning and Development Code and a less than significant impact would occur in this regard. (*Ibid.*)

Redevelopment Plan for the SWIP Project Area

The proposed Amended and Restated SWIP Redevelopment Plan would be Amendment No. 9 to the Redevelopment Plan for the SWIP Project Area. (DPEIR p. 4.6-17.) The project area shares approximately 348 acres with the revised SWIP Redevelopment Plan boundary. (*Ibid.*) Though the two documents apply to some similar geographic areas, they are essentially unrelated except insofar as the Proposed Project, like any other project within the Redevelopment Plan Area, must be consistent with the goals and objectives of the Amended and Restated SWIP Redevelopment Plan. (*Ibid.*) Even though the project area includes a 348-acre area located within the revised Redevelopment Plan boundary, the Proposed Project does not require adoption of the Amended and Restated SWIP Redevelopment Plan in order to proceed, nor does the Redevelopment Plan require approval of the proposed amendment of the SWIP Specific Plan Update in order to proceed. (*Ibid.*)

The overriding goal of the Amended SWIP Redevelopment Plan would be to allow the City Redevelopment Agency to undertake a variety of activities to eliminate and prevent the spread of blight within the project area. (*Ibid.*) Typical Redevelopment Agency activities within the area would likely include selective land assembly and acquisition, site occupant relocation, removing or rehabilitating physically obsolete or substandard structures and other blighting influences, improving streets and public infrastructure systems, and eliminating parcels of irregular form and shape that hinder private development opportunities. (*Ibid.*) Other appropriate activities and actions as allowed by the Redevelopment Plan may also occur. (*Ibid.*) The Amended SWIP Redevelopment Plan does not propose any changes to the City's existing land use designations or zoning districts for the properties within the existing Redevelopment Plan Area or proposed additional area. (*Ibid.*)

The majority of the goals of the Project relate to fostering economic growth, implementing appropriate infrastructure, and ensuring orderly development within project site boundaries. (*Ibid.*) None of the actions associated with the Project are anticipated to conflict with the Redevelopment Plan's goals and policies to eliminate and prevent the spread of blight within the project area. (*Ibid.*) Rather, the Proposed Project would act as a complimentary document to guide and regulate development facilitated by the Redevelopment Plan. (*Ibid.*) Thus, the Proposed Project would result in any conflicts with the goals and objectives of the Redevelopment Plan, and impacts in this regard would be less than significant. (*Ibid.*)

F. PUBLIC SERVICES, UTILITIES, AND INFRASTRUCTURE

1. Stormwater Drainage

Impact: Future development associated with the Proposed Project would not result in significant impacts upon the environment due to the construction of new stormwater drainage facilities. (DPEIR p. 4.8-27.)

Supporting Explanation: Although the Proposed Project does not include any specific development proposals, it provides a framework for future development within project site boundaries. (*Ibid.*) Future development would result in an increase in imperious areas of the site, resulting in an associated increase in demand for stormwater infrastructure. (*Ibid.*) Based on conclusions reached in the Southwest Industrial Park Specific Plan Water and Sewer Infrastructure Study, an estimated 28.25% increase in impervious area would occur at buildout of the project area. (*Ibid.*)

New stormwater drainage facilities would be required to accommodate future development under the Project. (*Ibid.*) Each future development application would be reviewed by the City of Fontana Public Works Department to identify necessary regional and local stormwater drainage improvements to ensure that adequate drainage capacity exists. (*Ibid.*) The City of Fontana has a Storm Drain Development Fee schedule to fund stormwater drainage improvements within the City. (*Ibid.*) The City currently charges between $4,998 to $27,684 per net acre of commercial and industrial development, depending on the project location. (*Ibid.*) Stormwater compliance fee ranges from $350 to $1,400 (depending on the size of the project) for all new construction inspections. (*Ibid.*)

Upon payment of required fees to fund stormwater drainage improvements, impacts would be less than significant. (DPEIR p. 4.8-28.)

G. TRAFFIC AND CIRCULATION

1. Increased Hazards

Impact: Future projects associated with the Proposed Project would not increase hazards due to a design feature impacting pedestrian access and safety. (DPEIR p. 4.9-88.)

Supporting Explanation: Potential future development associated with the Project may require considerable construction and demolition. (*Ibid.*) It may be necessary to completely restrict public access during brief periods of construction to ensure public safety. (*Ibid.*) Appropriate signage would be provided as motorists/pedestrians approach the site to indicate access options. (DPEIR pp. 4.9-88 – 89.) Construction vehicle traffic may create temporary congestion and safety hazards for local residents, on-site employees, motorists, and pedestrians. (DPEIR p. 4.9-89.) Potential safety hazards and traffic congestion would be reduced to less than significant levels through implementation of the standard construction safety measures, including use of flag men, signage and appropriate construction area fencing. (*Ibid.*) In addition, the Project would implement numerous improvements to the local transportation network, thereby improving local traffic circulation and public infrastructure systems. (*Ibid.*) These proposed improvements are intended to alleviate traffic congestion and improve public safety, remove costly impediments to development, and upgrade infrastructure to current standards to stimulate private development. (*Ibid.*) These

improvements would be implemented in a manner that ensures pedestrian access and safety. (*Ibid.*) Therefore, potential hazards due to a design feature are considered less than significant. (*Ibid.*)

2. Emergency Access

Impact: Development associated with the Project would not result in significant impacts to emergency access. (DPEIR p. 4.9-89.)

Supporting Explanation:

Short-Term Construction

While the Proposed Project does not include site-specific development proposals, it does include a range of roadway infrastructure improvements (new roadway construction, widenings, intersection improvements, and signalizations) where construction may create temporary, short-term obstacles to the free movement of traffic, including emergency vehicles. (*Ibid.*) These temporary impacts could include temporary street closure, reduction in usable road width, movement of construction equipment and material delivery, open trenches and other such hazards. (*Ibid.*)

The City requires preparation and implementation of a Traffic Management Plan for all projects that require construction in the public right-of-way (ROW). (*Ibid.*) The Traffic Management Plan must be reviewed and approved by the City's Engineering Department prior to the start of construction activity in the public ROW. (*Ibid.*) The typical Traffic Management Plan requires such things as the installation of K-rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement create temporary hazards, and the installation of steel plates to cover trenches under construction. (*Ibid.*) Emergency access must be maintained. Compliance with City requirements for traffic management during construction in the public ROW will ensure adequate emergency access. (*Ibid.*) The impact would be less than significant and no mitigation measures are required. (*Ibid.*)

Long-Term Operations

The Project would implement numerous improvements to the local transportation network, thereby improving local traffic circulation and public infrastructure systems. (DPEIR p. 4.9-90.) These proposed improvements are intended to alleviate traffic congestion and improve public safety, remove costly impediments to development, and upgrade infrastructure to current standards to stimulate private development. (*Ibid.*) These improvements would be implemented in a manner that would improve local circulation and emergency access. (*Ibid.*) Therefore, impacts in this regard would be less than significant and no mitigation measures are required. (*Ibid.*)

SECTION 3: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS MITIGATED

TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council hereby finds that Mitigation Measures have been identified in the PEIR and this Resolution which will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts and the Mitigation Measures which will reduce them to a less than significant level are as follows:

A. AESTHETICS, LIGHT, AND GLARE

1. Visual Character – Short Term

Impact: Construction activities for future development within project boundaries would temporarily degrade the visual character of the site and/or its immediate surroundings during the short-term construction process. (DPEIR p. 4.1-17.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: The following Mitigation Measure will be incorporated into the Project and will mitigate the impacts to short-term visual character to a less than significant level.

4.1-3a For future development associated with the project located in or immediately adjacent to residentially zoned property, the following General Condition of Approval shall be imposed: Construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site to the extent practical. Staging areas shall be screened from view from residential properties with solid wood fencing or green fence. Construction worker parking may be located off-site with approval of the City; however on-street parking of construction worker vehicles on residential streets shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the project site. Surrounding streets shall be swept daily and maintained free of dirt and debris. (DPEIR p. 4.1-18.)

Supporting Explanation: Visual impacts associated with construction activities would include exposed pads and staging areas for grading, excavation, and construction equipment. (DPEIR p. 4.1-17.) In addition, temporary structures could be located on a given project site during various stages of construction, as well as materials storage areas, or construction debris piles. (*Ibid.*) Exposed trenches, roadway bedding, spoils/debris piles and steel plates would be visible during construction of proposed street and utility infrastructure improvements. (*Ibid.*) These could temporarily degrade the existing visual character and quality of localized sites within the project area and its surroundings during the construction phase of various

improvements.

Construction-related impacts would be short-term and temporary; construction activity would not be continuous and would proceed site-specific development is implemented. (*Ibid.*) Temporary screening of a particular construction or staging site should serve to partially relieve the visual distractions typically associated with construction activities commonly encountered in developed areas. (DPEIR pp. 4.1-17 – 18.) Moreover, areas of construction would vary within the project site such that areas of temporary visual distraction would change throughout the implementation of the Proposed Project. (DPEIR p. 4.1-18.) Mitigation Measure 4.1-3a, which would be included as a condition of approval for certain development projects and would be incorporated into construction documents, would ensure that this impact would be reduced to a less than significant level. (*Ibid.*)

B. AIR QUALITY

1. Greenhouse Gas Emissions

Impact: The Proposed Project would generate greenhouse gas emissions that may have a significant impact on the environment and would conflict with an applicable greenhouse gas reduction plan, policy, or regulation. (DPEIR p. 4.2-37.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: The following Mitigation Measure will lessen the impact of the Project on Greenhouse Gas Emissions to a less than significant level.

4.2-5a Prior to the issuance of building permits, future development projects shall demonstrate the incorporation of project design features that achieve a minimum of 28.5 percent reduction in GHG emissions from non-mobile sources as compared to business as usual conditions. With regard to expansions/modifications of existing facilities, this mitigation measure shall be applied to the resulting incremental net increase in enclosed floor area. Future projects shall include, but not be limited to, the following list of potential design features (which include measures for reducing GHG emissions related to Transportation and Motor Vehicles).

Energy Efficiency

- Design buildings to be energy efficient and exceed Title 24 requirements by at least 5 percent.
- Install efficient lighting and lighting control systems. Site and design building to take advantage of daylight.
- Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use.
- Install light colored "cool" roofs and cool pavements.
- Provide information on energy management services for large energy users.

- Install energy efficient heating and cooling systems, appliances and equipment, and control systems (e.g., minimum of Energy Star rated equipment).
- Implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces).
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.

Renewable Energy

- Install solar panels on carports and over parking areas. Ensure buildings are designed to have "solar ready" roofs.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes with a preference for a xeriscape landscape palette.
- Install water-efficient irrigation systems and devices, such as soil moisture based irrigation controls.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment. (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site).
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard).

- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Provide education and publicity about reducing waste and available recycling services.

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Promote ride sharing programs (e.g., by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).
- Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- Promote "least polluting" ways to connect people and goods to their destinations.
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking).
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points.

(DPEIR pp. 4.2-53 – 55.)

Supporting Explanation:

Direct Project-Related Sources of Greenhouse Gases

Direct project-related GHG emissions include emissions from construction activities, area sources, and mobile sources. (DPEIR p. 4.2-40.) Table 4.2-6, Estimated Greenhouse Gas Emissions, estimates the CO 2 , N 2 O, and CH 4 emissions of the Proposed Project. (DPEIR 4.2-41.) The Project is not anticipated to generate other forms of GHG emissions in quantities that would facilitate a meaningful analysis. (DPEIR p. 4.2-40.) Therefore, this analysis focuses on these three forms of GHG emissions. (*Ibid.*) As seen in Table 4.2-6, area source emissions as result of the

Proposed Project would be 593,635.13 MTCO 2 eq/year. (DPEIR 4.2-41.) The Project would result in 491,219.73 MTCO 2 eq/year of mobile source GHG emissions. (*Ibid.*) Construction emissions would be speculative to quantify at this time, as no specific development proposals have been formulated at the Specific Plan level. (*Ibid.*) Total project-related direct operational emissions would result in 1,084,854.86 MTCO 2 eq/year. (*Ibid.*)

Table 4.2-6
Estimated Greenhouse Gas Emissions

Source	CO_2 metric tons/yr	N_2O metric tons/yr	N_2O [illegible] of CO_2eq/yr	CH_4 metric tons/yr	CH_4 [illegible] of CO_2eq/yr	Total metric tons of CO_2eq/yr[6]
Operational Emissions						
Direct Emissions						
• Area Source[2]	590,044.22	10.82	3,353.42	11.31	237.49	593,635.13
• Mobile Source[2, 3]	481,640.88	29.01	8,993.55	27.87	585.30	491,219.73
Total Direct Emissions[1]	***1,071,685.10***	***39.83***	***12,346.97***	***39.18***	***822.79***	***1,084,854.86***
Indirect Emissions						
• Electricity Consumption[4]	60,128.62	0.58	180.28	3.56	74.82	60,383.72
• Water Supply[5]	2,267.28	0.0194	6.61	0.119	2.74	2,276.63
Total Indirect Emissions[7]	***62,395.9***	***0.560***	***186.89***	***3.679***	***77.56***	***62,660.35***
Total Project-Related Operational Emissions WITHOUT Reductions	*1,147,515.21 MTCO2eq/yr*					
Total Project-Related Operational Emissions WITH 32.5% Reductions	***774,572.77 MTCO2eq/yr[7]***					

Notes:
1. Emissions calculated using CARB's Construction Equipment Emissions Table and the URBEMIS 2007 computer model.
2. Emissions calculated using URBEMIS 2007 computer model and the SCAQMD's *CEQA Handbook* (note that SCAQMD has the most comprehensive demand factors available).
3. Emissions calculated using URBEMIS 2007 computer model and EMFAC 2007, *Highest (Most Conservative) Emission Factors for On-Road Passenger Vehicles and Delivery Trucks*.
4. Electricity Consumption emissions calculated using the SCAQMD's *CEQA Handbook* (note that SCAQMD has the most comprehensive demand factors available).
5. Water usage based the SWIP Specific Plan. Emissions are based on energy usage factors for water conveyance from the California Energy Commission, *Water Energy Use in California*, accessed April 2010. http://www.energy.ca.gov/research/law/industry/water.html
6. CO_2 Equivalent values calculated using the U.S. Environmental Protection Agency Website. *Greenhouse Gas Equivalencies Calculator*, http://www.epa.gov/cleanenergy/energy-resources/calculator.html, accessed April 2010.
7. Totals may be slightly off due to rounding.

Refer to Appendix C, *Air Quality Data*, for detailed model input/output data.

Indirect Project-Related Sources of Greenhouse Gases

Electricity Consumption. Energy Consumption emissions were calculated using the SCAQMD's CEQA Air Quality Handbook, the U.S. Energy Information Administration, and project-specific land use data. (DPEIR p. 4.2-41.) The emission factors for electricity use (771.62 pounds of CO 2 per megawatt hour [MWh], 0.00659 pounds of N 2 O per MWh, and 0.4037 pounds of CH 4 per MWh) were obtained from the U.S. Energy Information Administration. (*Ibid.*) As a result, the potential development within the project area would indirectly result in 60,383.72 MTCO 2 eq/year due to electricity usage. (*Ibid.*)

Water Supply. Water demand for the proposed uses would be approximately 3,886 acre-feet per year, based on the SWIP Specific Plan. (*Ibid.*) Based on energy usage factors for water conveyance from the California Energy Commission, water transport

consumes approximately 1,666 kilowatt hours [kWh] per acre-foot. (DPEIR pp. 4.2-41 – 42.) Emissions from indirect energy impacts due to water supply would result in 2,276.63 MTCO 2 eq/year. (DPEIR p. 4.2-42.) Total project-related business as usual operational emissions (direct and indirect) would result in 1,147,515.21 MTCO 2 eq/year without incorporation of project design features (reduction measures). (*Ibid.*)

Conclusion

The Proposed Project would facilitate the construction of new industrial, manufacturing, office, commercial, research and development, flex-tech, residential, public, and public utility/utility right-of-way uses. (DPEIR p. 4.2-52.) As shown in Table 4.2-6, the Proposed Project would result 1,147,515.21 MTCO 2 eq/year of operational-related emissions without reductions from project design features, required by Mitigation Measure 4.2-5a. (*Ibid.*) To quantify GHG emissions reductions resulting from project operations, CAPCOA has identified the percent reduction associated with such GHG mitigation measures (found in Appendix B of CAPCOA's CEQA and Climate Change White Paper). (*Ibid.*) With implementation of Mitigation Measure 4.2-5a, the Project would be required to incorporate sustainable practices which include water, energy, solid waste, and transportation efficiency measures. (*Ibid.*) Based on these reduction measures, the Proposed Project would reduce its GHG emissions 32.5 percent below the business as usual scenario. (*Ibid.*) Therefore, implementation of Mitigation Measure 4.2-5a would reduce the Project's operational GHG emissions to 774,572.77 MTCO 2 eq/year. (*Ibid.*) AB 32 requires the reduction of GHG emissions to 1990 levels which would require a 28 percent reduction in "business as usual" GHG emissions for the entire State. (*Ibid.*) Therefore, as the Proposed Project with incorporation of reduction measures identified above, would reduce GHG emissions by 32.5 percent below business as usual, the Project would be considered to be consistent with the reduction goals of AB 32. (DPEIR pp. 4.2-52 – 53.)

The City's process for the future evaluation of discretionary projects within the Specific Plan Update would include an environmental review pursuant to CEQA, as well as a consistency analysis with the principles and objectives of the Proposed Project, the City's General Plan goals and policies, and Mitigation Measures 4.2-2a through 4.2-2k and 4.2-5a. (DPEIR p. 4.2-53.) In general, implementation of these goals, actions, and mitigation measures, as well as compliance with Federal, State, and local regulations would reduce their incremental contribution to the significant worldwide increase in GHG emissions. (*Ibid.*) In general, with implementation of project design reduction features within Mitigation Measure 4.2-5a, future projects would have a less than significant impact with regards to GHG emissions. (*Ibid.*) The measures may be updated, expanded, and refined when applied to specific future projects based on project specific design and changes in existing conditions, and local, State, and Federal laws. (*Ibid.*)

The degree of future impacts and applicability, feasibility, and success of future mitigation measures cannot be adequately determined for each specific future project at this programmatic level of analysis. (*Ibid.*) While some future projects would emit negligible amounts of GHGs, others may result in greater GHG emissions. (*Ibid.*)

However, at the program level of analysis, the Proposed Project would result in a 32.5 percent GHG emissions with implementation of Mitigation Measure 4.2-5a. (*Ibid.*) The CARB Scoping Plan analysis demonstrates "that projected ... emissions will be equal to or less than 1990 emissions." (*Ibid.*) Reducing GHG emissions to 1990 levels would require a 28 percent reduction in "business as usual" GHG emissions for the entire State. (*Ibid.*) As the Proposed Project would reduce its GHG emissions by 32.5 percent with implementation of Mitigation Measure 4.2-5a, it would be consistent with the goals established in AB 32. (*Ibid.*) Therefore, a less than significant impact would occur. (*Ibid.*)

C. BIOLOGICAL RESOURCES

1. Sensitive Species and Habitat

Impact: Future development occurring within the project site would adversely effect, either directly or through habitat modifications, a species identified as a candidate, sensitive, or special status. (DPEIR p. 4.3-11.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on sensitive species and habitat to a less than significant level.

4.3-1a The City of Fontana Planning Division shall require that all future project applicants prepare a Biological Assessment in conjunction with a project-level analysis. The Biological Assessment shall include a vegetation map of the proposed project area, analysis of the impacts associated with plant and animal species and habitats, and conduct habitat evaluations for burrowing owl, Delhi Sands flower-loving fly, San Diego pocket mouse, western mastiff bat, western yellow bat, and San Diego desert woodrat. If any of these species are determined to be present, then coordination with the U.S. Fish and Wildlife Service and/or California Department of Fish and Game shall be conducted to determine what, if any, permits or clearances are required prior to development. (DPEIR p. 4.3-12.)

Each project-level Biological Assessment shall include an analysis of potential impacts to rare plants and rare natural communities in accordance with the California Department of Fish and Game's November 2009 guidance for Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. For those projects located in the Delhi Sands flower-loving fly Recovery Unit, the project-level Biological Assessment shall include focused surveys. The Biological Assessment shall prescribe actions necessary to mitigate the impacts identified for a particular project. Such actions shall include either avoidance of a sensitive resource, or payment of in-lieu fees that shall be used to purchase off-site replacement habitat. In instances where transplantation/relocation, off-site preservation, or fee payment is

selected, habitat mitigation ratios shall be a minimum of 1:1, unless a greater ratio is required by a state or federal wildlife agency. The requirements of the Biological Assessment shall be a condition of approval of he individual development project.

4.3-1b Any future land disturbance for site-specific developments within the project site shall be conducted outside of the State-identified bird nesting season (February 15 through September 1). If construction during the nesting season must occur, the site shall be evaluated by a City-approved biologist prior to ground disturbance to determine if nesting birds exist on-site. If any nests are discovered, the biologist shall delineate an appropriate buffer zone around the nest, depending on the species and type of construction activity. Only construction activities approved by the biologist shall take place within the buffer zone until the nest is vacated. (*Ibid.*)

4.3-1c Prior to any ground disturbance, trees scheduled for removal shall be evaluated by a City-approved biologist for roosting bats. If a roost is present the biologist will develop a plan to minimize impacts to the bats to the greatest extent feasible. (*Ibid.*)

4.3-1d The City shall encourage the preservation of natural habitat in conjunction with private or public development projects. (*Ibid.*)

4.3-1e Mitigation shall be provided for removal of any natural habitat, including restoration of degraded habitat of the same type, creation of new or extension of existing habitat of the same type, financial contribution to a habitat conservation fund administered by a Federal, State, or local government agency, or by a non-profit agency conservancy. (DPEIR p. 4.3-13.)

4.3-1f Local CEQA procedures shall be applied to identify potential impacts to rare, threatened and endangered species. (*Ibid.*)

4.3-1g Evidence of satisfactory compliance shall be provided by Project Applicant with any required State and/or Federal permits, prior to issuance of grading permits for individual projects. (*Ibid.*)

4.3-1h Any development that results in the potential take or substantial loss of occupied habitat for any threatened or endangered species shall conduct formal consultation with the appropriate regulatory agency, and shall implement required mitigation pursuant to applicable protocols. Consultation shall be on a project-by-project basis and measures shall be negotiated independently for each development project. (*Ibid.*)

Supporting Explanation:

Sensitive biological resources are defined as species under study for classification as threatened or endangered, or have low population densities or a highly restricted range. (DPEIR p. 4.3-11.) Six sensitive species have been documented as potentially occurring on the project site. (*Ibid.*) These species include the DSF (Rhaphiomidas terminatus abdominalis), burrowing owl (Athene cunicularia), northwestern San Diego pocket mouse (Chaetodius fallax fallax), western mastiff bat (Eumopos perotis californicus), western yellow bat (Lasiurus xanthinus), and San Diego desert woodrat (Neotoma lepida intermedia). (*Ibid.*) *General Plan* Figure 9-4, Potential Habitat for Sensitive Wildlife Species, indicates habitat for the San Bernardino kangaroo rat, California gnatcatcher, and sensitive pocket mice also potentially occur in the project area. (*Ibid.*) Lastly, raptors have the potential to nest in large ornamental trees that exist throughout the project area. (*Ibid.*)

Construction activities and operations of future land uses within the boundaries of the project site could result in potential direct or indirect impacts on the sensitive species identified above. (DPEIR p. 4.3-12.) Additionally, construction activities could disturb/destroy active raptor and/or migratory bird nests, which would be a violation of the MBTA. (*Ibid.*) Short-term construction-related impacts would include increased noise, adverse air quality impacts due to fugitive dust and equipment emissions, and construction traffic on local roads. (*Ibid.*) Additionally, the removal or alteration of nonnative habitats within the project area could result in the temporary or permanent displacement of plants, vegetation types, small mammals, reptiles, and other animals. (*Ibid.*) These factors could disrupt the behavioral and reproductive patterns of wildlife. (*Ibid.*) Thus, Mitigation Measures 4.3-1a through 4.3-1h have been provided below to minimize potential impacts to a level below significance. (*Ibid.*)

2. Sensitive Natural Communities

Impact: Future development within the project site would adversely affect a riparian habitat or other sensitive natural community. (DPEIR p. 4.3-13.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on sensitive natural communities to a less than significant level.

4.3-1a – 4.3-1h, supra.

Supporting Explanation: As stated above, the Proposed Project has the potential to impact a range of special-status species having the potential to occur on-site. (*Ibid.*) Although the project site is highly disturbed and devoid of sensitive habitat types or communities, site-specific habitat evaluations would be required to determine of impacts to sensitive species could occur. (*Ibid.*) However, upon implementation of Mitigation Measures 4.3-1a through 4.3-1h, impacts in this regard would be less than significant. (*Ibid.*)

3. Wetlands and Drainage

1. Impact: With mitigation, the Proposed Project would not have a substantial adverse effect on federally protected wetlands through the direct removal, filling, hydrological interruption, or other means upon implementation of recommended mitigation. (DPEIR p. 4.3-14.)

Finding: Implementation of the following Mitigation Measure would reduce the impact of the Project on wetlands and drainage to a less than significant level.

4.3-3a For future development proposals that could potentially affect jurisdictional drainages or wetlands (to be determined by the City of Fontana Planning Division), the project applicant shall prepare a jurisdictional delineation to determine the extent of jurisdictional area, if any, as part of the regulatory permitting process. (*Ibid.*)

Supporting Explanation: Based on the results of the Biological Constraints Analysis, there is a potential for streambeds, wetlands, and/or riparian areas to occur on-site. (*Ibid.*) These features could exist in undeveloped or unpaved areas throughout the site, including former agricultural properties that occur sporadically throughout the Specific Plan area. (*Ibid.*) Impacts to these water features and vegetation may require compliance with permit requirements of the U.S. Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and CDFG. (*Ibid.*) As development proposals within the project area are received, properties where a potential for wetlands and/or drainages exists will require the preparation of a jurisdictional delineation. (*Ibid.*) The jurisdictional delineation would be utilized to determine the acreage of impact, regulating agencies, jurisdictional limits, and mitigation requirements. (*Ibid.*) Upon implementation of the recommended mitigation measure, impacts related to wetlands and drainages would be less than significant. (*Ibid.*)

4. Habitat Conservation Plans

Impact: Project development would not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan upon implementation of recommended mitigation. (DPEIR p. 4.3-15.)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on conflicts with a Habitat Conservation Plan to a less than significant level.

4.3-1a – 4.3-1f, supra.

Supporting Explanation: Neither the City of Fontana nor the County of San Bernardino has adopted a federal or state habitat conservation plan that provides any requirements or guidance for the planning area. (*Ibid.*) Buildout of the Specific Plan Update would not conflict with an adopted habitat conservation plan. (*Ibid.*) Although a recovery plan was released in 1997 for DSF that includes the project area, an assessment of the recovery of DSF in 2008 indicated that much of the Jurupa Recovery

Unit may no longer provide conservation value for DSF. (*Ibid.*) However, implementation of Mitigation Measures 4.3-1a through 4.3-1f would provide the necessary analysis to formally determine whether areas within the project area provide viable habitat for DSF. (*Ibid.*) As such, impacts in this regard would be less than significant. (*Ibid.*)

D. CULTURAL RESOURCES

1. Historical Resources

Impact: Future development within the Proposed Project area would adversely change the significance of a historical resource. (DPEIR p. 4.4-12.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: : Implementation of the following Mitigation Measures would reduce the impact of the Project on historical resources to a less than significant level.

4.4-1a A qualified archaeologist shall perform the following tasks, prior to construction activities within project boundaries:

- Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, a field survey for historical resources within portions of the project site not previously surveyed for cultural resources shall be conducted.
- Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, the San Bernardino County Archives shall be contacted for information on historical property records.
- Subsequent to a preliminary City review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands.
- All historical resources within the project site, including archaeological and historic resources older than 50 years, shall be inventoried using appropriate State record forms and guidelines followed according to the California Office of Historic Preservation's handbook "Instructions for Recording Historical Resources." The archaeologist shall then submit two (2) copies of the completed forms to the San Bernardino County Archaeological Information Center for the assignment of trinomials.
- The significance and integrity of all historical resources within the project site shall be evaluated, using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National Register of Historic Places.
- Mitigation measures shall be proposed and conditions of approval (if a local government action) recommended to eliminate adverse project effects on significant, important, and unique historical

resources, following appropriate CEQA and/or National Historic Preservation Act's Section 106 guidelines.

- A technical resources management report shall be prepared, documenting the inventory, evaluation, and proposed mitigation of resources within the project site, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989. One copy of the completed report, with original illustrations, shall be submitted to the San Bernardino County Archaeological Information Center for permanent archiving.

(DPEIR pp. 4.4-13 – 14.)

4.4-1b If any historical resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. (DPEIR p. 4.4-14.)

Supporting Explanation: The Historical/Archaeological Records Search prepared for the Proposed Project concluded that the likelihood of encountering potentially significant historic-period resources within project boundaries is low. (DPEIR p. 4.4-12.) Although a total of nine historic-period resources were documented as part of the Historical/Archaeological Records Search, it was determined that all nine were either unlikely to be impacted by the Project, or did not merit listing in the NRHP or CRHR. (*Ibid.*) Additionally, the project site is located outside of the area denoted as having a relative concentration of historic-era buildings. (*Ibid.*)

However, a determination of low sensitivity should not be interpreted as a declaration of "no historical resources." In addition, a visual survey of the Proposed Project site indicates the presence of historic era buildings that retain their integrity. (*Ibid.*) Therefore, historic resources within the project area, if any, may be vulnerable to future development activities. (*Ibid.*) This is a potentially significant impact. (*Ibid.*)

However, based upon recommendations provided within the Historical/Archaeological Records Search and General Plan EIR, the City will require that future site-specific development include an analysis of historical resources, should the potential for impacts exist. (DPEIR p. 4.4-13.) If potential historical resources are determined to be present, the analysis would include a mitigation program to minimize potential impacts on historical resources on a case-by-case basis. (*Ibid.*) Upon implementation of recommended mitigation, impacts in this regard would be less than significant. (*Ibid.*)

2. Archaeological Resources

Impact: Future development within the Proposed Project area would cause a substantial adverse change in the significance of an archaeological resource.

(DPEIR p. 4.4-14.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on archaeological resources to a less than significant level.

4.4-2a A qualified archaeologist shall perform the following tasks, prior to construction activities within project boundaries:

- Subsequent to a preliminary City review, if evidence suggests the potential for prehistoric resources, a field survey for prehistoric resources within portions of the project site not previously surveyed for cultural resources shall be conducted. Subsequent to a preliminary City review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands.
- All prehistoric resources shall be inventoried using appropriate State record forms and two (2) copies of the completed forms shall be submitted to the San Bernardino County Archaeological Information Center.
- The significance and integrity of all prehistoric resources within the project site shall be evaluated using criteria established in the CEQA Guidelines for important archaeological resources.
- If human remains are encountered on the project site, the San Bernardino County Coroner's Office shall be contacted within 24 hours of the find, and all work shall be halted until a clearance is given by that office and any other involved agencies.
- All resources and data collected within the project site shall be permanently curated at an appropriate repository within the County.

(DPEIR pp. 4.4-15 – 16.)

4.4-2b If any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. With the assistance of the archaeologist, the City of Fontana shall:

- Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value.
- Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities at a theme or focal point.
- Pursue educating the public about the area's archaeological heritage.

- Propose mitigation measures and recommend conditions of approval (if a local government action) to eliminate adverse project effects on significant, important, and unique prehistoric resources, following appropriate CEQA guidelines.
- Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the San Bernardino County Archaeological Information Center for permanent archiving.

(DPEIR p. 4.4-16.)

4.4-2c Where consistent with applicable local, State and federal law and deemed appropriate by the City, future site-specific development projects shall consider the following requests by the Soboba Band of Luiseño Indians and Morongo Band of Mission Indians:

- In the event Native American cultural resources are discovered during construction for future development, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue during this period;
- Initiate consultation between the appropriate Native American tribal entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) and the City/project applicant;
- Transfer cultural resources investigations to the appropriate Native American entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) as soon as possible;
- Utilize a Native American Monitor from the appropriate Native American entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) where deemed appropriate or required by the City, during initial ground disturbing activities, cultural resource surveys, and/or cultural resource excavations.

(DPEIR pp. 4.4-16 – 17.)

Supporting Explanation: The majority of the Proposed Project site is highly disturbed due to industrial, residential, commercial and agricultural land uses. (DPEIR p. 4.4-14.) Based on the results of the Historical/Archaeological Records Search prepared for the Proposed Project, more than 20 previous cultural resources studies have occurred on small portions of the project site. (*Ibid.*) As a result of these studies, no archaeological resources or Native American sites were found within Project boundaries. (*Ibid.*)

In light of the lack of resources found as part of the Historical/Archaeological Records Search and the fact that the project area has been fully disturbed, the

likelihood of encountering potentially significant prehistoric archaeological remains within project boundaries appears to be low. (*Ibid.*) The results of the Historical/Archaeological Records Search generally support the existing prehistoric hunter-gatherer settlement-subsistence models for Inland California, which suggest that longer-term residential settlement was more likely to occur on elevated terraces, hills, and finger ridges near permanent or reliable sources of water, while the Valley floor was more often used for resource procurement, travel, and opportunistic camping. (*Ibid.*) In the Fontana area, all of the known prehistoric archaeological sites were found near the foothills of the San Gabriel and Jurupa Mountains, and none were found on the Valley floor (where the project site is located). Additionally, the project site is located outside of the area denoted as having a high sensitivity for prehistoric archaeological resources on Exhibit 5.11-1, Cultural Resource Sensitivity of the General Plan EIR. (*Ibid.*)

However, a determination of low sensitivity should not be interpreted as a declaration of "no historical resources." (DPEIR p. 4.4-15.) In addition, as result of the SB 18 consultation performed for the Project, responses were received from the Soboba Band of Luiseño Indians and the Morongo Band of Mission Indians. (*Ibid.*) Generally, the Soboba Band of Luiseño Indians and the Morongo Band of Mission Indians request further consultation as future development proposals are received, and recommend a range of measures occur in the event future cultural investigations find archaeological resources or if unknown resources are discovered during construction. (*Ibid.*) The Soboba Band of Luiseño Indians documents that the site falls into its Tribal Traditional Use Area, and thus is considered highly sensitive to the people of Soboba. (*Ibid.*) Thus, mitigation measures have been incorporated into the Draft Program EIR to minimize impacts related to Native American resources. (*Ibid.*)

Accordingly, there is a possibility that as yet unidentified archaeological sites are located within the boundaries of the Proposed Project site. (*Ibid.*) Potential future development associated with the Project may result in impacts to undiscovered archaeological resources through ground disturbing activities. (*Ibid.*) However, mitigation measures have been incorporated into the Draft Program EIR that would require an analysis of potential impacts to archaeological resources on a site-specific basis. (*Ibid.*) If it is determined through these analyses that significant archaeological resources would be affected by future projects, a mitigation program would be prepared to minimize impacts. (*Ibid.*) Thus, upon implementation of recommended mitigation measures, impacts would be less than significant in this regard. (*Ibid.*)

3. Paleontological Resources

Impact: Future development within project site boundaries would directly or indirectly result in significant impacts on a unique paleontological resource or site or unique geologic feature. (DPEIR p. 4.4-17.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on paleontological resources to a less than significant level.

4.4-3a A qualified paleontologist shall conduct a pre-construction field survey of any project site within the Specific Plan Update area that is underlain by older alluvium. The paleontologist shall submit a report of findings that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. (DPEIR p. 4.4-18.)

4.4-3b Should mitigation monitoring be recommended for a specific project within the project site, the program shall include, but not be limited to, the following measures:

- Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities.
- Should fossils be found within an area being cleared or graded, earth-disturbing activities shall be diverted elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the monitor of the find.
- All recovered fossils shall be prepare, identified, and curated for documentation in the summary report and transferred to an appropriate depository (i.e., San Bernardino County Museum).
- A summary report shall be submitted to City of Fontana. Collected specimens shall be transferred with copy of report to San Bernardino County Museum.

(*Ibid.*)

Supporting Explanation: While the City is situated primarily upon surface exposures of Quaternary younger fan deposits of Holocene age having low paleontologic sensitivity, well-dissected Pleistocene older fan deposits are also mapped within the City. (DPEIR p. 4.417.) These deposits have a high potential to contain fossil resources. (*Ibid.*) In addition, a paleontological resource has been discovered south of the project site, within the western Jurupa Hills in the vicinity of Live Oaks. (*Ibid.*) The discovered resource was a saber cat, which was unearthed in a pipeline trench at a depth of approximately five feet below the ground surface. (*Ibid.*) In addition, the presence of "abundant fossils ...recovered from the Jurupa Basin near the intersection of Jurupa Avenue and Mulberry Avenue," within and near the project site are known to exist. (*Ibid.*) The southern portions of the project site may be underlain with the older Pleistocene fan deposits referenced in the General Plan and General Plan EIR and may have moderate potential to produce Pleistocene vertebrate fossils. (*Ibid.*)

Therefore, excavations that extend into the Pleistocene Alluvium have a potential of containing substantial fossil vertebrate specimens. (*Ibid.*) Potential future development within project boundaries could directly or indirectly impact a unique paleontological resource or site or unique geologic feature. (*Ibid.*)

However, mitigation measures have been incorporated into the Draft Program EIR that would require an analysis of potential impacts to paleontological resources on a site-specific basis. (*Ibid.*) If it is determined through these analyses that significant paleontological resources may be affected by future projects, a mitigation program would be prepared to minimize impacts. (*Ibid.*) Thus, upon implementation of recommended mitigation measures, impacts would be less than significant in this regard. (*Ibid.*)

E. HAZARDS

1. Routine Transport, Use, or Disposal of Hazardous Materials

Impact: Future development within the Proposed Project area would create a significant hazard to the public and the environment through the routine transport, use, or disposal of hazardous materials. (DPEIR p. 4.5-17.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the routine transport, use, or disposal of hazardous materials to a less than significant level.

4.5-1a The City shall require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities. Conversely, new sensitive facilities, such as schools, childcare centers, and senior enters, shall not to be located near existing sites that use, store, or generate hazardous materials. (DPEIR p. 4.4-18.)

4.5-1b The City shall assure the continued response and capability of the San Bernardino County Fire Department/Fontana Fire Protection District to handle hazardous materials incidents in the City and along the sections of freeways that extend across the City. (*Ibid.*)

4.5-1c The City shall require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department – Hazardous Materials Division in coordination with the Fontana Fire Protection District. (DPEIR p. 4.4-19.)

4.5-1d The City shall identify roadways along which hazardous materials are routinely transported. If essential facilities, such as schools, hospitals, child care centers or other facilities with special evacuation needs are located along these routes, identify emergency response plans that these facilities can implement in the event of an unauthorized release of hazardous materials in their area. (*Ibid.*)

Supporting Explanation: The range of land uses allowable under the

Proposed Project would include industrial, commercial, residential, and public facilities (high school). (DPEIR p. 4.5-17.) While residential and public facilities uses within the project site are not expected to introduce any unusual hazardous materials, future industrial and commercial uses could require the routine transport, use, storage, and/or disposal of products that could be considered "hazardous materials" under regulatory definitions. (*Ibid.*)

Sensitive land uses are present both within and surrounding the Proposed Project site. (*Ibid.*) The types and quantities of hazardous materials utilized by the future commercial uses would vary, according to the nature of the site-specific proposal. (*Ibid.*) Such substances could range from common automobile oil, chlorine, dry-cleaning solutions, ammonia, or other substances used in commercial operations. (*Ibid.*) The secondary activities that would occur with residential and commercial uses (e.g., building and landscape maintenance) would also involve the use of hazardous materials. (*Ibid.*) Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of buildings and landscaping would be utilized by future uses. (*Ibid.*) Future industrial development in the project area could routinely transport, use, store, and/or dispose of hazardous materials in larger quantities that are typically utilized for manufacturing, processing, and distribution operations. (*Ibid.*)

The types and quantities of hazardous substances utilized by the various types of potential future development within the project site would vary and, as a result, the nature of potential hazards would vary. (*Ibid.*) Generally, the exposure of persons to hazardous materials could occur in the following manners: 1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future developments, particularly by untrained personnel; 2) an accident during transport; 3) environmentally unsound disposal methods; or 4) fire, explosion or other emergencies. (*Ibid.*) Therefore, no specific type of hazard associated with the use of these materials can be identified and the likelihood of a hazard presenting a serious health or safety hazard to the public cannot be determined at this time. (*Ibid.*) However, it can be generally concluded that future development in the project area could result in an increase in impacts related to the transport, use, and disposal of hazardous substances. (*Ibid.*)

All future development would be subject to compliance with existing regulations, standards, and guidelines established by the EPA, State, County, and City related to the storage, use, and disposal of hazardous materials. (DPEIR p. 4-5-18.) Compliance with the City's Emergency Operations Plan would also be required. (*Ibid.*) Both the Federal and State governments require any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. (*Ibid.*) The Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. (*Ibid.*) Businesses would be required to submit their plans to the CUPA, which would make the plans available to emergency response personnel. (*Ibid.*) The Risk Management Plan

must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location. (*Ibid.*)

Future development within the project area could result in an increase in the number of person exposed to potential impacts related to hazardous materials. (*Ibid.*) While the risk of exposure to hazardous materials cannot be eliminated, measures can be implemented to reduce risk to acceptable levels. (*Ibid.*) Adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials, and the safety procedures mandated by applicable Federal, State, and local laws and regulations, which would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the Proposed Project would be less than significant. (*Ibid.*)

Following compliance with the established regulatory framework and the mitigation measures, project implementation would result in a less than significant impact involving the potential for creating a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (*Ibid.*)

2. Construction-Related Accidental Release of Hazardous Materials

Impact: Short-term construction activities within the project area would create a significant hazard to the public or environment through accidental conditions involving the release of hazardous materials. (DPEIR p. 4.5-19.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the construction-related accidental release of hazardous materials to a less than significant level.

4.5-2a A Phase I Environmental Site Assessment shall be prepared in accordance with American Society of Testing and Materials Standards and Standards and Practices for All Appropriate Inquiries prior to issuance of a Grading Permit for future development within the project site. The Phase I Environmental Site Assessment shall investigate the potential for site contamination, and will identify Specific Recognized Environmental Conditions (i.e., asbestos containing materials, lead-based paints, polychlorinated biphenyls, etc) that may require remedial activities prior to land acquisition or construction. (DPEIR p. 4.5-21.)

4.5-2b Prior to potential remedial excavation and grading activities within the site (if remediation is required), impacted areas shall be cleared of all maintenance equipment and materials (e.g., solvents, grease, wasteoil), construction materials, miscellaneous stockpiled debris (e.g., scrap metal, pallets, storage bins, construction parts), above ground

storage tanks, surface trash, piping, excess vegetation and other deleterious materials. These materials shall be removed off-site and properly disposed of at an approved disposal facility. Once removed, a visual inspection of the areas beneath the removed materials shall be performed. Any stained soils observed underneath the removed materials shall be sampled. In the event concentrations of materials are detected above regulatory cleanup levels during demolition or construction activities, the project applicant shall comply with the following measures in accordance with Federal, State, and local requirements:

- Excavation and disposal at a permitted, off-site facility;
- On-site remediation, if necessary; or
- Other measures as deemed appropriate by the County.

(DPEIR pp. 4.5-21 – 22.))

4.5-2c Prior to the issuance of a grading or building permit, a Certified Environmental Professional shall confirm the presence or absence of ACMs and LBPs prior to structural demolition/renovation activities. Should ACMs or LBPs be present, demolition materials containing ACMs and/or LBPs shall be removed and disposed of at an appropriate permitted facility. (DPEIR p. 4.5-22.)

4.5-2d In the event any electrical transformers require relocation as a result of future development associated with the project, the relocation shall be conducted under the purview of the local electricity purveyor to identify property-handling procedures regarding potential polychlorinated biphenyls (PCBs). (*Ibid.*)

4.5-2e Due to the railroad alignment within project boundaries, any construction in which the soil around the railroad is to be disturbed shall be conducted under the purview of the Fontana Fire Protection District to identify proper handling procedures. Once the soil around the railroad has been removed, a visual inspection of the areas beneath and around the removed area shall be performed. Any stained soils observed underneath the area shall be sampled. Results of the sampling (if necessary) shall indicate the level of remediation efforts that may be required (if necessary). (*Ibid.*)

4.5-2f Areas of exposed soils within Caltrans right-of-way that would be disturbed during excavation/grading activities shall be sampled and tested for lead prior to ground disturbance activities on a project-by-project basis, so that any special handling, treatment, or disposal provisions associated with aerially deposited lead may be included in construction documents (if aerially deposited lead is above regulatory criteria). (*Ibid.*)

Supporting Explanation: One of the means through which human

exposure to hazardous substance could occur is through accidental release. (DPEIR p. 4.5-19.) Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. (*Ibid.*) If not cleaned up immediately and completely, the hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. (*Ibid.*) Human exposure of contaminated soil or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure. (*Ibid.*)

Construction activities associated with future development within project site boundaries could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. (*Ibid.*) Hazardous material issues may exist relating to industrial/commercial sites, agricultural areas, and structures containing hazardous building materials such ACM or LBP. (*Ibid.*) In addition, the disturbance of soils and demolition of structures could expose construction workers or employees to health or safety risks in the event contaminated structures and/or soils are encountered during construction. (*Ibid.*) In addition, the UPRR and I-10, which both serve as major rail/highway transportation corridors through the project site, also result in the potential for the accidental release of hazardous materials. (*Ibid.*)

Demolition. Specific development projects have not been identified under the Proposed Project. (DPEIR p. 4.5-20.) However, it is assumed that existing buildings would be demolished as new facilities are constructed in various areas of the site. (*Ibid.*) Given the age of some of the existing buildings onsite, it is likely that these buildings could contain to LBP, ACM, and/or other contaminants. (*Ibid.*) As a result, construction workers and the public could be exposed. (*Ibid.*) Further, the potential exists that construction activities may release potential contaminants that may be present in building materials (e.g., mold, lead, etc.). (*Ibid.*) This potential impact is considered potentially significant. (*Ibid.*) Federal and State regulations govern the renovation and demolition of structures where ACMs and LBPs are present. (*Ibid.*) All demolition that could result in the release of ACMs or LBPs must be conducted according to Federal and State standards. (*Ibid.*) The National Emission Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of ACMs prior to the commencement of any remedial work, including demolition. (*Ibid.*) If ACM material is found, abatement of asbestos would be required prior to any demolition activities. (*Ibid.*) Compliance with the recommended mitigation regarding the requirement for an asbestos survey and asbestos abatement, as well as compliance with SCAQMD Rule 1403, would reduce potential impacts to a less than significant level. (*Ibid.*)

Soil and Groundwater Contamination in Known or Unknown Contaminated Sites. Grading and excavation for future development within the project site could expose construction workers and the public to unidentified hazardous substances present in the soil or groundwater. (*Ibid.*) Exposure to contaminants could occur if the contaminants migrated to surrounding areas or if contaminated zones were disturbed at the contaminated location. (*Ibid.*) Future development occurring in the vicinity of I-10 or the UPRR may encounter contaminants such as lead, TPH, related compounds (i.e., fuel-

related volatile organic compounds) and persistent organchlorine pesticides (i.e., toxaphene, dieldrin, chlordane, and DDT). (*Ibid.*) Exposure to hazardous substances is considered potentially significant. (*Ibid.*) Additionally, the potential exists for unidentified USTs to be present on a future development site. (*Ibid.*) Removal activities could pose risks to workers and the public. (*Ibid.*)

The removal and/or remediation of soil and groundwater contamination is governed by a range of Federal, State, and local standards. (*Ibid.*) Impacts related to the removal of any USTs on-site would be minimized by managing the tank according to existing County DHS standards. (*Ibid.*) Potential impacts to groundwater would be dependant on the type of contaminant, the amount released, and depth to groundwater at the time of the release. (*Ibid.*)

In addition, short-term construction/remediation processes may involve substantial amounts of excavation and grading, potentially creating water quality impacts due to off-site runoff (where the runoff may contain contaminated soils). (*Ibid.*) If groundwater contamination is identified, remediation activities would be required by the Regional Water Quality Control Board (RWQCB), prior to the commencement of construction activities. (*Ibid.*) Standard short-term erosion control measures and applicable Best Management Practices (BMP's) would be implemented to ensure that runoff is properly contained on-site and that impacts in this regard are reduced to less than significant levels. (*Ibid.*) In addition, any potential future development associated with the Proposed Project would be in compliance with Fontana Fire Protection District, County of San Bernardino, and RWQCB-approved dewatering requirements for excavation and earth moving activities, given known shallow groundwater conditions in the project area. (*Ibid.*) Specific measures and regulations (e.g., requirements for proper disposal and/or treatment of contaminated soils or groundwater) for the dewatering process would be observed, as on-site grading and excavation may involve contaminated soils. (DPEIR pp. 4.5-20 – 21.)

Remediation would occur prior to future development on or adjacent to affected portions of the project site. (DPEIR pp. 4.5-21.) Potential future development will require appropriate discretionary review, including evaluation of site-specific conditions and, if deemed necessary, will incorporate a Remedial Action Plan (RAP) to ensure proper site cleanup prior to potential future project implementation. (*Ibid.*) The lead/enforcement agency for any remedial activities would be determined as future development applications are received, depending on the nature and extent of contamination at the development site. (*Ibid.*)

Remediation activities could expose workers, residents and potential future project occupants to a variety of potentially hazardous materials. (*Ibid.*) Although remedial processes are yet to be determined, site remediation activities are strictly controlled by Federal, State, and local requirements, and the majority of identified contaminants are petroleum-based (which are not considered "toxic" or acutely hazardous). (*Ibid.*) Toxic or hazardous materials will be handled in strict accordance with existing regulations. Therefore, compliance with the required mitigation measures

and regulations/approvals as administered by the RWQCB, SCAQMD, and DTSC is expected to reduce potential impacts to less than significant levels. (*Ibid.*) In addition, all remedial activities will be subject to a County-approved RAP, which must demonstrate compliance with applicable Federal and State regulations. (*Ibid.*)

3. Long-Term Accidental Release of Hazardous Materials

Impact: The Proposed Project would create a significant hazard to the public or environment through accidental conditions involving the release of hazardous materials. (DPEIR p. 4.5-22.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the long-term accidental release of hazardous materials to a less than significant level.

4.5-1a to 4.5-1d, supra.

Supporting Explanation:

The operations of future development associated with the Proposed Project could 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. (DPEIR p. 4.5-23.) This is particularly the case where industrial uses occur in proximity to residential uses and schools. (*Ibid.*) The potential future increase in the amount of hazardous materials utilized as part of long-term operations cannot be predicted, since specific development projects are not identified. (*Ibid.*) The analysis presented below examines the potential nature and magnitude of risks associated with the accidental release of hazardous materials often used during operations of typical commercial and industrial development projects. (*Ibid.*)

Typical incidents that could result in accidental release of hazardous materials involve:

- Leaking storage tanks;
- Spills during transport;
- Inappropriate storage;
- Inappropriate use; and/or
- Natural disasters.

If not remediated immediately and completely, these and other types of incidents could cause contamination of soil, surface water, and groundwater, and toxic fumes. (*Ibid.*) Depending on the nature and extent of the contamination, groundwater supplies could become unsuitable for use as a domestic water source. (*Ibid.*) Human exposure to contaminated soil or water could have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure. (*Ibid.*)

Leaking Storage Tanks. Chemicals and wastes stored in aboveground or underground storage tanks would follow guidelines mandated by the Federal and State agencies. (*Ibid.*) Aboveground tanks storing hazardous chemicals would have secondary containment to collect fluids that are accidentally released. (*Ibid.*) Underground storage tanks and connecting piping would be double-walled and would have monitoring devices with alarms installed to constantly monitor for unauthorized releases in accordance with Federal and State standards. (*Ibid.*) Applicable existing standards include the California Environmental Protection Agency's Aboveground Petroleum Storage Act, Cal/OSHA operational requirements, California Health and Safety Code Section 25270.7, and Fontana Fire Protection District regulations regarding the installation and operation of aboveground and underground tanks. (*Ibid.*) These existing measures would minimize impacts to a less than significant level. (*Ibid.*)

Off-Site Transport. Transportation of hazardous materials can result in accidental spills, leaks, toxic releases, fire, or explosion. (*Ibid.*) The potential exists for licensed vendors to transport hazardous materials to and from new commercial or industrial sites within the project area. (*Ibid.*) Accidental releases would most likely occur in the commercial and industrial areas and along transport routes leading to and from these areas. (*Ibid.*) The Proposed Project's street setback requirements would minimize the direct damage that may occur from transportation-related hazardous waste spills. (*Ibid.*) Additionally, the United States Department of Transportation (USDOT) Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials, as described in Title 49 of the Code of Federal Regulations, and implemented by Title 13 of the CCR. (DPEIR pp. 4.5-23 – 24.) Appropriate documentation would be provided for all hazardous waste that is transported in connection with specific project-site activities, as required by existing hazardous materials regulations. (DPEIR p. 4.5-23.)

Future developments would be subject to compliance with all applicable Federal, State, and local laws (including Title 49 of the Code of Federal Regulations) and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste. (*Ibid.*) Compliance with these regulations would reduce the likelihood and severity of accidents during transit, thereby ensuring that a less than significant impact would occur in this regard. (*Ibid.*)

Storage and Handling. Hazardous materials must be stored in designated areas designed to prevent accidental release to the environment. California Building Code (CBC) requirements prescribe safe accommodations for materials that present a moderate explosion hazard, high fire or physical hazard, or health hazards. (*Ibid.*) Compliance with all applicable Federal and State laws related to the storage of hazardous materials would be required to maximize containment and provide for prompt and effective clean-up, if an accidental release occurs, thereby ensuring that a less than significant impact would occur. (*Ibid.*) Existing standards applying to the installation and operation of aboveground and underground storage tanks include the California Environmental Protection Agency's Aboveground Petroleum Storage Act, Cal/OSHA operational requirements, California Health and Safety Code Section 25270.7, and Fontana Fire Protection District regulations. (*Ibid.*)

Hazardous materials use would present a slightly greater risk of accident than hazardous materials storage. (*Ibid.*) However, for those employees who would work with hazardous materials, the amount of hazardous materials that are handled at any one time are generally relatively small, reducing the potential consequences of an accident during handling. (*Ibid.*) The Fontana Fire Protection District would respond to hazardous materials incidents. (*Ibid.*) Major hazardous materials accidents associated with industrial and retail-commercial uses are infrequent and additional emergency response capabilities are not anticipated to be necessary to respond to the potential incremental increase in the number of incidents that could result from future development associated with the Project. (*Ibid.*) In addition, the CUPA would require that any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. (*Ibid.*) A Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. (*Ibid.*) Businesses submit their plans to the CUPA, which makes the plans available to emergency response personnel. (*Ibid.*) The Risk Management Plan must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location. (*Ibid.*)

In summary, compliance with the established regulatory framework recommended mitigation measures would ensure that these potential impacts are less than significant by requiring compliance with applicable laws and regulations that would reduce the risk of hazardous materials use, transportation, and handling through the implementation of established safety practices, procedures, and reporting requirements. (DPEIR p. 4.5-25.)

4. Hazardous Materials in Proximity to a School

Impact: Future development within the Project area would result in significant impacts upon an existing or proposed school within one-quarter mile of the project site. (DPEIR p. 4.5-25.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on hazardous materials in proximity to schools to a less than significant level.

4.5-1a to 4.5-1d, supra.

Supporting Explanation: There are a total of four existing schools either inside or within one-quarter mile of the Project boundaries. (DPEIR p. 4.5-25.) These schools consist of:

- Chaparral Elementary at 14000 Shadow Drive, Fontana (approximately one-quarter mile south of the project site);
- Shadow Hills Elementary at 14300 Shadow Drive, Fontana (approximately one-quarter mile south of the project site);
- Jurupa Hills High School at 10700 Oleander Avenue, Fontana (adjacent to the site to the east); and
- Henry J. Kaiser High School at 11155 Almond Avenue, Fontana (within the project site boundary). (*Ibid.*)

Hazardous materials could be used in the construction and operation of new industrial/commercial development within the project site, including the use of standard construction materials (e.g., paints, solvents, and fuels), cleaning and other maintenance products (used in the maintenance of buildings, pumps, pipes, and equipment), diesel and other fuels (used in construction and maintenance equipment and vehicles), and the limited application of pesticides associated with landscaping. (*Ibid.*) Although hazardous materials and waste generated from future development may pose a health risk to nearby schools, all businesses that handle or have on-site transportation of hazardous materials would be required to comply with the provisions of the San Bernardino County Fire Department, Fontana Fire Protection District, the City of Fontana Municipal Code, and additional regulatory requirements. (*Ibid.*) Both the Federal and State governments require all businesses that handle more than a specified amount of hazardous materials to submit a Risk Management Plan to the CUPA. (*Ibid.*) The routine transport, use, and disposal of these materials would be subject to a wide range of laws and regulations intended to minimize potential health risks associated with their use or the accidental release of such substances. (DPEIR pp. 4.5-25 – 26.) Compliance with existing regulations and recommended mitigation measures would minimize the risks to schools associated with the exposure to hazardous materials. (DPEIR p. 4.5-26.) Moreover, with the exception of the PF and RTD Districts, all of the districts include development standards, landscape standards, parking and loading standards, and design guidelines aimed to buffer sensitive uses (including schools) from proposed development. (*Ibid.*) These standards and guidelines include: landscaping surrounding parking and loading areas; landscape buffer setbacks along public rights-of-way including berms and/or low walls; and orienting buildings to achieve minimal impacts to adjacent sensitive receptors. (*Ibid.*) This impact would be less than significant with mitigation incorporated. (*Ibid.*)

5. Hazardous Material Sites

Impact: Future development may affect a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (DPEIR p. 4.5-26.) However, impacts would be less than significant with mitigation and upon compliance with existing Federal, State, and local requirements. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project from hazardous materials sites to a less than significant level.

4.5-2a to 4.5-2f, supra.

Supporting Explanation: There are various hazardous material sites recorded within Federal, State, and local records databases. (DPEIR p. 4.5-26.) Potential hazards to construction workers and the public may occur as a result of construction activities on existing sites that could be contaminated. (*Ibid.*) Future development of any of these documented hazardous materials sites would require prior remediation and cleanup under the supervision of the DTSC in order to meet Federal, State, and local standards. (*Ibid.*) Since the Proposed Project does not include any specific development projects, future development would be evaluated on a project-by-project basis (e.g., through preparation of a Phase I Environmental Site Assessment to document the presence and extent of hazardous materials contamination) to determine if such sites are listed on a current regulatory hazardous materials site list. (*Ibid.*) The recommended mitigation measures would reduce potential impacts in this regard to less than significant levels. (*Ibid.*)

6. Emergency Evacuation Plan

Impact: Future development within the project area would interfere with an adopted emergency response plan or evacuation plan. (DPEIR p. 4.5-27.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the emergency evacuation plan to a less than significant level.

4.5-6a Prior to the issuance of grading permits, future developers shall prepare a Traffic Control Plan for implementation during the construction phase. The Plan may include the following provisions, among others:

- At least one unobstructed lane shall be maintained in both directions on surrounding roadways.
- At any time only a single lane is available, the developer shall provide a temporary traffic signal, signal carriers (i.e., flag persons), or other appropriate traffic controls to allow travel in both directions.
- If construction activities require the complete closure of a roadway segment, the developer shall provide appropriate signage indicating detours/alternative routes.

(DPEIR p. 4.5-27.)

4.5-6b Prior to construction, the City of Fontana Engineering Department shall consult with the City of Fontana Police Department to disclose temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction of future projects would result in temporary lane or roadway closures. (DPEIR p. 4.5-28.)

Supporting Explanation: The City's Emergency Operations Plan anticipates that all major streets within the Added Area would serve as evacuation routes. (DPEIR p. 4.5-27.) Construction activities associated with future development could temporarily impact street traffic adjacent to the proposed sites during the construction phase due to roadway improvements and potential extension of construction activities into the right-of-way. (*Ibid.*) This could reduce the number of lanes or temporarily close certain street segments. (*Ibid.*) Any such impacts would be limited to the construction period and would affect only adjacent streets or intersections. (*Ibid.*) With implementation of the recommended mitigation, which would ensure that temporary street closures would not affect emergency access in the vicinity of future developments, impacts would be less than significant in this regard. (*Ibid.*) All future developments would be required to provide sufficient emergency access, as required by the Zoning Code. (*Ibid.*) Additionally, the City's Emergency Operations Plan complies with and relies on the City's Hazardous Materials Response Plan. (*Ibid.*) As such, future development within Project boundaries would not interfere with an adopted emergency response plan and/or the emergency evacuation plan and less than significant impacts would occur. (*Ibid.*)

F. Noise

1. Short-Term Construction Noise

Impact: Future development and improvements in the project area facilitated by the Proposed Project would cause temporary, localized increases in noise levels and vibration during periods of construction, in excess of established standards. (DPEIR p. 4.7-10.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on short-term construction noise to a less than significant level.

4.7-1a The following measures shall be implemented when construction is to be conducted within 500 feet of any sensitive structures or has the potential to disrupt classroom activities or religious functions.

- The City shall restrict noise intensive construction activities to the days and hours specified under Section 18-63 of the City of Fontana Municipal Code. These days and hours shall also apply any servicing of equipment and to the delivery of materials to or from the site.
- All construction equipment shall be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) no less effective than those provided on the original equipment and no equipment shall have an unmuffled exhaust.
- The City shall require that the contractor maintain and tune-up all construction equipment to minimize noise emissions.

- Stationary equipment shall be placed so as to maintain the greatest possible distance to the sensitive use structures.
- All equipment servicing shall be performed so as to maintain the greatest possible distance to the sensitive use structures.
- If construction noise does prove to be detrimental to the learning environment, the City shall allow for a temporary waiver thereby allowing construction on Weekends and/or holidays in those areas where this construction is to be performed in excess of 500 feet from any residential structures.
- The construction contractor shall provide an on-site name and telephone number of a contact person. Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. In the event that construction noise is intrusive to an educational process, the construction liaison will revise the construction schedule to preserve the learning environment.

(DPEIR p. 4.7-12.)

4.7-1b Should potential future development facilitated by the proposed project require off-site import/export of fill material during construction, trucks shall utilize a route that is least disruptive to sensitive receptors, preferably major roadways (Interstate 10, Interstate 15, State Route 60, Sierra Avenue, Beech Avenue, Jurupa Avenue, and Slover Avenue). Construction trucks should, to the extent practical, avoid the weekday and Saturday a.m. and p.m. peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). (DPEIR pp. 4.7-12 – 13.)

Supporting Explanation: Potential future development facilitated by the Proposed Project could generate significant amounts of noise and vibration during grading and construction operations. (DPEIR p. 4.7-10.) During future project implementation, adjacent sensitive receptors would be exposed to sporadic high noise and vibration levels associated with construction activities (as a result of power tools, jackhammers, truck noise, etc.). (DPEIR pp. 4.7-10 – 11.) It is anticipated that construction traffic would access the potential construction sites within the project area from several major roadways, including Sierra Avenue, Beech Avenue, Citrus Avenue, Jurupa Avenue, and Slover Avenue. (DPEIR p. 4.7-11.) Various sensitive receptors exist both within and in close proximity to the project area. (*Ibid.*) Since many residential and institutional land uses are within close proximity to potential construction activities, residential and institutional land uses could be exposed to noise levels above City-established thresholds of significance. (*Ibid.*)

The General Plan EIR concluded the following regarding construction noise impacts:

> In actuality, the City recognizes that construction noise is difficult to control and places allowable hours for this intrusion. Section 18-63, "Enumeration of prohibited noises" provides for these exemptions and allows for noise from the construction and repair work as long as these activities are limited to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays. Therefore, while adverse, construction, when performed in compliance with the requirements of the Municipal Code, is typically considered to be less than significant. Still construction even when restricted to within these hours, presents a nuisance value when conducted in proximity to sensitive receptors and the impact is considered as potentially significant.

(*Ibid.*)

The analysis also determined that implementation of the proposed General Plan EIR or equally effective measures could reduce construction impacts to less than significant. (*Ibid.*) The Proposed Project and anticipated future development were considered in the General Plan EIR analysis, since the development anticipated within the project area is consistent with the General Plan's existing land use designations. (*Ibid.*) Therefore, implementation of the Specific Plan would be consistent with the analysis presented in the General Plan EIR. (*Ibid.*) All future development within the project area would be subject to compliance with the Municipal Code Section 18-63(7), which allows construction noise in excess of normally defined thresholds 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. (*Ibid.*) Thus, noise intensive construction activities would be restricted to the days and hours specified under Code Section 18-63. (*Ibid.*) Additionally, implementation of Mitigation Measures 4.7-1a and 4.7-1b would further reduce construction noise associated with future development within the project area to less than significant levels by limiting the hours of construction and establishing a method to address complaints. (*Ibid.*) Although construction activities associated with individual future projects could generate potentially significant noise levels, Mitigation Measures 4.7-1a through 4.7-1b have been included to reduce construction noise impacts to a less than significant level. (*Ibid.*) Additionally, due to the conceptual nature of the future development within the project area, future proposals could require individual assessments of potential construction-related noise impacts. (*Ibid.*) If necessary, additional mitigation would be recommended on a project-by-project basis to further minimize potential construction noise impacts. (*Ibid.*)

2. Long-Term Stationary Noise

Impact: Potential future development in the project area facilitated by the Proposed Project would permanently increase ambient noise levels from stationary sources, in excess of established standards. (DPEIR p. 4.7-13.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measure would reduce

the impact of the Project on long-term stationary noise to a less than significant level.

4.7-2a No new industrial facilities shall be constructed within 160 feet of any existing sensitive land use property line without the preparation of a dedicated noise analysis. This analysis shall document the nature of the industrial facility as well as "noise producing" operations associated with that facility. Furthermore, the analysis shall document the placement of any existing or proposed noise-sensitive land uses situated within the 160-foot distance. The analysis shall determine the potential noise levels that could be received at these sensitive land uses and specify very specific measures to be employed by the industrial facility to ensure that these levels do not exceed those City noise requirements of 65 dBA CNEL. Such measures could include, but are not limited to, the use of enclosures for noisy pieces of equipment, the use of noise walls and/or berms for exterior equipment and/or on-site truck operations, and/or restrictions on hours of operations. No development permits or approval of land use applications shall be issued until the noted acoustic analysis is received and approved by the City Staff. (DPEIR p. 4.7-14)

Supporting Explanation: Potential future development within the Project could have long-term stationary noise impacts on sensitive receptors within the project area, which consist of rural and suburban residential uses and the Henry J. Kaiser High School. (DPEIR p. 4.7-13.) As the Proposed Project does not involve any site-specific development proposals, it is speculative to estimate long-term stationary noise levels or the proximity of stationary sources to sensitive receptors. (*Ibid.*) Industrial uses would have the greatest potential of producing noise from a stationary source. (*Ibid.*)

The General Plan EIR determined that potentially significant noise impacts (from stationary sources) would occur where heavy industrial uses are proposed in proximity to residential uses. (*Ibid.*) Stationary source noise associated with industrial uses would occur from multiple trucks operating on-site. (*Ibid.*) The General Plan EIR conservatively assumed the use of multiple trucks could generate noise levels on the order of 80 dBA Leq at a distance of 50 feet. (*Ibid.*) Process equipment and the use of pneumatic tools could also generate elevated noise levels, but this equipment is typically housed within facilities and would not be expected to exceed the noise levels projected for the exterior truck activities. (*Ibid.*) A noise level of 80 dBA produced continually for a period of eight hours during the day would be 75 dBA at a distance of 50 feet. (*Ibid.*) The 65 dBA CNEL noise level would fall at a distance of 158 feet. (*Ibid.*) Therefore, Mitigation Measure 4.7-2a would be required to ensure that industrial uses proposed within this distance would not exceed the City's noise standards. (*Ibid.*) The analysis determined that the General Plan EIR mitigation measures (Mitigation Measure 4.7-2a) for site operations would reduce potentially significant impacts on new proposed development to less than significant levels. (*Ibid.*)

A primary goal of the Specific Plan is to update the land uses, regulations, and development standards and to promote orderly and compatible growth in the newly annexed areas as well as older areas within the Specific Plan, which when

implemented, would effectively safeguard against noise. (DPEIR p. 4.7-14.) The Specific Plan proposes the development of industrial and commercial uses in an area that is currently and developed with industrial, commercial, and residential uses. (*Ibid.*) As such, the increase in ambient noise levels is anticipated to generate noise levels similar to the surrounding developments. (*Ibid.*) Project areas where new development would abut sensitive uses such as residences, the Specific Plan includes design guidelines and development standards that are aimed at reducing impacts, including building orientation, wall placement, lot dimensions, maximum intensity, outdoor storage, setbacks, buffers, edge conditions, and landscaping. (*Ibid.*) By providing the necessary regulatory and design guidance, the Proposed Project ensures that future development of parcels within the project area implements the goals and policies of the General Plan Noise Element. (*Ibid.*) Any new stationary noise source (i.e., generators, air compressors, loading bays, pumps, etc.) would be required to provide adequate sound attenuation such that City noise standards are achieved. (*Ibid.*) Compliance with the City's standards and implementation of Mitigation Measure 4.7-2a would reduce potential stationary source noise impacts to less than significant levels. (*Ibid.*)

G. PUBLIC SERVICES, UTILITIES, AND INFRASTRUCTURE

1. Law Enforcement

Impact: Future development associated with the Proposed Project would significantly increase the demand for law enforcement services and related facilities within or in proximity to the site. (DPEIR p. 4.8-13.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the demand for law enforcement to a less than significant level.

4.8-1a The City shall continue to work towards a ratio of 1.4 sworn officers per 1,000 residents. (DPEIR p. 4.8-14.)

4.8-1b The Fontana Police Department shall continue to expand its Area Commander Program to more effectively serve specific areas of the City. (*Ibid.*)

4.8-1c The Fontana Police Department shall expand its Contact Stations to more effectively serve outlying areas. (*Ibid.*)

4.8-1d The Fontana Police Department shall continue its School Resource Officer Program on all current and future middle school campuses. (*Ibid.*)

4.8-1e The Fontana Police Department shall continue its extensive

volunteer crime prevention programs, including Citizen Volunteers, Explorers, Citizens on Patrol, Neighborhood Watch, Police Reserves, and Community Emergency. (*Ibid.*)

4.8-1f The Fontana Police Department shall continue its bilingual incentive program to more effectively serve the Latino community. (*Ibid.*)

4.8-1g The City shall maintain an average police and fire response time of 4 to 5 minutes. (*Ibid.*)

4.8-1h The City shall continue to promote the establishment of Neighborhood Watch programs in residential neighborhoods, aimed at encouraging neighborhoods to form associations to patrol or watch for any suspicious activity. (*Ibid.*)

4.8-1i The City shall incorporate appropriate staffing levels in the annual budget process keyed to City growth in population and employment. (*Ibid.*)

Supporting Explanation: The Proposed Project does not propose specific development projects. (DPEIR p. 4.8-13.) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future development occurring under the Proposed Project may create impacts on law enforcement services. (*Ibid.*)

The City of Fontana Police Department's nearest staffed facility to the project site is the Contact Station at the Palm Court Shopping Center located on the northeast corner of Slover Avenue and Sierra Avenue, approximately one mile east of the project site. (*Ibid.*) Police also currently respond to the area from the police headquarters adjacent to City Hall, approximately 2.75 miles northeast of the site. (*Ibid.*) The City collects Development Fees on behalf of the Police Department in the amounts of $.526 per square foot of commercial development, $.131 per square foot of industrial development, and $.698 per square foot of public facility development. (*Ibid.*)

Public safety improvements, such as street lighting, roadway improvements, and enhanced site design requirements would be implemented as part of the Project, and it is unlikely that any individual future project would result in the need to construct new police facilities. (*Ibid.*) In addition, each project applicant for future development projects would be required to pay developer fees that would ensure that adequate law enforcement services exist in the project area. (*Ibid.*) Upon implementation of recommended mitigation measures and payment of developer fees, impacts in this regard would be less than significant. (DPEIR p. 4.8-14.)

2. Fire Protection and Emergency Medical Services

Impact: Future development associated with the Proposed Project would significantly increase the need for fire protection and emergency medical services, resulting in physical impacts upon the environment. (DPEIR p. 4.8-15.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the need for fire protection and emergency medical services to a less than significant level.

4.8-2a The City shall maintain an average fire response time of 4 to 5 minutes. (*Ibid.*)

4.8-2b The City shall continue to maintain an ISO fire rating of Class 3. (*Ibid.*)

4.8-2c The City shall ensure that new fire stations are built in areas of new development so that response times are not eroded. (*Ibid.*)

Supporting Explanation: The Proposed Project does not propose specific development projects. (*Ibid.*) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future development occurring under the Project may create impacts on fire and emergency medical services. (*Ibid.*)

Two FFPD stations are located within the project site vicinity. (*Ibid.*) Fire Station 72 is located at 15380 San Bernardino Avenue, approximately one-quarter mile north of the project area. (*Ibid.*) Fire Station 74 is located at 11500 Live Oak Avenue, approximately one-quarter mile south of the project site. (*Ibid.*) To ensure that the provision of fire protection and emergency services is not eroded by future development, all development projects proposed within the project area would be required to pay the City's Development Fee for fire facilities ($.25 per square foot of commercial development and $.10 per square foot of industrial development). (*Ibid.*) These fees would be utilized to fund additional services and improvements that may be required to provide adequate fire protection to the project area. (*Ibid.*) As such, upon implementation of recommended mitigation measures and the payment of applicable developer fees for fire facilities, impacts in this regard would be less than significant. (*Ibid.*)

3. Public Education

Impact: Future development associated with the Proposed Project would significantly increase the demand for educational services and related facilities in the project area. (DPEIR p. 4.8-16) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would

reduce the impact of the Project on the demand for educational services and related facilities to a less than significant level.

4.8-3a Planning and development in the City shall continue to be integrated with the needs of school districts for new facilities. (*Ibid.*)

4.8-3b The City shall continue to support local school districts in their efforts to obtain additional funding sources, including special assessment districts and supplementary state and federal funding. (DPEIR p. 4.8-17.)

4.8-3c The City shall establish and maintain effective joint use agreements with school districts serving the community to achieve optimum, cost effective use of school facilities. (*Ibid.*)

4.8-3d The City shall continue to withhold building permits until verification that applicable school fees have been collected by the appropriate school district. (*Ibid.*)

4.8-3e The City shall collaborate with school districts in designing adjacent school/recreation facilities to achieve maximum usability and cost effectiveness for both the City and the school districts. (*Ibid.*)

4.8-3f The City shall collaborate with school districts in expanding educational opportunities and programs that benefit from City facilities. (*Ibid.*)

Supporting Explanation: The Proposed Project does not propose specific development projects. (DPEIR p. 4.8-16.) However, future industrial, commercial, and office development associated with the Project would create substantial employment opportunities within the project area. (*Ibid.*) In turn, this could lead to a population increase within the City and an associated increase in demand for educational services and facilities. (*Ibid.*) The General Plan EIR indicates that future buildout of the General Plan would result in a significant impact on the City's ability to provide educational services. (*Ibid.*) As noted previously, school facilities are either available, planned or under construction within the project area and will have sufficient capacity to handle additional numbers of students generated by future development within the project site. (*Ibid.*) As stated within the FUSD's Facility Master Plan, the FUSD has adequate new facilities in the planning or construction phase to accommodate future growth. (*Ibid.*) To reduce potential effects of future development on the City's ability to provide public education services, all future development projects within the project area would be required to pay school impact fees in effect at the time of development. (*Ibid.*) The FUSD collects developer fees for school facilities in the amount of $0.47 per square foot of commercial and industrial development. (*Ibid.*)

These fees are intended to fully mitigate project impacts on public schools. (*Ibid.*) Accordingly, the Project's impact on public school facilities would be less than significant with mitigation incorporated. (*Ibid.*)

4. Library Services

Impact: Future development associated with the Proposed Project would significantly increase the demand for library services that would require construction of additional library facilities. (DPEIR p. 4.8-17.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measure would reduce the impact of the Project on the demand for library services to a less than significant level.

4.8-4a As part of future development and infrastructure projects within the Specific Plan Update area, the City shall continue to explore options to provide additional library service, through FUSD joint use agreements and/or City-sponsored facilities using General Fund or other revenue sources. (DPEIR p. 4.8-18.)

Supporting Explanation: The Proposed Project does not propose specific development projects. (DPEIR p. 4.8-17.) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future industrial, commercial, and office development associated with the Project would create substantial employment opportunities within the project area. (*Ibid.*) In turn, this could lead to a population increase within the City and an associated increase in demand for library facilities. (*Ibid.*)

There are two San Bernardino County Library facilities in the site vicinity that serve the project area: Kaiser Branch Library, located within site boundaries at 11155 Almond Avenue; and Fontana Lewis Library and Technology Center, located approximately 2.5 miles northeast of the project site. (*Ibid.*)

The City collects a Library fee of $.042 per square foot of non-residential construction. (DPEIR p. 4.8-18.) These Library facilities impact fees are collected by the City from new construction projects and would be imposed on any new projects within the project site. (*Ibid.*)

The opening of Jurupa Hills High School, adjacent to the project site's eastern boundary, presents an opportunity for the County to negotiate a joint use agreement with the FUSD for the facility's library without requiring additional new facilities. (*Ibid.*) However, no agreement currently exists and, since no specific development is proposed at this time, it is not possible to determine whether future demand for library services will trigger the need for new facilities. (*Ibid.*) However, as development occurs under the Project, the City-collected library fees would fund improvements to either expand existing library services in the vicinity or construct new facilities as required. (*Ibid.*)

Thus, upon payment required fees and implementation of the recommended mitigation, impacts in this regard would be less than significant. (*Ibid.*)

5. Electricity and Natural Gas

Impact: Future development associated with the Proposed Project would significantly increase the demand for electricity and natural gas supply above existing conditions. (DPEIR p. 4.8-20.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the demand for electricity and natural gas supply to a less than significant level.

4.8-6a The City should provide growth projections to utility companies periodically as the basis for their projection of facility and service needs to support community development. (DPEIR p. 4.8-21.)

4.8-6b The City shall coordinate the installation of utilities so that disruption of public rights of way and private property is kept to a minimum. (*Ibid.*)

4.8-6c The City shall collaborate with utility companies to achieve the maximum undergrounding of utility lines commensurate with available funds. (*Ibid.*)

Supporting Explanation: SCE supplies electrical service to the project area. (DPEIR p. 4.8-20.) Future development associated with the Proposed Project would require electrical service from SCE. (*Ibid.*) SCE is continually assessing future demand as a component of the planning process and has indicated electrical capacity should not affect future development within the Fontana area. (*Ibid.*) In addition, natural gas service for the project area is provided by the Gas Company. (*Ibid.*) A gas pipeline (23-inch) is located along the northern edge of the project area, parallel to the alignment of the Union Pacific Railroad. (*Ibid.*)

Future development associated with the Proposed Project would increase the demand for electricity and natural gas supplies within the City. (*Ibid.*) Based on information provided by SCE and The Gas Company, the purveyors would be able to accommodate gas and electricity needs of future development anticipated by the City's General Plan. (*Ibid.*) Since the Project assumes less development intensity for the project site than what is designated by the City's General Plan, it is expected that impacts in this regard would be less than significant with mitigation incorporated. (DPEIR pp. 4.8-20 – 21.)

6. Water

Impact: Future development associated with the Proposed Project would significantly increase the demand for water and related facilities. (DPEIR p. 4.8-21.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the demand for water and related facilities to a less than significant level.

4.8-7a The City shall work closely with water supply agencies to assure the continued supply of water. (DPEIR p. 4.8-23.)

4.8-7b The City shall act to conserve water in whatever cost-effective ways are reasonably available. (*Ibid.*)

4.8-7c The City shall manager urban runoff to minimize water supply contamination. (*Ibid.*)

4.8-7d The City shall collaborate with water management authorities to devise and implement creative and cost-effective water management strategies. (DPEIR p. 4.8-24.)

4.8-7e The City shall provide educational material to its residents and businesses regarding the critical necessity for careful use of water and management of water systems. (*Ibid.*)

4.8-7f Prior to issuance of grading permits, future development and/or redevelopment activities within proximity to Metropolitan's pipelines or facilities shall submit design plans to Metropolitan for review and written approval, in accordance with the Guidelines for Developments in the Area of Facilities, Fee Properties, and/or Easements of the Metropolitan Water District of Southern California, as applicable.

Supporting Explanation: The Proposed Project does not propose specific development projects. (DPEIR p. 4.8-21.) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) However, future industrial, commercial, and office development associated with the Project would directly increase demand for water within the City. (*Ibid.*) In addition, due to the substantial employment opportunities created by future development, the potential associated population increase could also indirectly increase demand for water. (*Ibid.*)

The FWC owns and operates the potable facilities within the Proposed Project area. (*Ibid.*) In compliance with State requirements, the WSA prepared by FWC for the Proposed Project includes an analysis of FWC's ability to provide water to meet project demands in addition to demands throughout its service area over the next 20 years. (DPEIR pp. 4.8-21 – 22.) Based on the WSA, Table 4.8-3 below, Project Water

Demand Estimate at Buildout shows estimated Project demand at buildout conditions. (DPEIR p. 4.8-22.)

In addition, Table 4.8-4, Future Water Demand in FWC Service Area with Project (Normal Years), shows projected total demand within FWC's service area, assuming the Project at buildout. (*Ibid.*)

To meet increasing demand throughout its service area, FWC proposes to continue to utilize its existing sources, which include groundwater pumped from Chino Basin, Lytle Basin, Rialto Basin, and No-Man's Land, surface water from Lytle Creek, recycled water, and imported water from IEUA and SBVMWD. (*Ibid.*) In addition, FWC is anticipated to substantially increase its dry year production from the Chino Basin through construction of four new wells and replacement of four existing wells. (*Ibid.*) FWC would also install wellhead treatment on several existing Chino Basin wells to remove perchlorate contamination to restore groundwater capacity.

Table 4.8-3
Project Water Demand Estimate at Buildout

	Net Change in Buildout SF – Warehouse	Net Change in Buildout SF – Commercial	Net Change in Dwelling Units	Total Net Change in Water Demand
Square Footage	12,523,064	15,576,971	-397 units	
Floor Area Ratio	50%	50%		
Land Use (acres)	575.0	715.2		
Water Use Rate	350 GPD/acre	2,200 GPD/acre		
Water Demand	225 AFY	1,762 AFY	668 GPD/unit	1,690 AFY

SF = square feet
AFY = acre feet per year
GPD = gallons per day
Source: Fontana Water Company, *Water Supply Assessment for the Southwest Industrial Park Project*, July 2009

Table 4.8-4
Future Water Demand in FWC Service Area with Project (Normal Years)

	2010	2015	2020	2025	2030
Project Demand (AFY)	0	420	850	1,270	1,690
FWC Demand without Project (AFY)	49,300	54,680	59,450	64,230	69,010
Total Demand with Project (AFY)	49,300	55,100	60,300	65,500	70,700
Total Demand with Conservation (AFY)	46,800	49,600	54,300	59,000	63,600

Source: Fontana Water Company, *Water Supply Assessment for the Southwest Industrial Park Project*, July 2009

Based on the results of the WSA, existing and future water entitlements from groundwater, surface, and imported sources in addition to recycling and conservation will be sufficient to meet the Project's demand at buildout, in addition to forecast demand for the FWC's entire service area. (DPEIR p. 4.8-22.)

Table 4.8-5
Future Water Supplies and Demand in FWC Service Area
(Normal, Single Dry, and Multiple Dry Years)

Demand and Supply		Normal Year	Single Dry Year	Multiple Dry Years		
				Dry Year 1	Dry Year 2	Dry Year 3
Total Demand with Project		70,700	73,200	73,200	76,800	74,100
Total Demand with Conservation		63,800	65,900	65,900	68,100	66,700
Water Supplies	Surface Water	7,000	3,500	7,000	2,000	2,000
	Lytle Basin	11,000	8,000	11,000	6,500	5,000
	Chino Basin	25,000	68,500	25,000	68,500	68,500
	Rialto Basin	7,000	6,000	7,000	6,000	6,000
	No-Man's Land	3,800	3,400	3,800	3,100	2,300
	Recycled Water	4,300	4,300	4,000	4,500	4,300
	Imported Water - SBVMWD	4,000	1,000	2,000	2,000	2,000
	Imported Water - IEUA	16,000	2,000	16,000	2,000	2,000
	Total	80,100	96,700	77,800	94,400	82,100
Surplus Water Supplies (without Conservation)		9,400	23,500	23,500	17,600	16,000

As shown above within Table 4.8-5, FWC's supply would be able to serve total demand within its service area (including the Proposed Project at buildout), even under multiple dry year conditions. (DPEIR p. 4.8-23.) Thus, impacts related to the need for water supplies and entitlements would be less than significant upon implementation of recommended mitigation measures. (*Ibid.*)

Based on the Southwest Industrial Park Specific Plan Water and Sewer Infrastructure Study, it was determined that existing distribution capacity may be sufficient for buildout of the Proposed Project. (*Ibid.*) Several planned distribution improvements by either IEUA (the Wineville Extension for delivery of recycled water to the project area) and FWC (pipeline improvements along Calabash and Hemlock Avenues) would assist in accommodating increased conveyance demand within the area. (*Ibid.*) In addition, as future development proposals are received by the City, each project would be reviewed to ensure that adequate water conveyance infrastructure exists to serve each site-specific development. (*Ibid.*) Thus, impacts related to water distribution capacity would be less than significant. (*Ibid.*)

7. Wastewater

Impact: Future development associated with the Proposed Project would result in an increase in demand for wastewater services and facilities. (DPEIR p. 4.8-24.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on the demand for wastewater services and facilities to a less than significant level.

4.8-8a The City shall maintain its current Master Plan of Sewers as the basis for development of a sewer system to serve the community. (DPEIR p. 4.8-25.)

4.8-8b The City shall design and operate its local and trunk sewer

system in close collaboration with the IEUA. (*Ibid.*)

4.8-8c The City shall establish and maintain an aggressive water recycling program. (DPEIR p. 4.8-26.)

4.8-8d The City shall devote sufficient financial support for wastewater system maintenance so that current levels of service, health, and safety are sustained or improved. (*Ibid.*)

Supporting Explanation: Based on the Southwest Industrial Park Specific Plan Water and Sewer Infrastructure Study, buildout of development occurring within the Project would increase demand for sewer service. (DPEIR p. 4.8-24.) The IEUA provides regional domestic wastewater treatment for the City. (*Ibid.*) The City of Fontana operates wastewater conveyance facilities within the City boundaries. (*Ibid.*) Treatment of wastewater generated by the City of Fontana is handled at IEUA's Regional Plant 1 in Ontario. (*Ibid.*) The plant currently processes approximately 36 million GPD of raw sewage. (*Ibid.*) Its current capacity is 44 million gallons per day (MGD), leaving a surplus capacity of approximately 8 MGD. (*Ibid.*)

The San Bernardino Trunk Sewer Project was completed in April 2009. (*Ibid.*) This project included the construction of approximately 19,600 linear feet of sanitary sewer main from Cypress Avenue to Mulberry Avenue and will eventually tie into a regional pump station and force main that will be operated by the IEUA. (*Ibid.*) This system will divert existing sewer flows from Regional Plant No. 1 to Regional Plant No. 4, which will provide an increase in opportunities for recycled water. (*Ibid.*) In addition, it will increase opportunities for future annexations from the County area by providing additional capacity. (*Ibid.*) The IEUA will continue to expand their treatment capacity consistent with growth projections and associated increased demand and Agency funding mechanisms. (DPEIR pp. 4.8-24 – 25.)

Future implementation of conservation strategies and increased use of reclaimed water is expected to decrease the need for treatment capacity and provide a beneficial reuse of water resources. (DPEIR p. 4.8-25.) Future development associated with the Proposed Project is estimated to result in an increase of approximately 1,813,738 GPD of average wastewater flow over existing conditions, and an increase of 3,627,360 GPD of peak flow over existing conditions. (*Ibid.*) Based on the City's General Plan EIR, it is estimated that at General Plan buildout, the City would generate over eight MGD of additional wastewater. (*Ibid.*) In 2009, following a significant growth spurt in the City, and in the Regional Plant No. 1 service area, the treatment facility upon which the City relies is still operating below capacity and additional capacity will be provided as part of the San Bernardino Trunk Sewer Project. (*Ibid.*) Water conservation efforts are also achieving a 10 percent reduction in wastewater generation, a level which is expected to increase to 20 percent by 2020. (*Ibid.*) While no specific development is proposed at this time, and it is not possible to determine accurately future wastewater generation by new development in the project area, the amount of excess capacity in the existing treatment facilities serving the City make it unlikely that the Proposed Project would trigger the need for new or expanded regional wastewater treatment facilities and/or

exceed IEUA capacity. (*Ibid.*) In addition, the Project includes a lower intensity of development than what is assumed under existing General Plan and SWIP Specific Plan designations. (*Ibid.*) Therefore, impacts related to wastewater treatment capacity would be less than significant. (*Ibid.*)

Based on the Southwest Industrial Park Specific Plan Water and Sewer Infrastructure Study, it was determined that existing wastewater conveyance capacity may be sufficient for buildout of the Proposed Project. (*Ibid.*) However, new conveyance facilities would be required for areas to be annexed into the City. (*Ibid.*) As future development within the project area occurs, each developer would be required to pay standard IEUA sewer connection fees, which are utilized to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. (*Ibid.*) Additionally, as future development occurs, each site-specific project would be reviewed to ensure that adequate wastewater conveyance facilities exist to serve each development site. (*Ibid.*) As such, impacts in this regard would be less than significant upon implementation of recommended mitigation measures. (*Ibid.*)

8. Solid Waste

Impact: Future development associated with the Proposed Project would result in increased solid waste generation and demand for landfill capacity. (DPEIR p. 4.8-26.) However, with mitigation this impact would be less than significant. (*Ibid.*)

Finding: Implementation of the following Mitigation Measures would reduce the impact of the Project on solid waste generation and the demand for landfill capacity to a less than significant level.

4.8-9a The City shall continue to maintain a contractual arrangement that achieves maximum recycling rates at a reasonable price. (DPEIR p. 4.8-27.)

4.8-9b Where joint programs offer improvement efficiency or reduced cost, the City shall collaborate with other entities in recycling efforts. (*Ibid.*)

4.8-9c The City shall continue to provide services to resident and business citizens that facilitate community cleanup, curbside collections and diversion of oil and other hazardous waste materials. (*Ibid.*)

4.8-9d The City should maintain an aggressive public information program to stimulate waste reduction by its resident and business citizens. (*Ibid.*)

Supporting Explanation: The Amended Redevelopment Plan could facilitate future development in the Added Area, which could increase the generation of solid waste. (DPEIR p. 4.8-26.) The Mid-Valley Landfill in the City of Rialto currently accepts most of the City's solid waste. (*Ibid.*) According to the CalRecycle, the Mid-

Valley Landfill, operated by the County of San Bernardino, has an existing capacity of 101,300,000 cubic yards and a remaining capacity of approximately 67,520,000 cubic yards or 66.7 percent. (*Ibid.*) The facility is currently permitted to dispose of 7,500 cubic yards of waste per day. (*Ibid.*)

The City will generate approximately 475 tons of solid waste per day at General Plan buildout. (*Ibid.*) According to the City's General Plan EIR, the County does not foresee any significant adverse impacts on solid waste disposal as landfill capacity is expected to increase to meet increased regional demands. (*Ibid.*)

Accordingly, future development associated with the Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. (*Ibid.*) In addition, the Proposed Project would be in compliance with all State and local requirements related to solid waste. (*Ibid.*) Thus, impacts in this regard would be less than significant with mitigation incorporated. (*Ibid.*)

SECTION 4: RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The City Council hereby finds that, despite the incorporation of Mitigation Measures outlined in the PEIR and in this Resolution, the following impacts from the Proposed Project and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AESTHETICS, LIGHT, AND GLARE

1. Scenic Vistas

Impact: Even with mitigation, the Proposed Project would have a substantial adverse effect on a scenic vista. (SDEIR p. 4.1-15.)

Finding: The City Council finds that the adverse effect on scenic vistas would remain significant and unavoidable and no feasible mitigation measures apply. Therefore, a Statement of Overriding Considerations is required. (*Ibid.*)

Supporting Explanation: The General Plan identifies the San Bernardino and San Gabriel Mountains to the north of the City and the Jurupa Mountains to the south as important visual resources within the Fontana area. (*Ibid.*) These features provide scenic relief within the landscape and offer distant varied views that contribute to the character of the region. (*Ibid.*)

The project site is located approximately one-quarter to one-half mile from the foothills of the Jurupa Mountains. (*Ibid.*) Due to their proximity, the mountains have considerably greater visual impact on the project area than the more distant San Gabriel and San Bernardino Mountains to the north. (*Ibid.*) Cherry, Beech, and Citrus Avenues offer especially dramatic views of the Jurupa Mountains given their north-south

orientation. (*Ibid.*) As stated above, Cherry, Beech, and Citrus Avenues are identified as view corridors within the General Plan. Generally, the southeastern portion of the project site (where the most undeveloped area occurs) affords the best uninterrupted, panoramic views of the Jurupa Mountains to the south. (*Ibid.*)

In addition to the mountains, scenic vistas within the project site also include isolated windrows viewed across large open spaces and along several roadways within the southern portion of the project area. (*Ibid.*)

The Proposed Project would include development on existing undeveloped areas of the project site. (SDEIR p. 4.1-16.) The introduction of new structures, walls/fences, aesthetic screening, and landscaping could result in the blockage or impairment of views towards scenic vistas, including the Jurupa Mountains to the south. (*Ibid.*) In addition, the Project could result in the removal of the isolated windrows located within the southerly portion of the project site. (*Ibid.*) According to requirements within the Specific Plan Update, the maximum structure height within the Slover Central Industrial and Jurupa South Districts would be 100 feet. (*Ibid.*) All other districts, including the southeastern portion of the project site (where the most uninterrupted, panoramic views of the Jurupa Mountains occur) would have a maximum structure height of 60 feet. (*Ibid.*)

To minimize impacts related to future development upon existing scenic vistas, the Proposed Project includes an extensive range of land use and development regulations that set specific requirements for development intensity, lot dimensions, setbacks, structure heights, and accessory buildings. (*Ibid.*) In addition, Cherry, Beech, and Citrus Avenues would include widening and beautification improvements, in addition to minimum 20-foot setbacks to protect the view corridors towards the Jurupa Mountains to the south. (*Ibid.*)

Moreover, the Project would comply with the requirements of *Article III - Preservation of Heritage, Significant and Specimen Trees* of the City of Fontana *Municipal Code*. (*Ibid.*) Adherence would provide some protection for existing windrows and other heritage and specimen trees located within the project site; however, the Code's provisions allow removal of trees located within the ultimate right-of-way of public streets as shown within *the Circulation Element* of the City's *General Plan*. (*Ibid.*) Section 28-67(a)(1) requires replacement of eucalyptus tree windrows at a ratio of up to 4:1, depending upon the health of the tree. (*Ibid.*)

Although the Project includes various design features to minimize impacts to scenic vistas and would comply with existing local requirements, impacts related to the buildout of future development associated with the Project would remain significant and unavoidable. (*Ibid.*) The long-term buildout of industrial, commercial, and office uses throughout the project area would result in a significant alteration in views of the Jurupa Mountains to the south and the San Gabriel/San Bernardino Mountains to the north. (*Ibid.*)

B. AIR QUALITY

1. Short-Term Air Quality

Impact: Construction activities associated with the Proposed Project would generate dust and construction vehicle and equipment emissions during site preparation and project construction. (DPEIR p. 4.2-23.)

Finding: Although compliance with the requirements of the Municipal Code, SCAQMD regulations, and implementation of the following Mitigation Measures would reduce impacts, short-term air quality impacts would remain significant. A Statement of Overriding Considerations is required.

4.2-1a All construction equipment shall be maintained in good operation condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City verification. [GPEIR MM AQ-1] The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM 10 generation.
- Improve traffic flow by signal synchronization, and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO X and PM emissions requirements.
- During project construction, all internal combustion engines/construction equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:
  - January 1, 2012, to December 31, 2014: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level

3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- Post-January 1, 2015: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.. (DPEIR p. 4.2-25.)

4.2-1b Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Fontana denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the project. Contractors shall also conform to any construction measures imposed by the SCAQMD as well as City Planning Staff. (*Ibid.*)

4.2-1c All paints and coatings shall meet or exceed performance standards noted in SCAQMD Rule 1113. [GPEIR MM AQ-3] Specifically, the following measures shall be implemented, as feasible:

- Use coatings and solvents with a VOC content lower than that required under AQMD Rule 1113.
- Construct or build with materials that do not require painting.
- Require the use of pre-painted construction materials. (*Ibid.*)

4.2-1d Projects that result in the construction of more than 19 singlefamily residential units, 40 multifamily residential units, or 45,000 square feet of retail/commercial/industrial space shall be required to apply paints either by hand or high volume, low pressure (HVLP) spray. These measures may reduce volatile organic compounds (VOC) associated with the application of paints and coatings by an estimated 60 to 75 percent. Alternatively, the contractor may specify the use of low volatility paints and coatings. Several of currently available primers have VOC contents of less than 0.85 pounds per gallon (e.g., dulux professional exterior primer 100 percent acrylic). Top coats can be less than 0.07 pounds per gallon (8 grams per liter) (e.g., lifemaster 2000-series). This latter measure would reduce these VOC emissions by more than 70 percent. Larger projects should incorporate both the use of HVLP or hand application and the requirement for low volatility coatings. (*Ibid.*)

4.2-1e All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108. (DPEIR p. 4.2-27.))

4.2-1f Prior to the issuance of grading permits or approval of grading plans for future development projects within the project area, future developments shall include a dust control plan as part of the construction contract standard specifications. The dust control plan shall include measures to meet the requirements of SCAQMD Rules 402 and 403. Such
measures may include, but are not limited to, the following:

- Phase and schedule activities to avoid high-ozone days and first-stage smog alerts.
- Discontinue operation during second-stage smog alerts.
- All haul trucks shall be covered prior to leaving the site to prevent dust from impacting the surrounding areas.
- Comply with AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas.
- Moisten soil each day prior to commencing grading to depth of soil cut.
- Water exposed surfaces at least twice a day under calm conditions, and as often as needed on windy days or during very dry weather in order to maintain a surface crust and minimize the release of visible emissions from the construction site.
- Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.
- Wash mud-covered tires and under carriages of trucks leaving construction sites.
- Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
- Securely cover all loads of fill coming to the site with a tight fitting tarp.
- Cease grading during periods when winds exceed 25 miles per hour.
- Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
- Use low-sulfur diesel fuel in all equipment.
- Use electric equipment whenever practicable.
- Shut off engines when not in use.

(DPEIR p. 4.2-27.)

Supporting Explanation: The Proposed Project would not directly result in the construction of any new development projects. (DPEIR p. 4.2-24.) However, implementation of the Project could facilitate development of various industrial,

manufacturing, office, commercial, research and development, flex-tech, residential, public, and public utility/utility right-of-way uses. (*Ibid.*)

Fugitive Dust. Construction activities are a source of fugitive dust (PM 10 and PM 2.5) emissions that may have a substantial, temporary impact on local air quality. (*Ibid.*) Fugitive dust emissions vary substantially from day to day, depending on the level of activity, specific operations and weather conditions. (*Ibid.*) Dust (PM 10) poses a serious health hazard alone or in combination with other pollutants. (*Ibid.*) Fine Particulate Matter (PM 2.5) is mostly derived from combustion sources, such as automobiles, trucks, and other vehicle exhaust, as well as from stationary sources. (*Ibid.*) These particles are either directly emitted or are formed in the atmosphere from the combustion of gasses such as NO X and SO X combining with ammonia. PM 2.5 components from material in the earth's crust, such as dust, are also present, with the amount varying in different locations. (*Ibid.*)

Exhaust. Exhaust emissions would be generated by the operation of vehicles and equipment on the construction site, such as tractors, dozers, scrapers, backhoes, cranes, and trucks. (*Ibid.*) The majority of construction equipment and vehicles would be diesel powered, which tends to be more efficient than gasoline-powered equipment. (*Ibid.*) Diesel-powered equipment produces lower carbon monoxide and hydrocarbon emissions than gasoline equipment, but produced greater amounts of NO X , SO X , and particulates per hour of activity. (*Ibid.*) The transportation of equipment and materials to and from the site, as well as construction workers traveling to and from the site, would also generate vehicle emissions during construction. (*Ibid.*)

Grading/Hauling. Depending on the amount of over-excavation and re-compaction that may be necessary to create a suitable building pad, potential future development facilitated by the Proposed Project may require the import/export of fill material. (*Ibid.*) Although these activities may create additional dust and PM 10 and PM 2.5 (as well as truck-related emissions), they would be mitigated to less than significant levels through implementation of standard dust control practices required as part of the grading permit (periodic site watering, covering laden trucks with tarps, and periodic street sweeping). (*Ibid.*)

Asbestos. Additionally, it is possible that asbestos-containing materials may exist within existing buildings that may be modified or demolished. (*Ibid.*) Therefore, the possibility exists that asbestos fibers may be released into the air should no asbestos assessment or removal (if needed) take place prior to demolition. (*Ibid.*) Standard practice would be to conduct an asbestos assessment for candidate buildings to determine the presence of asbestos. (*Ibid.*) If identified, an asbestos abatement contractor would be retained to develop an abatement plan and remove the asbestos containing materials, in accordance with local, State, and Federal requirements. (*Ibid.*) After removal, demolition may proceed without significant concern to the release of asbestos fibers into the air. (*Ibid.*)

Health Effects. CARB has identified diesel engine particulate matter as a toxic air contaminant in 1998. Mobile sources (including trucks, buses, automobiles, trains,

ships, and farm equipment) are by far the largest source of diesel emissions. (DPEIR p. 4.2-25.) The exhaust from diesel engines includes hundreds of different gaseous and particulate components, many of which are toxic. (*Ibid.*) Diesel exhaust is composed of two phases, either gas or particulate – both contribute to the risk. (*Ibid.*) The gas phase is composed of many of the urban hazardous air pollutants, such as acetaldehyde, acrolein, benzene, 1,3-butadiene, formaldehyde, and polycyclic aromatic hydrocarbons. (*Ibid.*) The particulate phase has many different types that can be classified by size or composition. (*Ibid.*) The size of diesel particulates of greatest health concern are fine and ultrafine particles. (*Ibid.*) These particles may be composed of elemental carbon with adsorbed 17 compounds such as organics, sulfates, nitrates, metals, and other trace elements. (*Ibid.*) Diesel exhaust is emitted from a broad range of on- and off-road diesel engines. (*Ibid.*)

Health risk assessments for diesel engine particulate matter are typically conducted for areas that would expose sensitive receptors to high concentrations of diesel engine particulate over a long period of time. (*Ibid.*) Per guidelines of the California Office of Environmental Health Hazard Assessment (OEHHA) and the California Air Pollution Control Officers Association (CAPCOA), estimating the cancer risk from diesel engine particulate is typically not required for construction activities, as they occur for a short period of time and therefore would not measurably increase cancer risk. (*Ibid.*)

Construction-related air quality impacts would be short-term and temporary, lasting only as long as the construction phase of future projects. (*Ibid.*) Nonetheless, construction impacts have the potential to violate Federal and State ambient air quality standards and may harm nearby sensitive receptors. (*Ibid.*) The SCAQMD short-term thresholds are established for individual development projects, and it is assumed that some future development would be implemented under the Proposed Project could individually exceed the SCAQMD thresholds. (*Ibid.*) The General Plan EIR concluded that major construction activities under the General Plan Update could exceed SCAQMD's thresholds and would result in a significant impact, although individual projects may not be significant. (*Ibid.*) Additionally, the General Plan EIR concluded that even after the application of General Plan Policies and mitigation measures, implementation of the General Plan Update would result in significant and unavoidable air quality impacts on a programmatic level due to the magnitude of emissions that would be generated during construction. (*Ibid.*) Therefore, construction-related air quality impacts would be addressed on a project-by-project basis.

Implementation of Mitigation Measures 4.2-1a through 4.2-1f would lessen construction-related impacts by requiring measures to reduce air pollutant emissions from construction activities. (DPEIR pp. 4.2-25 – 26.) These measures call for the maintenance of construction equipment, the use of non-polluting and nontoxic building equipment, and minimizing fugitive dust. (DPEIR p. 4.2-26.) Future site-specific development and infrastructure projects will require separate CEQA and City discretionary review, including imposition of additional project-specific mitigation where required, and compliance with relevant General Plan EIR mitigation measures. (*Ibid.*)

As project-related emissions (associated with future development and infrastructure projects facilitated by the Proposed Project) are anticipated to exceed SCAQMD thresholds, construction-related emissions are considered significant and unavoidable. (*Ibid.*)

2. Long-Term Air Quality

Impact: The Proposed Project would not directly construct any new development projects; however, it could facilitate the construction of new uses. New development projects would result in a significant overall increase in regional pollutant loads due to mobile source emissions and area source emissions. (DPEIR p. 4.2-28.)

Finding: The following Mitigation Measures will be implemented to lessen the Project's impact on long-term air quality. However, the impact would remain significant and a Statement of Overriding Considerations is required.

4.2-2a All "large-scale" (e.g., over 10 acres per day) project Applicants shall provide incentives to use mass transit including the placement of bus stop shelters along major thoroughfares if not so equipped. (City Staff shall determine what denotes a "large-scale" project.) (DPEIR p. 4.2-31.)

4.2-2b All "large-scale" (e.g., over 10 acres per day) project Applicants shall incorporate a bike/walking path between these shelters, the proposed residential areas, and the proposed commercial areas. These paths shall be lit and configured so as to avoid potential conflict with roadways and railroad activities. (*Ibid.*)

4.2-2c All industrial and commercial facilities shall post signs requiring that trucks shall not be left idling for prolonged periods pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes. (*Ibid.*)

4.2-2d The City shall require that both industrial and commercial uses designate preferential parking for vanpools. (*Ibid.*)

4.2-2e The proposed commercial and industrial areas shall incorporate food service. (DPEIR p. 4.2-32.)

4.2-2f All industrial and commercial site tenants with 50 or more employees shall be required to post both bus and MetroLink schedules in conspicuous areas. (*Ibid.*)

4.2-2g All industrial and commercial site tenants with 50 or more employees shall be requested to configure their operating schedules around the MetroLink schedule to the extent reasonably feasible. (*Ibid.*)

4.2-2h All residential and commercial structures shall be required to

incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters. (*Ibid.*)

4.2-2i All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping. (*Ibid.*)

4.2-2j All residential, commercial, and industrial structures shall be required to incorporate light colored roofing materials. (*Ibid.*)

4.2-2k Prior to approval of future development projects within the project area, the City of Fontana shall conduct project-level environmental review to determine potential vehicle emission impacts associated with the project(s). Mitigation measures shall be developed for each project as it is considered to mitigate potentially significant impacts to the extent feasible. Potential mitigation measures may require that facilities with over 250 employees (full or part-time employees at a worksite for a consecutive six-month period calculated as a monthly average), as required by the Air Quality Management Plan, implement Transportation Demand Management (TDM) programs. (*Ibid.*)

4.2-2l New warehouse facilities or distribution centers that generate a minimum of 100 truck trips per day, or 40 truck trips with transport refrigeration units (TRUs) per day, or TRU operations exceeding 300 hours per week shall not be located closer than 1,000 feet from any existing or proposed sensitive land use such as residential, a hospital, medical offices, day care facilities, and/or fire stations (pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook), unless the increase in health risk for such sensitive receptors due to an individual project is shown to be less than the South Coast Air Quality Management District's thresholds of significance (Maximum Incremental Cancer Risk ≥10 in 1 million; Cancer Burden > 0.5 excess cancer cases [in areas ≥1 in 1 million]; and Chronic & Acute Hazard Index ≥1.0 [project increment]). With regard to expansions/modifications of existing warehouse facilities or distribution centers, this mitigation measure shall be applied to the resulting incremental net increase in truck trips or TRU operations, and any resulting net increase in health risk impacts, as compared to those existing at the time an expansion/modification project is proposed. (*Ibid.*)

Supporting Explanation: Implementation of the Proposed Project would not directly construct any new development projects. (DPEIR p. 4.2-28.) However, the Proposed Project could facilitate the development of new industrial, manufacturing, office, commercial, research and development, flex-tech, residential, public, and public utility/utility right-of-way uses. (*Ibid.*) Although the exact nature and location of future land uses are not known at this time, development could introduce new stationary sources of air emissions into the project area. (*Ibid.*)

Stationary Source Emissions

Stationary source emissions would result from the use of natural gas, landscape maintenance equipment, and the use of consumer products, such as aerosol sprays. (*Ibid.*) Table 4.2-4, Estimated Emissions for the Specific Plan Update, presents the criteria air pollutant emissions associated with new land uses within the project area. (DPEIR p. 4.2-29.) It should be noted that emissions do not include existing development within the project area. (DPEIR p. 4.2-28.) Although, the Project does not propose any specific development, the emissions modeled in Table 4.2-4 are based on the additional development that could occur beyond baseline conditions base year designated land use types and densities. (*Ibid.*) The emissions from development under the Proposed Project would exceed the SCAQMD daily thresholds for ROG, NO X , CO, PM 10 , and PM 2.5 , resulting in a significant impact. (*Ibid.*)

Table 4.2-4
Estimated Emissions for the Specific Plan Update

Scenario	Estimated Annual Emissions (tons/year)					
	ROG	NOx	CO	SO2	PM10	PM2.5
Area Sources	178 69	60 36	61 41	0 00	0 15	0 15
Mobile Sources	1,919 77	2,594 43	23,237 58	25 89	4,241 85	825 74
Total Emissions	2,098 46	2,654 78	23,298 99	25 89	4,242 0	825 89
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Is Threshold Exceeded? (Significant Impact)	Yes	Yes	Yes	No	Yes	Yes

Notes:
1 Emissions estimates calculated using URBEMIS 2007 (version 9 2 4)
2 Emissions estimates calculated using the land use categories/densities depicted in Section 2 0 *Project Description*
Refer to Appendix C *Air Quality Modeling Data* for detailed model input/output data

The thresholds of significance that have been recommended by the SCAQMD were established for individual development projects and are based on the SCAQMD's New Source Review emissions standards for individual sources of new emissions, such as boilers and generators. (DPEIR p. 4.2-29.) They do not apply to cumulative development or multiple projects. (*Ibid.*) Air quality impacts would be regional and not confined City limits. (*Ibid.*) Future site-specific development proposals would be evaluated for potential air emissions once development details have been determined and are available. (*Ibid.*) Individual projects may not result in significant air quality emissions. (*Ibid.*)

All new stationary emission sources would be required to receive permits to operate from the SCAQMD. (*Ibid.*) Through the SCAQMD's permitting process, factors such as the availability of emission offsets and their ability to reduce emissions are addressed. (*Ibid.*) Emissions from new, modified, or relocated stationary source equipment are regulated extensively through SCAQMD's Regulation XIII: New Source Review Program, SCAQMD's Permitting Program, and compliance with SCAQMD's source specific regulations. (*Ibid.*) Types of uses requiring permitting that are allowed under current zoning include a variety of manufacturing, fabricating, and processing businesses. (*Ibid.*) The Proposed Project allows for 22,387,358 square feet of industrial uses. (*Ibid.*) All future industrial development projects would be required to comply with the then current SCAQMD regulations and permitting requirements.

Compliance with regulations and permit requirements would reduce emissions from new industrial uses. (*Ibid.*) Additionally, implementation of Mitigation Measures 4.2-2h through 4.2-2j would reduce stationary source emissions by incorporating energy efficient measures into building design. (*Ibid.*) However, due to the magnitude of development and the exceedance of thresholds identified in Table 4.2-4, the Proposed Project would result in a significant and unavoidable impact on a program-level basis. (*Ibid.*)

Mobile Source Emissions

The Proposed Project would not directly construct any new development projects. (*Ibid.*) However, the Proposed Project would facilitate the development of new industrial, manufacturing, office, commercial, research and development, flex-tech, residential, public, and public utility/utility right-of-way uses. (*Ibid.*) New uses would generate mobile source emissions. (*Ibid.*)

Mobile source emissions are emissions from vehicle trips that are generated by the operation of a project. Mobile source emissions include tailpipe and evaporative emissions. (DPEIR p. 4.2-30.) Mobile sources are anticipated to be the largest contributor to the estimated annual average air pollutant levels, and would likely exceed the SCAQMD thresholds. (*Ibid.*)

All projects developed within the project area would be required to satisfy applicable General Plan EIR mitigation measures. (*Ibid.*) Furthermore, air quality impacts would be regional and not confined to the Fontana City limits. (*Ibid.*) The destinations of motor vehicles, which are the primary contributors to air pollution, vary widely and cross many jurisdictional boundaries. (*Ibid.*) Future site-specific development proposals would be evaluated for potential air emissions once specific development proposals are available. (*Ibid.*) Implementation of Mitigation Measures 4.2-2a through 4.2-2g would reduce mobile source emissions by incorporating and encouraging alternative transportation modes and limiting truck idling times. (*Ibid.*) Also, Mitigation Measure 4.2-2k would require project-level environmental review to determine potential vehicle emission impacts associated with future projects and appropriate additional mitigation. (*Ibid.*) However, due to the magnitude of development and associated mobile source air quality impacts, impacts in this regard remain significant at the program-level. (*Ibid.*)

Health Effects

The Proposed Project is located in the City of Fontana, south of the Interstate 10 (I-10) freeway. (*Ibid.*) The proximity to I-10 and railroad rights-of-way poses a concern for potential exposure of future development to toxic air contaminants from these sources. (*Ibid.*) The Project would not so much as create an impact in this regard, but project-related development could contribute to this existing condition. (*Ibid.*)

The Multiple Air Toxics Exposure Study III (MATES III) is a monitoring and evaluation study conducted by the SCAQMD. (*Ibid.*) The MATES III study consists of a monitoring program, an updated emissions inventory of toxic air contaminants, and a modeling effort to characterize risk throughout the SCAB. (*Ibid.*) The study concentrates on the carcinogenic risk from exposure to air toxics. (*Ibid.*) Ten monitoring locations measured toxic air contaminants (over 30 air pollutants) once every three days for two years. (*Ibid.*)

The carcinogenic risk from air toxics in the SCAB, based on average concentrations at the fixed monitoring locations, is about 1,200 per million. (*Ibid.*) This risk refers to the expected number of additional cancers in a population of one million individuals that are exposed over a 70-year lifetime. (*Ibid.*) Under the MATES III methodology, approximately 94 percent of the risk is attributed to mobile source emissions, and approximately six percent is attributed to stationary sources. (*Ibid.*) The Inland Valley San Bernardino monitoring location (nearest monitoring station to Fontana) reported higher levels of risk. (*Ibid.*) However, the MATES III Study found a decreasing risk for air toxics exposure compared to previous MATES studies. (*Ibid.*) Additionally, the MATES III study found an estimated SCAB-wide population-weighted risk reduced by eight percent from the MATES II Study, which includes the City of Fontana. (*Ibid.*) Although the City is located in an area of the SCAB with some of the higher concentrations of air toxics, these concentrations are declining and conditions are continuing to improve. (*Ibid.*) Additionally, the ambient air toxics data from the ten fixed monitoring sites demonstrated a reduction in air toxic levels and risks. (DPEIR pp. 4.2-30 – 31.) Implementation of Mitigation Measures 4.2-2a through 4.2-2k would reduce these impacts. (DPEIR p. 4.2-31.)

The CARB Air Quality and Land Use Handbook (April 2005), recommends avoiding siting new sensitive land uses within 500 feet of a freeway or within 1,000 feet of a distribution center. (*Ibid.*) The Western Riverside Council of Governments Good Neighbor Guidelines for Siting New and/or Modified Warehouse/Distribution Facilities (September 2005), also provides similar recommendations to reduce impacts from toxic air contaminants. (*Ibid.*) The Proposed Project includes existing industrial, manufacturing, office, commercial, research and development, flex-tech, residential, public, and public/utility right-of-way uses. (*Ibid.*) The Proposed Project does not include new residential uses or other new sensitive land uses. (*Ibid.*) However, implementation of the Proposed Project could locate industrial uses within 500 feet of existing sensitive uses. (*Ibid.*) Therefore Mitigation Measure 4.2-2l would be required to ensure that new industrial uses, including distribution centers, would not be located within 1,000 of a existing sensitive receptors. (*Ibid.*) With implementation of Mitigation Measure 4.2-2l, impacts from both cancer and non-cancer impacts from air toxics would be less than significant. (*Ibid.*)

3. Consistency with Air Quality Management Plan

Impact: The Proposed Project may conflict with the Air Quality Management Plan (AQMP). (DPEIR p. 4.2-35.)

Finding: The following Mitigation Measures will be implemented in order to lessen the impacts of the Project resulting in conflicts with the Air Quality Management Plan. However, the impacts will still be significant and a Statement of Overriding Considerations is required.

4.2a – 4.2l, supra.

Supporting Explanation: The SCAQMD's CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." (DPEIR p. 4.2-35.) Strict consistency with all aspects of the plan is usually not required. (*Ibid.*) A Proposed Project should be considered to be consistent with the plan if it furthers one or more policies and does not obstruct other policies. (*Ibid.*) The CEQA Handbook identifies two key indicators of consistency criteria:

Criterion 1: Would the Project Increase in the Frequency or Severity of Violations?

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in a regional context. (*Ibid.*) All future development projects would be required to comply with existing SCAQMD regulations and permitting requirements. (*Ibid.*) Compliance with regulations and permit requirements would ensure that new uses reduce emissions the extent feasible. (*Ibid.*) The General Plan EIR determined that through land use planning, the General Plan would result in fewer overall emissions than buildout under the previous General Plan. It should also be noted that the General Plan has been accounted for in the preparation of the 2007 AQMP. (DPEIR pp. 4.2-35 – 36.) Although the General Plan EIR determined that the General Plan Update would help in the attainment of the 2007 AQMP goals, this program level assessment determined that emissions associated with potential development within the Specific Plan area would exceed the SCAQMD thresholds. (DPEIR p. 4.2-36.) Therefore, the Project would not meet the first AQMP consistency criterion. (*Ibid.*)

Criterion 2: Would the Project Exceed Assumptions in the AQMP?

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning within the SCAB focuses on attainment of ambient air quality standards at the earliest feasible date. (*Ibid.*) Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends in the City's General Plan. (*Ibid.*) Thus, the SCAQMD's second criterion for determining project consistency focuses on whether or not the Proposed Project exceeds the assumptions utilized in preparing the forecasts presented in the AQMP. (*Ibid.*)

Implementation of the Proposed Project would not directly construct any new development projects. (*Ibid.*) Rather, implementation of the Project could facilitate the development of new uses. (*Ibid.*) The Proposed Project is consistent with the goals

and policies of the General Plan. However, the Proposed Project would require a General Plan Amendment for the redesignation of land uses within the project area. (*Ibid.*) The amended land use designations would reduce the land use intensities of the current designations. (*Ibid.*) Under the existing Specific Plan and General Plan, 43,756,379 square feet of new development would occur in the project area, as compared to the 29,636,918 square feet of new development that would occur under the Proposed Project land use designations. (*Ibid.*) As a result, land use intensities in the project area would be below buildout projections identified in the existing General Plan. (*Ibid.*) As the existing General Plan buildout conditions were utilized in forecasts presented in the 2007 AQMP, land uses associated with the Project have also been included. (*Ibid.*) Therefore, as emissions from the future projects associated with the Project have been considered in the forecasts presented in the 2007 AQMP, impacts in this regard are less than significant. (*Ibid.*)

In conclusion, the determination of consistency with the 2007 AQMP is primarily concerned with the long-term influence of the Project on air quality in the SCAB. (*Ibid.*) As the program level analysis of emissions associated with the potential development in the project area would exceed SCAQMD thresholds, the Project would potentially result in a long-term impact on the region's ability to meet State and Federal Ambient Air Quality Standards. (*Ibid.*) The Project would conflict with the AQMP as it would not meet the first consistency criterion. (*Ibid.*)

C. NOISE

1. Long-Term Mobile Noise

Impact: Potential future development in the Project area facilitated by the Proposed Project could permanently increase ambient noise levels from mobile sources (vehicular traffic and rail), in excess of established standards. (DPEIR p. 4.7-14.)

Finding: The following Mitigation Measures will be implemented to lessen the Project's impact on long-term mobile noise. However, the impact would remain significant and a Statement of Overriding Considerations is required.

4.7-3a With respect to the proposed land uses, developers may specify increased setbacks such that they do not lie within the 65 dBA CNEL overlay zone residential and noise sensitive land uses depicted in the Proposed General Plan or the distances to both the MetroLink and Union Pacific Railroad tracks discussed in Section 5.4.3 (Railroad Noise Impacts on New, Proposed Land Uses) [Section 5.4.3 of the General Plan EIR]. This would ensure that any proposed land uses do not exceed the goals of the City General Plan Noise Element and would also ensure that any railroad vibration is reduced to less than a significant level. (DPEIR pp. 4.7-20 – 21.)

4.7-3b Prior to issuance of a grading permit, a developer shall contract

for a site-specific noise study for the parcel. The noise study shall be performed by an acoustic consultant experienced in such studies and the consultant's qualifications and methodology to be used in the study must be presented to City staff for consideration. The site-specific acoustic study shall specifically identify potential noise impacts upon any proposed sensitive uses (addressing General Plan buildout conditions), as well as potential project impacts upon off-site sensitive uses due to construction, stationary and mobile noise sources. Mitigation for mobile noise impacts, where identified as significant, shall consider facility siting and truck routes such that project-related truck traffic utilizes existing established truck routes. Mitigation shall be required if noise levels exceed 65 dBA, as identified in Section 30-182 of the City's Municipal Code. (DPEIR p. 4.7-21.)

Supporting Explanation:

Existing Traffic Noise

According to the Traffic Impact Analysis, the Proposed Project would generate 219,929 daily vehicle trips. (DPEIR p. 4.7-15.) Traffic volumes were analyzed under the "Existing" and "Existing Plus Project" conditions. (*Ibid.*) Under the "Existing" scenario, noise levels at a distance of 100 feet from the centerline would range from approximately 55.3 dBA to 70.2 dBA. (*Ibid.*) The highest noise levels under "Existing" conditions would occur along Mulberry Avenue, between Philadelphia Avenue and SR-60. (*Ibid.*) Under the "Existing Plus Project" scenario noise levels at a distance of 100 feet from the centerline would range from approximately 58.1 dBA to 73.1 dBA. (*Ibid.*) The Proposed Project would increase noise levels on the surrounding roadways by a maximum of 6.7 dBA along Cherry Avenue, between Slover Avenue and Jurupa Street. (*Ibid.*) The existing noise levels along this segment are 64.9 dBA. (*Ibid.*) An increase of 6.7 dBA would represent a potentially significant impact. (*Ibid.*)

Forecast 2030 Traffic Noise

Potential future development within the Proposed Project could cause permanent increases in ambient noise levels, both within and outside the project area, from mobile sources (i.e., vehicular traffic to/from the area), and from increased rail operations, that could exceed the City's noise standards. (DPEIR p. 4.7-17.) The "2030 Without Project" and "2030 With Project" scenarios were compared for long-term traffic noise conditions. (*Ibid.*) As previously discussed, an increase of five dBA or greater in noise levels occurring from project-related activities would be significant when the "Without Project" noise level is below 60 dBA CNEL. (*Ibid.*) An increase of three dBA or greater in noise levels occurring from project-related activities would be significant when the "Without Project" noise level is between 60 to 65 dBA CNEL. (*Ibid.*) Finally, an increase of 1.5 dBA or greater would be significant if the "Without Project" noise level is above 65 dBA CNEL. (*Ibid.*)

In Table 4.7-6, Future Noise Scenarios, the noise level (dBA at 100 feet from centerline) depicts what would typically be heard 100 feet perpendicular to the roadway centerline. (*Ibid.*) As indicated in Table 4.7-6, below, under the "2030 Without Project" scenario, noise levels at a distance of 100 feet from the centerline would range from approximately 56.2 dBA to 71.1 dBA. (*Ibid.*) The highest noise levels under the "2030 Without Project" conditions occur along Mulberry Avenue (between Philadelphia Avenue and SR 60). (*Ibid.*) Under the "2030 With Project" scenario, noise levels at a distance of 100 feet from the centerline would range from approximately 58.6 dBA to 73.4 dBA. (*Ibid.*) The highest noise levels under future with project conditions would occur along Cherry Avenue (between San Bernardino Avenue and Valley Boulevard). (*Ibid.*)

Table 4.7-6 also compares the "2030 Without Project" scenario to the "2030 With Project" scenario. (DPEIR p. 4.7-18 – 19.) The Proposed Project would increase noise levels on the surrounding roadways by a maximum of 6.0 dBA along Cherry Avenue (between Slover Avenue and Jurupa Street) with noise levels greater than 65 dBA. (*Ibid.*) As indicated in Table 4.7-6, a majority of the roadway noise levels resulting from the Proposed Project would result in potentially significant impacts. (*Ibid.*)

Table 4.7-6
Future Noise Scenarios

Roadway Segment	2030 Without Project		2030 With Project		Difference in dBA @ 100 Feet from Roadway	Potentially Significant Impact?
	ADT	dBA CNEL @ 100 Feet from Roadway Centerline	ADT	dBA CNEL @ 100 Feet from Roadway Centerline		
Armstrong Road						
SR-60 to Sierra Avenue	23,784	66.8	24,808	67.0	0.2	No
Beech Boulevard						
Slover Avenue to Jurupa Street	5,270	59.2	10,171	62.0	2.8	No
Cherry Avenue						
San Bernardino Avenue to Valley Boulevard	20,036	68.3	64,194	73.4	5.1	Yes
Slover Avenue to Jurupa Street	14,555	65.8	58,034	71.8	6.0	Yes
Citrus Avenue						
I-10 to Santa Ana Avenue	9,756	61.8	26,141	66.1	4.3	Yes
San Bernardino Avenue to Valley Boulevard	19,888	65.2	43,006	69.6	3.4	Yes
Santa Ana Avenue to Jurupa Street	8,306	61.1	18,483	64.6	3.5	Yes
East Airport Drive						
I-15 to Etiwanda Avenue	8,463	63.8	26,753	69.8	5.0	Yes
Etiwanda Avenue						
Jurupa Street to Philadelphia Avenue	18,413	66.8	20,327	67.3	0.5	No
Philadelphia Avenue to SR-60	23,259	70.0	24,079	70.1	0.1	No
San Bernardino Avenue to Valley Boulevard	20,427	67.6	24,950	68.4	0.8	No
Slover Avenue to Jurupa Street	27,667	67.8	30,415	69.1	1.3	No

Table 4.7-6 (continued)
Future Noise Scenarios

Roadway Segment	2030 Without Project		2030 With Project		Difference in dBA @ 100 Feet from Roadway	Potentially Significant Impact?
	ADT	dBA CNEL @ 100 Feet from Roadway Centerline	ADT	dBA CNEL @ 100 Feet from Roadway Centerline		
San Bernardino Avenue						
Cherry Avenue to Fontana Avenue	9,355	64.2	9,941	64.5	0.3	No
Etiwanda Avenue and Cherry Avenue	13,052	66.8	13,554	66.9	0.1	No
Sierra Avenue						
Jurupa Street to Armstrong Road	24,796	69.2	25,820	69.4	0.2	No
Slover Avenue to Jurupa Street	26,853	69.5	25,853	69.3	-0.2	No
Slover Avenue						
Cherry Avenue to Citrus Avenue	13,811	66.9	29,903	70.3	3.4	Yes
Citrus Avenue to Sierra Avenue	13,856	65.8	35,272	69.8	4.0	Yes
Etiwanda Avenue and Mulberry Avenue	12,251	65.2	29,999	69.1	3.9	Yes
Mulberry Avenue to Cherry Avenue	11,309	65.0	25,891	69.3	3.3	Yes
Valley Boulevard						
Cherry Avenue to Fontana Avenue	12,983	65.6	17,659	66.8	1.3	No
Citrus Avenue and Sierra Avenue	12,634	64.2	14,950	64.9	0.7	No

Due to the conceptual nature of the proposed land uses, future development projects would have to be further evaluated on a project-by-project basis to determine potential mobile noise impacts on sensitive receptors. (DPEIR p. 4.7-19.) Siting of new development would be required to consider proximity to noise sources such as freeway and rail traffic. (*Ibid.*) The existing General Plan land use designations locate industrial development within the areas abutting I-10 and the Southern Pacific Railroad. (*Ibid.*) The Proposed Project is designed to focus industrial development into a defined area to minimize impacts and capitalize on the adjacent transportation corridors. (*Ibid.*) By providing the necessary regulatory and design guidance, the Proposed Project ensures that future development of parcels within the project area implements the goals and policies of the General Plan Noise Element. (*Ibid.*) The cumulative effect of the Proposed Project buildout could also warrant sound attenuation of sensitive receptors located along major arterials, especially in areas where residential development exists. (DPEIR pp. 4.7-19 – 20.)

General Plan EIR Table 5.7-7, Year 2030 Traffic Volumes and Resultant Noise Levels Along Major Roadways Subject to Potentially Significant Change, presents those routes with the potential for significant increase in noise due to area growth anticipated under the proposed General Plan. (DPEIR p. 4.7-20.) Table 5.7-7 of the General Plan EIR indicates that various roadways within the City, including some within the project area, would experience potentially significant (5 dBA or greater) increases in noise levels. (*Ibid.*) The General Plan EIR also concluded the impact on existing sensitive land uses due to the increase in future projected traffic volumes is too great to fully mitigate and the impact is expected to remain significant. (*Ibid.*) Moreover, the General Plan EIR concluded the impact from rail operations on sensitive receptors is considered potentially significant for both noise and vibration from passing railroad trains. (*Ibid.*) All future development within the project area would be subject to compliance with Mitigation Measures 4.7-3a and 4.7-3b, which would reduce noise impacts on existing and proposed land uses from mobile sources through increased setbacks, attenuation measures, and site-specific noise studies. (*Ibid.*) Mitigation Measure 4.7-3a and 4.3-7b would ensure that new potential development would not exceed the goals of the City General Plan Noise Element and reduce vibration from railroad sources to a less than significant level. (*Ibid.*) However, as no specific development is proposed at this time, future noise impacts from mobile sources cannot be determined. (*Ibid.*) Therefore, future mobile noise source impacts as a result of the Proposed Project would be significant and unavoidable. (*Ibid.*)

Airport Noise

The Ontario International Airport is approximately 11 miles to the west. (*Ibid.*) The Proposed Project is not located within the 60 Ldn contour line of either public airport, and would not likely be significantly affected by overhead aircraft noise. (*Ibid.*) The Proposed Project would not expose people residing or working in the project area to excessive aircraft noise levels. (*Ibid.*) It should also be noted that the City is participating in the preparation of the Ontario Airport Environs Land Use Plan which

includes mitigation for airport noise. (*Ibid.*) Therefore, a less than significant impact would occur in this regard. (*Ibid.*)

D. PUBLIC SERVICES, UTILITIES, AND INFRASTRUCTURE

1. Parks and Recreation

Impact: Future development associated with the Project could result in significant impacts related to increased demand for parks and recreation facilities. (DPEIR p. 4.8-18.)

Finding: The following Mitigation Measures will be implemented to lessen the Project's impact on the increased demand for parks and recreation facilities. However, the impact would remain significant and a Statement of Overriding Considerations is required.

4.8-5a A wide variety of parks and recreation facilities, including regional, community, neighborhood and sub-neighborhood parks, shall be provided throughout the City. (DPEIR p. 4.8-19.)

4.8-5b The design of all parks shall meet the particular needs of the specialized populations they serve, such as seniors, young adults, families, and children. (DPEIR p. 4.8-20.)

4.8-5c Barrier-free access to all parks shall be provided. (*Ibid.*)

4.8-5d The park standards for the City shall be two-acres per thousand residents for community parks and three-acres per thousand for neighborhood parks. (*Ibid.*)

4.8-5e Each park within the City shall provide a variety of activity options for users, including active and passive uses. (*Ibid.*)

4.8-5f The City shall reevaluate the design of each of its parks as part of the periodic update of its Parks, Recreation, and Trails Master Plan. (*Ibid.*)

4.8-5g Each park within the City shall be evaluated for safety on a periodic basis. (*Ibid.*)

Supporting Explanation: The Proposed Project does not propose specific development projects. (DPEIR p. 4.8-18.) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future industrial, commercial, and office development associated with the Project would create substantial employment opportunities within the project area. (DPEIR pp. 4-8-18 – 19.)

In turn, this could lead to a population increase within the City and an associated increase in demand for parks and recreational facilities. (DPEIR p. 4.8-19.)

The project area is served on a local level by the City's Community Services and Recreation Department and on a regional level by the County's Regional Parks Department. (*Ibid.*) Although there are no City parks located within project boundaries, the City's Community Services and Recreation Department operates seven parks situated within one mile of the project site, consisting of Catawba, Chaparral, Oak, Shadow, and Village Parks, Southridge Park/Don Day Neighborhood Center, and Martin Tudor Jurupa Hills Regional Park. (*Ibid.*) Residents have limited use of school facilities for recreational activities and sports leagues through existing joint-use agreements with various school districts serving the community, including Fontana Unified School District. (*Ibid.*)

Subsequent to the adoption of the City of Fontana General Plan, the City has added numerous neighborhood parks in the vicinity of the project site. (*Ibid.*) In addition, it has developed community parks and community centers, including the Fontana Community Park that opened in October 2009, and has several other major park facilities in development stages including the 210 Sports Park, Central Park, and Fernandez Park. Capital investment is allowing the City to continue to increase its total available parkland. (*Ibid.*)

The City currently collects a Park Development fee for residential uses. (*Ibid.*) However, no Park Development fees are collected for commercial, office, or industrial development. (*Ibid.*)

The Proposed Project does not include new residential uses. (*Ibid.*) Thus, it is not expected that the payment of Park Development fees would be generated directly by the new commercial, office, and industrial development that would occur under buildout of the Project. (*Ibid.*) No specific development is proposed at this time, and it is not possible to determine whether future demand for park and recreation services will trigger the need for new facilities or whether, in the absence of additional neighborhood and community park facilities in proximity to the project site, existing facilities outside of the site would be accessed by new residents, accelerating their deterioration. (*Ibid.*) The Proposed Project would not directly result in the payment of any Park Development fees that would ensure that impacts are mitigated. (*Ibid.*) Therefore, at a program level of analysis, future park and recreational facility impacts resulting from future development associated with the Project would be significant and unavoidable. (*Ibid.*)

E. TRAFFIC AND CIRCULATION

1. Increased Traffic Volumes

Impact: Upon implementation of recommended mitigation measures, identified facilities would operate at a satisfactory LOS based on agency criteria. (DPEIR p. 4.9-46.) However, since the majority of these recommended improvements are either currently unfunded or only partially funded and two of the recommendations

are situated outside of the City of Fontana's jurisdiction, implementation of these improvements cannot be assured. (*Ibid.*) Thus, impacts in this regard are considered significant and unavoidable. (*Ibid.*)

Finding: The following Mitigation Measures will be implemented to lessen the Project's impact on increased traffic volume. However, the impact would remain significant and a Statement of Overriding Considerations is required.

4.9-1a Mulberry Avenue – Consistent with City of Fontana Circulation Master Plan,

construct Mulberry Avenue connection from Slover Avenue to Valley Boulevard over I-10 freeway. This improvement is identified to provide additional north-south capacity, reducing forecast traffic on Etiwanda Avenue and Cherry Avenue. (DPEIR p. 4.9-81.)

4.9-1b Beech Avenue – Consistent with City of Fontana Circulation Master Plan, construct Beech Avenue from Slover Avenue to Valley Boulevard including an interchange with I-10. This improvement is consistent with City of Fontana Circulation Master Plan. This improvement is identified to provide additional north-south capacity and freeway access, reducing forecast traffic on Cherry Avenue and Citrus Avenue. (DPEIR pp. 4.9-81 – 82.)

4.9-1c Jurupa Street between Etiwanda Avenue and Mulberry Avenue – Consistent with

the City of Fontana Circulation Master Plan, widen the study roadway segment from a 4-lane divided roadway segment to a 6- lane divided roadway segment. This improvement is included in the City of Fontana 7-Year Capital Improvement Program, but is not yet fully funded. (DPEIR p. 4.9-82.)

4.9-1d Mulberry Avenue between Slover Avenue and Jurupa Avenue – Consistent with

the City of Fontana Circulation Master Plan, widen the study roadway segment from a 2-lane undivided roadway segment to a 4- lane undivided roadway segment. (*Ibid.*)

4.9-1e Jurupa Street between Mulberry Avenue and Cherry Avenue – Consistent with

the City of Fontana Circulation Master Plan, widen the study roadway segment from a 4-lane divided roadway to a 6-lane divided roadway. This improvement is included in the City of Fontana 7-Year Capital Improvement Program, but is not yet fully funded. (*Ibid.*)

4.9-1f Beech Avenue between Slover Avenue and Jurupa Street – Consistent with the

City of Fontana Circulation Master Plan, widen the study roadway segment from a 2-lane divided roadway to a 4-lane divided roadway. (*Ibid.*)

4.9-1g Citrus Avenue between I-10 Eastbound Ramps and Santa Ana Avenue – Consistent with the City of Fontana Circulation Master Plan, widen the study roadway segment from a 2-lane undivided roadway segment to a 4 lane undivided roadway segment. (*Ibid.*)

4.9-1h Citrus Avenue between Santa Ana Avenue and Jurupa Street – Consistent with the City of Fontana Circulation Master Plan, widen the study roadway segment from a 2-lane undivided roadway segment to a 4 lane undivided roadway segment. (*Ibid.*)

The following mitigation measures are intended to achieve acceptable operations at the deficient intersections for forecast existing with project conditions, assuming implementation of identified roadway segment improvements (Mitigation Measures 4.9-1a through 4.9-1h):

4.9-1i Etiwanda Avenue/San Bernardino Avenue – Widen the northbound Etiwanda Avenue approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound San Bernardino Avenue approach from two left-turn lanes, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, two through lanes, and one right-turn lane. Additionally, modify the westbound San Bernardino Avenue signal phasing to include a westbound right-turn overlap, which will preclude U-turn movement from southbound to northbound Etiwanda Avenue. (*Ibid.*)

4.9-1j Etiwanda Avenue/East Airport Drive-Slover Avenue – Widen the northbound Etiwanda Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, one through lane, and one shared through/right-turn lane. Widen the southbound Etiwanda Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, one through lane, and one shared through/right-turn lane. Widen the westbound Slover Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and two right-turn lanes. (DPEIR p. 4.9-83.)

4.9-1k Etiwanda Avenue/Jurupa Street – Widen the eastbound Jurupa Street approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound Jurupa Street approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. (*Ibid.*)

4.9-1l Mulberry Avenue/Slover Avenue – In concert with construction of the extension of Mulberry Avenue north of Slover Avenue, widen the northbound Mulberry Avenue approach from one left-turn lane and one right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Construct and stripe the southbound Mulberry Avenue approach to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the eastbound Slover Avenue approach from two through lanes and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and one shared through/right-turn lane. Widen the westbound Slover Avenue approach from one left-turn lane and two through lanes to consist of one left-turn lane, two through lanes, and one right-turn lane. Additionally, modify the signal phasing to consist of protected left-turn phasing. (*Ibid.*)

4.9-1m Mulberry Avenue/Santa Ana Avenue – Widen the northbound Mulberry Avenue approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Re-stripe the eastbound Santa Ana Avenue approach from one shared left-turn/through lane and one right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. Widen the westbound Santa Ana Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane, one through lane, and one shared through/right-turn lane. Additionally, modify the east-west signal phasing from permitted left-turns to protected left-turns. (*Ibid.*)

4.9-1n Mulberry Avenue/Jurupa Street – Modify the northbound Mulberry Avenue signal phasing to include a northbound right-turn overlap, which will preclude U-turn movement from westbound to eastbound Jurupa Street. Widen the southbound Mulberry Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, two through lanes, and one right-turn lane. Additionally, modify the southbound Mulberry Avenue signal phasing to include a southbound right-turn overlap, which will preclude U-turn movement from eastbound to westbound Jurupa Avenue. Widen the eastbound Jurupa Street approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane.

Widen the westbound Jurupa Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. (DPEIR pp. 4.9-83 – 84.)

4.9-1o Banana Avenue/Valley Boulevard – Signalize the Banana Avenue/Valley Boulevard intersection. According to the City of Fontana, the Banana Avenue/Valley Boulevard intersection satisfies traffic signal warrants and is in the pre-construction phase. (DPEIR p. 4.9-84.)

4.9-1p Cherry Avenue/Valley Boulevard – Widen the northbound Cherry Avenue approach from one left-turn lane, two through lanes, and one de facto right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. Widen the southbound Cherry Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. Widen the westbound Valley Boulevard approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, two through lanes, and one right-turn lane. (*Ibid.*)

4.9-1q Cherry Avenue/Slover Avenue – Widen the northbound Cherry Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of one left-turn lane, four through lanes and one right-turn lane. Widen the southbound Cherry Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, four through lanes, and two right-turn lanes. Widen the eastbound Slover Avenue approach from one left-turn lane, two through lanes, and one de facto right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound Slover Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and two right-turn lanes. (*Ibid.*)

4.9-1r Cherry Avenue/Jurupa Street – Widen the northbound CherryAvenue approach

from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the southbound Cherry Avenue approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and two right-turn lanes. Widen the eastbound Jurupa Avenue approach from two left-turn lanes, two through lanes, and one shared through/right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound Jurupa Street approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. (*Ibid.*)

4.9-1s Beech Avenue/Valley Boulevard – Signalize the Beech Avenue/Valley Boulevard intersection. Widen the northbound Beech Avenue approach from one shared left-turn/through lane and one right-turn lane to consist of one left-turn lane, one through lane, and one shared through/right-turn lane. Widen the southbound Beech Avenue approach from one shared left-turn/through lane and one right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. (DPEIR p. 4.9-84 – 85.)

4.9-1t Beech Avenue/Slover Avenue – Signalize the Beech Avenue/Slover Avenue intersection. Widen the northbound Beech Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the southbound Beech Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the eastbound Slover Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound Slover Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. (DPEIR p. 4.9-85.)

4.9-1u Beech Avenue/Santa Ana Avenue – Signalize the Beech Avenue/Santa Ana Avenue intersection. (*Ibid.*)

4.9-1v Beech Avenue/Jurupa Street – Signalize the Beech Avenue/Jurupa Street intersection. Widen the eastbound Jurupa Street approach from one shared left-turn/through lane and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the westbound Jurupa Street approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. (*Ibid.*)

4.9-1w Citrus Avenue/Valley Boulevard – Widen the northbound Citrus Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, one through lane, and one shared through/right-turn lane. Widen the southbound Citrus Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the eastbound Valley Boulevard approach from two left-turn lanes, one through lane, and one shared through/right-turn lane to consist of two left-turn lanes, two through lanes, and two right-turn lanes. (*Ibid.*)

4.9-1x Citrus Avenue/Slover Avenue – Widen the northbound Citrus Avenue approach from one left-turn lane and one shared through/right-turn lane to consist of one left-turn lane, two through lanes, and one right-turn lane. Widen the southbound Citrus Avenue approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, two through lanes, and two right-turn lanes. Widen the eastbound Slover Avenue approach from one left-turn lane, two through lanes, and one de facto right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. Widen the westbound Slover Avenue approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. (*Ibid.*)

4.9-1y Citrus Avenue/Santa Ana Avenue – Signalize the Citrus Avenue/Santa Ana Avenue intersection. Widen the northbound Citrus Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. Widen the southbound Citrus Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. Widen the eastbound Santa Ana Avenue approach from one shared left-turn/through/right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. Re-stripe the westbound Santa Ana Avenue approach from one shared left-turn/through lane and one right-turn lane to consist of one left-turn lane and one shared through/right-turn lane. (DPEIR p. 4.9-86.)

4.9-1z Citrus Avenue/Jurupa Street – Signalize the Citrus Avenue/Jurupa Street intersection. Widen the southbound Citrus Avenue approach from one left-turn lane and one shared through/right-turn lane to consist of one left-turn lane, one through lane, and one shared through/right-turn lane. Widen the eastbound Jurupa Street approach from one left-turn lane, two through lanes, and one shared through/right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. Widen the westbound Jurupa Street approach from one left-turn lane, one through lane, and one shared through/right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. (*Ibid.*)

4.9-1aa Sierra Avenue/Slover Avenue – Widen the eastbound Slover Avenue approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lanes, three through lanes, and one right-turn lane. (*Ibid.*)

4.9-1bb Sierra Avenue/Jurupa Street – Widen the southbound Sierra Avenue approach from two left-turn lanes, two through lanes, and one right-turn lane to consist of two left-turn lane, two through lanes, and two right-turn lanes. Widen the eastbound Jurupa Street approach from one left-turn lane, one shared left-turn/through lane, one through lane, and one right-turn lane to consist of two left-turn lanes, two through lanes, and one right-turn lane. Widen the westbound Jurupa Street approach from one left-turn lane, one through lane, and one right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. Improvements have recently been constructed at this intersection satisfying the lane configuration recommended. (*Ibid.*)

4.9-1cc Armstrong Road/SR-60 Eastbound Ramps – Contribute towards preparation of a Project Study Report to improve operations, circulation, and access at the Armstrong Road/SR-60 interchange. (*Ibid.*)

The following improvements are identified to achieve acceptable operations at the deficient roadway segments for forecast year 2030 with project conditions:

4.9-1dd Cypress Avenue – Consistent with City of Fontana Circulation Master Plan, construct Cypress Avenue from Slover Avenue to Valley Boulevard over I-10 freeway. This improvement is consistent with City of Fontana Circulation Master Plan. This improvement is identified to provide additional north-south capacity, reducing forecast traffic on Cherry Avenue and Citrus Avenue. (DPEIR p. 4.9-87.)

4.9-1ee Country Village Road between Philadelphia Avenue and SR-60 Westbound Ramps – Consistent with the County of Riverside Circulation Master Plan, widen the study roadway segment from a 4-lane undivided roadway segment to a 6 lane divided roadway segment. Since this improvement is within the jurisdiction of the recently incorporated City of Jurupa Valley, implementation by the City of Fontana cannot be assured. Therefore, this improvement shall be included in the planning and collection of fees and coordination with the appropriate lead agency shall occur to administer the improvement. (*Ibid.*)

4.9-1ff San Bernardino Avenue between Cherry Avenue and Fontana Avenue – Consistent with the City of Fontana Circulation Master Plan, widen the study roadway segment from a 2-lane divided roadway to a 4- lane divided roadway. Since this improvement is within the jurisdiction of the County of San Bernardino, implementation by the City of Fontana cannot be assured. Therefore, this improvement shall be included in the planning

and collection of fees and coordination with the appropriate lead agency shall occur to administer the improvement. (*Ibid.*)

4.9-1gg Jurupa Street between Cherry Avenue and Citrus Avenue – Consistent with the City of Fontana Circulation Master Plan, widen the study roadway segment from a 5-lane divided roadway to a 6-lane divided roadway. A portion of this improvement has recently been implemented by the City of Fontana providing the capacity for a 6-lane roadway between Poplar Avenue and Citrus Avenue. (*Ibid.*)

4.9-1hh Jurupa Street between Citrus Avenue and Sierra Avenue – Consistent with the City of Fontana Circulation Master Plan, widen the study roadway segment from a 5-lane divided roadway to a 6-lane divided roadway. This improvement has recently been implemented by the City of Fontana providing the capacity for a 6-lane roadway between Citrus Avenue and Sierra Avenue. (*Ibid.*)

The following improvements are identified to achieve acceptable operations at the affected study intersections for forecast year 2030 with project conditions assuming implementation of the identified roadway segment improvements:

4.9-1ii I-15 Southbound Ramps/Jurupa Street – Widen the southbound I-15 Southbound Off-Ramp from one left-turn lane, one shared left-turn/through/right-turn lane, and one right-turn lane to consist of two left-turn lanes, one through lane, and one right-turn lane. (DPEIR pp. 4.9-87 – 88.)

4.9-1jj Commerce Way/Ontario Mills Parkway – Widen the northbound Commerce Way approach from two left-turn lanes, one through lane, and one right-turn lane. (DPEIR p. 4.9-88.)

4.9-1kk Cherry Avenue/San Bernardino Avenue – Widen the eastbound San Bernardino Avenue approach from one left-turn lane, two through lanes, and one right-turn lane to consist of two left-turn lanes, two through lanes, and one right-turn lane. (*Ibid.*)

4.9-1ll Cherry Avenue/Santa Ana Avenue – Widen the southbound Cherry Avenue approach from one left-turn lane, two through lanes, and one shared through/right-turn lane to consist of one left-turn lane, three through lanes, and one right-turn lane. (*Ibid.*)

Implementation Improvements:

4.9-1mm Prior to issuance of a grading permit, applicants for future development associated with the Proposed Project shall prepare site-specific traffic studies, to the satisfaction of the City's Engineering Department. As determined by these subsequent traffic studies, traffic improvements identified as mitigation measures in this Program EIR shall be implemented as a condition of the approved future development project, either through direct construction by the project applicant and/or through development impact fees. (*Ibid.*)

4.9-1nn The City of Fontana shall perform monitoring of traffic generation and phasing of development within the project area to defer or eliminate identified improvements due to potential circulation impact changes or reduced land use intensities. This monitoring shall be achieved through project-specific traffic studies tied to future development within the Specific Plan Update area with land use in excess of 100,000 square feet of nonresidential land use. (*Ibid.*)

Supporting Explanation: With the addition of Project-generated trips, the following nine roadway segments are forecast to operate at a deficient LOS (LOS E or worse) according to agency performance criteria for forecast existing with project conditions:

- Jurupa Street between Etiwanda Avenue and Mulberry Avenue;
- Mulberry Avenue between Slover Avenue and Jurupa Street;
- Jurupa Street between Mulberry Avenue and Cherry Avenue;
- Cherry Avenue between San Bernardino Avenue and I-10 Westbound Ramps;
- Cherry Avenue between I-10 Eastbound Ramps and Jurupa Street;\
- Jurupa Street between Cherry Avenue and Citrus Avenue;
- Citrus Avenue between San Bernardino Avenue and I-10 Westbound Ramps;
- Citrus Avenue between I-10 Eastbound Ramps and Santa Ana Avenue; and
- Citrus Avenue between Santa Ana Avenue and Jurupa Street. (DPEIR p. 4.9-52.)

High forecast traffic volumes on Cherry Avenue and Citrus Avenue in the vicinity of I-10 are related to the lack of parallel north-south roadways such as Mulberry Avenue and Beech Avenue, which are identified as future crossings of I-10 in the City's Circulation Element. (*Ibid.*) Since the collection of baseline traffic data for this analysis, the Cypress Avenue overcrossing has been constructed and provides vehicular connectivity between Slover Avenue and Valley Boulevard over I-10. (*Ibid.*)

With the addition of project-generated trips, the following 19 study intersections are forecast to operate at a deficient LOS (LOS E or worse) according to agency performance criteria for forecast existing with project conditions:

- Etiwanda Avenue/East Airport Drive-Slover Avenue (both a.m. and p.m. peak hours);
- Etiwanda Avenue/Jurupa Street (both a.m. and p.m. peak hours);
- Mulberry Avenue/Jurupa Street (both a.m. and p.m. peak hours);
- Banana Avenue/Valley Boulevard (p.m. peak hour only);
- Cherry Avenue/San Bernardino Avenue (both a.m. and p.m. peak hours);
- Cherry Avenue/Valley Boulevard (both a.m. and p.m. peak hours);
- Cherry Avenue/Slover Avenue (both a.m. and p.m. peak hours);
- Cherry Avenue/Santa Ana Avenue (both a.m. and p.m. peak hours);
- Cherry Avenue/Jurupa Street (both a.m. and p.m. peak hours);
- Beech Avenue/Valley Boulevard (both a.m. and p.m. peak hours);
- Beech Avenue/Slover Avenue (both a.m. and p.m. peak hours);
- Beech Avenue/Jurupa Street (both a.m. and p.m. peak hours);
- Citrus Avenue/Valley Boulevard (both a.m. and p.m. peak hours);
- Citrus Avenue/Slover Avenue (both a.m. and p.m. peak hours);
- Citrus Avenue/Santa Ana Avenue (both a.m. and p.m. peak hours);
- Citrus Avenue/Jurupa Street (both a.m. and p.m. peak hours);
- Sierra Avenue/Slover Avenue (p.m. peak hour only);
- Sierra Avenue/Jurupa Street (both a.m. and p.m. peak hours); and
- Armstrong Road/SR-60 Eastbound Ramps (both a.m. and p.m. peak hours). (DPEIR p. 4.5-54.)

Since the collection of baseline traffic data for this analysis, the Sierra Avenue/Jurupa Street intersection has been improved to accommodate forecast existing with Project conditions traffic volumes. (*Ibid.*)

Forecast Existing with Project Conditions Recommended Improvements

Improvements have been identified to provide acceptable operations at the study segments and study intersections. (DPEIR p. 4.9-55.) Some improvements may already be included in funding programs, such as the City of Fontana 7-Year Capital Improvement Program (CIP). (*Ibid.*) The 7-Year CIP serves as a planning tool which coordinates financing and scheduling of major infrastructure projects within the City. (*Ibid.*) Projects not already included in a fee program with financing and scheduling identified would require project and funding approvals through a funding and improvement program to identify the financial resources required to construct the traffic improvements identified within the Draft Program EIR on a timely basis. (*Ibid.*) Improvements may be funded through a combination of sources such as the 7-Year CIP, developer mitigation as shown by future site-specific traffic studies, and funding by adjacent jurisdictions. (*Ibid.*) The following potential funding sources are identified with an understanding that additional sources are likely:

- Developer mitigation as determined by project-specific traffic studies tied to future development within the Specific Plan area;

- The City's Circulation Development Fee Program, designated for use on roadways which have been identified in the Measure I Nexus Study. Specifically, the City would collect $8.605 per square-foot of commercial development, $6.962 per square-foot of office development, and $3.509 per square-foot of industrial development. These development fees would be utilized to incrementally fund transportation improvements based on the pace and nature of development that occurs in the Specific Plan Update area.
- Redevelopment Funding; and
- Transportation Grant Funding. (*Ibid.*)

The City also receives Measure I funds available through SANBAG, collected through a Countywide half-cent sales tax to facilitate regional and local improvements. (*Ibid.*) Since 1997, Measure I has funded over $18 million in transportation improvements within the City, including new roadways, widenings, signalizations, and intersection improvements similar to those included as mitigation measures within this Program EIR. (*Ibid.*)

Table 4.9-16
Improved Forecast Existing With Project Conditions
Roadway Segment ADT and LOS

Study Roadway Segment	LOS E Capacity	Forecast Ex+P ADT Volumes	Volume to Capacity Ratio	LOS
Fourth St btwn I-15 Fwy and Etiwanda Ave	33,000	12060	0 365	A
East Airport Drive btwn I-15 Fwy and Etiwanda Ave	33,000	25157	0 762	C
Jurupa St btwn I-15 Fwy and Etiwanda Ave	49,000	42439	0 866	D
Philadelphia Ave btwn I-15 Fwy Etiwanda Ave	12,500	3361	0 270	A
Etiwanda Ave btwn San Bernardino Ave and I-10 WB Ramps	33,000	23845	0 723	B
Etiwanda Ave btwn I-10 EB Ramps and Jurupa St	33,000	27141	0 822	C
Etiwanda Ave btwn Jurupa St and Philadelphia Ave	41,000	16856	0 411	A
Etiwanda Ave btwn Philadelphia Ave and SR-60 WB Ramps	36,000	19693	0 547	A
Slover Ave btwn Etiwanda Ave and Mulberry Ave	36,000	25851	0 718	C
Jurupa St btwn Etiwanda Ave and Mulberry Ave	54,000	36817	0 682	B
Philadelphia Ave btwn Etiwanda Ave and Mulberry-Country Village	12,000	3212	0 268	A
San Bernardino Ave btwn Etiwanda Ave and Cherry Ave	36,000	21545	0 598	A
Valley Blvd btwn Commerce Drive and Cherry Ave	36,000	22185	0 616	B
Mulberry Ave btwn Slover Ave and Jurupa Ave	36,000	22105	0 614	B
Mulberry Ave btwn Jurupa St and Philadelphia Ave	36,000	16579	0 519	A
Country Village Rd btwn Philadelphia Ave and SR-60 WB Ramps	36,000	30505	0 847	D
Slover Ave btwn Mulberry Ave and Cherry Ave	36,000	30077	0 835	D
Jurupa St btwn Mulberry Ave and Cherry Ave	54,000	40194	0 744	C
Cherry Ave btwn San Bernardino Ave and I-10 WB Ramps	54,000	35864	0 665	B
Cherry Ave btwn I-10 EB Ramps and Jurupa St	54,000	39324	0 728	C
San Bernardino Ave btwn Cherry Ave and Fontana Ave	12,000	9363	0 780	C
Valley Blvd btwn Cherry Ave and Beech Ave	36,000	15111	0 420	A
Slover Ave btwn Cherry Ave and Citrus Ave	36,000	29650	0 824	D
Jurupa St btwn Cherry Ave and Citrus Ave	45,000	39996	0 889	D
Beech Ave btwn Slover Ave and Jurupa St	36,000	17530	0 487	A
Valley Blvd btwn Beech Ave and Citrus Ave	36,000	19894	0 553	A
Citrus Ave btwn San Bernardino Ave and I-10 WB Ramps	36,000	24762	0 688	B
Citrus Ave btwn I-10 EB Ramps and Santa Ana Ave	36,000	18199	0 506	A

Table 4.9-16 (continued)
Improved Forecast Existing With Project Conditions
Roadway Segment ADT and LOS

Study Roadway Segment	LOS E Capacity	Forecast Ex+P ADT Volumes	Volume to Capacity Ratio	LOS
Citrus Ave btwn Santa Ana Ave and Jurupa St	36,000	15880	0 441	A
Valley Blvd btwn Citrus Ave and Sierra Ave	36,000	12556	0 349	A
Slover Ave btwn Citrus Ave and Sierra Ave	36,000	29659	0 824	D
Jurupa St btwn Citrus Ave and Sierra Ave	45,000	34174	0 759	C
Sierra Ave btwn Slover Ave and Jurupa St	54,000	23785	0 440	A
Sierra Ave btwn Jurupa St and Armstrong Rd	36,000	21144	0 587	A
Armstrong Rd btwn Sierra Ave and SR-60 WB Ramps	36,000	20323	0 565	A

Source: RBF Consulting, Southwest Industrial Park Project Traffic Analysis, September 29 2011
Note: EB = eastbound, WB = westbound, btwn = between, Ex+P = Existing Plus Project

As shown in Table 4.9-16, assuming implementation of the identified roadway segment improvements, the study roadway segments are forecast to operate at an acceptable LOS according to agency performance criteria. (DPEIR p. 4.9-30 – 31; 4.9-61.)

Also, assuming implementation of the identified intersection improvements, the study intersections are forecast to operate at an acceptable LOS according to agency performance criteria for improved forecast existing with project conditions. (DPEIR p. 4.9-62.)

Conclusion

As described above, the addition of Project-related trips to existing conditions would result in a total of nine deficient roadway segments and 19 deficient intersections within the study area. (*Ibid.*) However, upon implementation of Mitigation Measures 4.9-1a through 4.9-1cc, which include a range of new roadway construction, roadway widenings, signalizations, and intersection improvements, the identified facilities would operate at a satisfactory LOS based on agency criteria. (*Ibid.*) However, since the majority of these recommended improvements are either currently unfunded or only partially funded, implementation of these improvements cannot be assured. (*Ibid.*) As such, impacts in this regard would be significant and unavoidable. (*Ibid.*)

SECTION 5: RESOLUTION REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

The geographic context for the analysis of cumulative aesthetic impacts is the area within and immediately surrounding the Specific Plan Update area, as represented by full buildout of the General Plan. (DPEIR 4.1-20.) Additionally, the following is a list of related projects:

- Hilton Gardens;
- Wal-Mart South;
- Kaiser Hospital;
- SWIP Redevelopment Plan Project Area Amendment No. 9;
- West Valley Logistics Center;
- Marlay Distribution Center;
- OMP Fontana Distribution Center; and
- Jurupa Business Park. (*Ibid.*)

In terms of cumulative development, it is important to understand what would occur on-site in the event the Proposed Project is not carried forward. (*Ibid.*) Essentially, if the Proposed Project were not approved, site development would continue to occur under designations provided within the existing SWIP Specific Plan and existing General Plan. Tables 2-1 and 2-2, provided in Section 7 below, provide a comparison between: 1) allowable development intensities under the Proposed Project; and 2) designations under the existing SWIP Specific Plan and existing General Plan.

(*Ibid.*) Based on this comparison, buildout of the site under existing Specific Plan and General Plan designations would result in an increase of 14,119,461 square feet of new development. (*Ibid.*) This represents an approximate 48 percent increase in new development. (DPEIR pp. 4.1-20 – 21.) Thus, the Proposed Project represents a reduction in the overall development intensity for the project site. (DPEIR p. 4.1-21.)

A. AESTHETICS, LIGHT AND GLARE

Scenic Vistas

The most prominent scenic vista in the general vicinity of the project site and surrounding area is the Jurupa Mountains, although more distant vistas of the San Gabriel and San Bernardino Mountains are also available. (DPEIR p. 4.1-21.) The site is surrounded by, and includes, urban development of various kinds. (*Ibid.*) All of the existing development in the vicinity of the site has resulted in a change in the available scenic vistas. (*Ibid.*) Surrounding development has eliminated open spaces, narrowed view corridors, and in some cases, obstructed or significantly altered scenic vistas previously available. (*Ibid.*) Future development associated with the Proposed Project would continue this same pattern. (*Ibid.*)

In its analysis of the effects of General Plan buildout on scenic vistas the General Plan EIR concluded that substantial increase in urban uses throughout the City and its Sphere of Influence would substantially alter open space views. (*Ibid.*) The General Plan EIR further noted that this alteration might affect views of the Jurupa Mountains, obstructing existing open views and/or potentially obstructing distant panoramic views from existing development. (*Ibid.*) In its cumulative impact analysis, the General Plan EIR concludes that the conversion of land would result in a potential significant visual impact that would remain significant even with mitigation as proposed. (*Ibid.*)

On a smaller scale, the cumulative development that has occurred in the vicinity of the Proposed Project site has already resulted in the alteration of previously available open space views. (*Ibid.*) As stated previously, the Project would result in a significant and unavoidable impact to scenic resources. (*Ibid.*) Thus, although cumulative development in the project area has already had (and will continue to have) adverse impacts related to scenic vistas, the cumulative contributions of the Project (in combination with the cumulative projects identified above) would also be significant and unavoidable. (*Ibid.*)

Scenic Resources

Construction of currently approved and pending projects in the vicinity of the project site would permanently alter the nature and appearance of this area of the City as future development occurs. (*Ibid.*) The Proposed Project would not directly result in or induce physical development within the project area or the surrounding areas. (*Ibid.*) The cumulative projects in the site vicinity identified above may convert existing off-site open space to urban uses, potentially resulting in the incremental loss of visible open space. (*Ibid.*)

As noted previously, the General Plan EIR found that continued development in the City pursuant to the General Plan would result in significant and unavoidable visual impacts. (DPEIR p. 4.1-22.) However, within the project site vicinity, the impact of development has not resulted in substantial damage to scenic resources. (*Ibid.*) No historic buildings are known to have been lost, no damage has been done to geologic formations and even though some extant windrow trees have been removed to make way for new buildings and street improvements, implementation of the City's Heritage, Significant and Specimen Tree Ordinance has resulted in the addition of trees to the area as well as an overall improvement in the aesthetic character of the vicinity. (*Ibid.*)

The only resources on-site potentially exhibiting scenic value are the extant windrows that divide interior properties and add visual interest throughout the southern portion of the project site. (*Ibid.*) These impacts would be minimized through adherence to existing City standards related to tree preservation. (*Ibid.*) Potential localized scenic impacts to windrows within the site vicinity would not have the ability to significantly interact with the identified cumulative projects described above. (*Ibid.*) As such, a cumulatively considerable impact would not occur. (*Ibid.*)

Visual Character

Short-Term Effects (Construction). It is anticipated that future construction activities within the cumulative study area and the Proposed Project site would occur on various sites and at varied times, when an application for development is made. (*Ibid.*) Potential construction-related visual impacts would be short-term and would cease upon completion. (*Ibid.*) Project-related construction, in combination with cumulative development, could temporarily degrade the existing visual character or quality of the project area and its surroundings and result in a cumulatively significant, though temporary cumulative impact. (*Ibid.*) However, the mitigation measure provided in the Draft Program EIR would, when implemented, reduce temporary construction impacts of construction in the project area to a less than significant level. (*Ibid.*)

Accordingly, as the Project would not directly result in physical development within the site, the direct and indirect impacts of the Project would not make a cumulatively considerable contribution to short-term temporary construction impacts. (*Ibid.*) The Project would have a limited ability to interact with identified cumulative projects, given the short-term nature of construction and localized area of impact. (*Ibid.*) Therefore, the Project would not result in cumulatively considerable effects and no additional mitigation measures are required. (*Ibid.*)

Long-Term Effects. As stated above, the project area is highly industrialized in nature, primarily supporting heavy industrial and trucking/distribution-related uses. Generally, the project area is void of valuable scenic resources. (*Ibid.*) Implementation of the Proposed Project, in combination with cumulative development in the area, is anticipated to result in a substantial long-term change in the visual character of the project area; however, that change would not be characterized as "degrading." (*Ibid.*)

Rather, future development is expected to introduce new structures that are attractive in design, well-landscaped and well-maintained. (*Ibid.*) In addition, implementation of the Project would result in major road and infrastructure improvements, including appropriate streetscape and landscaping amenities. (*Ibid.*)

Based on the project-specific analysis of long-term effects provided above, impacts related to visual character were determined to be less than significant. (DPEIR p. 4.1-23.) When considering the land use and development regulations governing proposals within the project area and project-specific review that has and would occur for identified cumulative development within the site vicinity, impacts in this regard are anticipated to be less than significant and would not be cumulatively considerable. (*Ibid.*)

Light and Glare

The Proposed Project site is situated within an urbanized area, consisting primarily of industrial and trucking/distribution-related uses. (*Ibid.*) The Proposed Project, in combination with cumulative development in the area, would allow for construction and operation of a range of new development. (*Ibid.*) Such development would have the potential to create new sources of outdoor light and glare in the form of streetlights, exterior lighting, and lighting for the purposes of safety, as well as glare effects caused by reflective surfaces. (*Ibid.*) These new sources of light and glare would be most visible from development along adjacent roadways, and to receptors such as residents and traveling motorists. (*Ibid.*)

However, all new development would be regulated by Chapter 30 of the City's Municipal Code, which sets lighting standards to ensure that impacts are minimized. (*Ibid.*) The Municipal Code recognizes that lighting requirements differ with different uses and the interface of different types of development, particularly the interface between industrial/commercial development and residential development. (*Ibid.*) Thus, upon adherence to existing City requirements, the Project (in combination with the cumulative projects identified above) is not considered cumulatively considerable and impacts are less than significant in this regard. (*Ibid.*)

B. AIR QUALITY

Construction Emissions

SCAQMD thresholds for criteria pollutants are established for individual development projects, and it is assumed that some of the projects that would be implemented under the Proposed Project (in addition to identified cumulative development cited above) could individually exceed the SCAQMD thresholds. (DPEIR p. 4.2-56.) Construction-related emissions associated with future potential development projects in the project area may be "cumulatively considerable", even with implementation of the recommended mitigation measures. (*Ibid.*) Construction of future development and infrastructure projects under the Proposed Project would be required to comply with the applicable SCAQMD rules and regulations. (*Ibid.*) These measures

call for the maintenance of construction equipment, the use of non-polluting and non-toxic building equipment, and minimizing fugitive dust. (*Ibid.*) This impact would be cumulatively considerable.

Operational Emissions

New development under the Proposed Project would contribute to a cumulative annual increase in regional air pollutant emissions. (*Ibid.*) The emissions from development of the project area exceed the SCAQMD thresholds for ROG, NO X , CO, PM 10 , and PM 2.5 , resulting in a significant impact. (DPEIR p. 4.2-57.) In accordance with SCAQMD methodology, any project that cannot be mitigated to a level of less than significant is also significant on a cumulative basis. (*Ibid.*) Therefore, the cumulative operational emissions associated with the Proposed Project would be cumulatively considerable. (*Ibid.*)

Greenhouse Gas Emissions

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. (*Ibid.*) GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. (DPEIR pp. 4.2-57 – 58.) In addition, the Project would result in a 32.5 percent reduction in GHGs with implementation of Mitigation 4.2-5m. (DPEIR p. 4.2-58.) Because the Project incorporates GHG reduction measures and design features, the Project's cumulatively considerable GHG emissions would have a less than significant impact on the environment.

C. BIOLOGICAL RESOURCES

On a regional basis, the majority of land within the City has been developed or extensively modified by human activity. (DPEIR p. 4.3-16.) Cumulative development has affected the majority of the areas within the City in regards to biological resources. (*Ibid.*) Today, most valuable biological areas in the vicinity of the City are on the City's northern and southern extents, which are associated with the foothills of the San Bernardino and Jurupa Mountains, respectively. (*Ibid.*)

The Proposed Project would include future development within Project boundaries. (*Ibid.*) Future development activities could result in potential conflicts with plans and policies that are designed to mitigate or avoid potential environmental affects. (*Ibid.*) To prevent cumulative impacts to biological resources, mitigation may be required on a project-by-project basis, as specified in the mitigation measures above. (*Ibid.*) Implementation of these mitigation measures would ensure that the Project would not make a cumulatively considerable contribution to cumulative biological resource impacts and is therefore not considered cumulatively significant. (*Ibid.*)

D. CULTURAL RESOURCES

Impacts to archaeological, historical, and paleontological resources are anticipated to occur as cumulative development and buildout of the existing SWIP Specific Plan and General Plan continue. (DPEIR p. 4.4-20.) The majority of the City has been previously disturbed by human activity, and the entirety of the project area has either been developed or disturbed by former agricultural activities. (*Ibid.*)

The Project is not expected to result in cumulatively considerable impacts on cultural (i.e., historical, archaeological, and paleontological) resources. (*Ibid.*) Although both the Soboba Band of Luiseño Indians and the Morongo Band of Mission Indians have submitted responses in regards to archaeological concerns related to the Project, the Draft Program EIR incorporates mitigation (at the suggestion of both tribes) to minimize the potential for impacts to Native American resources to less than significant levels. (*Ibid.*)

While future development within project site boundaries would likely involve subsurface grading that could uncover cultural resources, it is expected that existing Federal, State and local laws protecting archaeological resources and paleontological resources would be adhered to and that appropriate studies would be conducted and mitigation implemented to ensure that significant resources, if encountered, would be preserved through archival in an appropriate repository or by other measures as deemed appropriate. (*Ibid.*) Identified cumulative development would be subject to similar requirements in regards to investigation, discovery, and mitigation to ensure that impacts to cultural resources are minimized. (*Ibid.*) The Project would not result in cumulatively considerable effects given the lack of known cultural resources within project boundaries and the localized nature of any potential impacts. (*Ibid.*) Accordingly, the Proposed Project would not make a cumulatively considerable contribution to potential cumulative impacts to historic, archaeological and paleontological resources. (*Ibid.*)

E. HAZARDS AND HAZARDOUS MATERIALS

Impacts related to hazards and hazardous materials are anticipated to occur as buildout of the Proposed Project and identified cumulative development continues. (DPEIR 4.5-28.) The majority of the City is currently has been developed, and the potential exists for hazards to human health (primarily due to the possibility for disturbance of hazardous material at contaminated sites, or as part of the routine use of hazardous materials as part of commercial/industrial operations). (*Ibid.*)

The Project is not expected to result in cumulatively considerable impacts in relation to hazards and hazardous materials. (DPEIR p. 4.5-29.) Existing Federal, State, and local requirements in addition to mitigation measures provided within the Draft Program EIR would minimize site-specific impacts to less than significant levels. (*Ibid.*)

Overall, the identified cumulative development within the site vicinity would be evaluated for their respective public health and safety impacts on a project-by-project basis. (*Ibid.*) It is expected that existing regulatory requirements relating to hazardous

materials would be adhered to and that appropriate testing and remediation would be implemented to minimize impacts at each specific development site. (*Ibid.*) This would ensure that future development would not result in a cumulatively considerable contribution relating to hazards and hazardous materials, and the impact would therefore be less than significant. (*Ibid.*)

F. LAND USE AND PLANNING

Development of the Proposed Project is not anticipated to result in cumulative significant land use impacts in regards to compliance with the objectives, policies and specific actions of the City's General Plan, relevant development regulations of the Zoning and Development Code, the and SWIP Redevelopment Plan. (DPEIR p. 4.6-18.) Any future development occurring as part of the Proposed Project in addition to identified cumulative development must undergo a project review process in order to preclude potential land use compatibility issues and planning policy conflicts. (*Ibid.*) Each project would be analyzed independent of other land uses, as well as within the context of existing and planned developments to ensure that the goals, objectives and policies of the General Plan and all other applicable policies and development guidelines are consistently upheld. (*Ibid.*) Additionally, development of the Proposed Project would not conflict with SCAG's Regional Comprehensive Plan and Guide and Compass Growth Visioning Program. (*Ibid.*) Thus, the Proposed Project along with identified cumulative projects would not result in cumulatively considerable land use impacts. (*Ibid.*)

G. NOISE

The cumulative mobile noise analysis is conducted in a two step process. (DPEIR 4.7-22.) First, the combined effects from both the Proposed Project and identified cumulative development are compared. (*Ibid.*) Second, for combined effects that are determined to be cumulatively significant, the Project's incremental effects then are analyzed. (*Ibid.*) The Project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. (*Ibid.*) The combined effect compares the "cumulative with project" condition to "existing" conditions. (*Ibid.*) This comparison accounts for the traffic noise increase from the Project generated in combination with traffic generated by identified cumulative development cited above. (*Ibid.*) The following criteria have been utilized to evaluate the combined effect of the cumulative noise increase.

Combined Effects: The cumulative impacts with project noise level ("2030 With Project") causes the following:

- An increase of the existing noise level by 5 dBA or more, where the existing level is less than 60 dBA CNEL;
- An increase of the existing noise level by 3 dBA or more, where the existing level is 60 to 65 dBA CNEL; or
- An increase of the existing noise level by 1.5 dBA or more, where the existing level is greater than 65 dBA CNEL.

Although there may be a significant noise increase due to the Proposed Project in combination with identified cumulative development (combined effects), it must also be demonstrated that the Project has an incremental effect. (*Ibid.*) In other words, a significant portion of the noise increase must be due to the Proposed Project. (*Ibid.*) The following criteria have been utilized to evaluate the incremental effect of the cumulative noise increase. (*Ibid.*)

Incremental Effects: The "2030 With Project" causes a 1 dBA increase in noise over the "2030 Without Project" noise level. (*Ibid.*)

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. (*Ibid.*) Noise by definition is a localized phenomenon, and drastically reduces as distance from the source increases. (*Ibid.*) Consequently, only Proposed Projects and growth due to occur in the general vicinity of the project site would contribute to cumulative noise impacts. (*Ibid.*)

First, it must be determined whether the Cumulative With Project Increase Above Existing Conditions (Combined Effects) is exceeded. (DPEIR p. 4.7-23.) This criteria is exceeded along a majority of the project area roadways. (*Ibid.*) Under the Incremental Effects criteria, cumulative noise impacts are defined by determining if the ambient (2030 Without Project) noise level is increased by 1 dBA or more. (*Ibid.*) This criteria is exceeded along a majority of the project area roadways. (*Ibid.*)

Cumulative noise impacts are discussed in the General Plan EIR. Cumulative traffic volumes from both local growth, as well as vehicles passing through the project area were concluded to be less than significant with implementation of General Plan EIR mitigation measures (some of which are outlined above). (*Ibid.*) Industrial activities associated with future development could also cause local noise level increases. (*Ibid.*) These two activities together would result in higher noise levels than considered separately; however, the expected combined cumulative effect within the Proposed Project would be reduced by recommended Mitigation Measures 4.7-1a through 4.7-3c. (*Ibid.*) Furthermore, the Project proposes the development of industrial and commercial uses in an area that currently is similar and developed with industrial, commercial, and residential uses. (*Ibid.*) As such, the increase in ambient noise levels is anticipated to generate noise levels similar to the surrounding developments. (*Ibid.*) For area where new development would abut sensitive uses such as residences, the Proposed Project includes design guidelines and development standards that are aimed at reducing impacts, including building orientation, wall placement, lot dimensions, maximum intensity, outdoor storage, setbacks, buffers, edge conditions, and landscaping. (*Ibid.*)

The maximum noise increase for combined effects criteria would be 6.9 dBA. (*Ibid.*) Under the "2030 With Project" scenario noise levels at a distance of 100 feet from the centerline for both East Airport Drive (between I-15 and Etiwanda Avenue) and Slover Avenue (between Mulberry Avenue and Cherry Avenue) are 68.8 dBA and 69.6 dBA, respectively. (*Ibid.*) The maximum noise increase for incremental effects criteria

would be 6.0 dBA. (*Ibid.*) Under the "2030 With Project" scenario noise levels at a distance of 100 feet from centerline for Slover Avenue (between Mulberry Avenue and Cherry Avenue) are 69.6 dBA. (*Ibid.*) Both the 68.8 dBA and 69.6 dBA noise levels are above the City's standard of 65 dBA for residential exterior land uses. (*Ibid.*) Therefore, roadway segments would result in significant impacts, as a majority of roadways within the project area would exceed both the combined and incremental effects criteria. (*Ibid.*) The Proposed Project would result in cumulatively considerable long-term mobile noise impacts based on project generated traffic as well as cumulative and incremental noise levels. (*Ibid.*)

H. PUBLIC SERVICES, UTILITIES, AND INFRASTRUCTURE

The Proposed Project would cumulatively contribute to an increased demand for fire, police, schools, library, parks/recreation, electricity, natural gas, water, wastewater, solid waste, and stormwater drainage facilities. (DPEIR p. 4.8-28.) The cumulative development identified above would add to demand for such services through the introduction of new land uses. (*Ibid.*) The City's Development Fee program is intended to fund incremental improvements to public service and utility facilities in order to accommodate new demand. (*Ibid.*) These Development Fees would apply to the Proposed Project and to the identified cumulative development cited above. (*Ibid.*) Since such fees would be utilized for development of expanded service and utility facilities, a cumulatively considerable impact would not occur as a result of Project implementation. (*Ibid.*)

However, the Proposed Project would result in a significant and unavoidable impact related to parks and recreation, since no Development Fees are collected by the City for commercial, office or industrial development. (DPEIR p. 4.8-29.) Since no such fee would apply to the Proposed Project or other identified cumulative development, an unavoidable significant cumulative impact has also been identified in regards to parks/recreation. (*Ibid.*)

I. TRAFFIC AND CIRCULATION

Traffic-related impacts are anticipated to occur within the region as the identified cumulative development cited above and buildout of the City's General Plan continues. (DPEIR p. 4.9-91.) The majority of the City is developed with urbanized uses, and the SWIP area is recognized as a major transportation hub, with high amounts of heavy truck traffic occurring in the project area due to the extensive industrial and distribution facilities existing on-site. (*Ibid.*)

In addition, based on direction provided by City staff, traffic volumes for forecast year 2030 conditions were derived by increasing existing traffic volumes by one percent per year. (*Ibid.*) Thus, the long-range forecast year 2030 with project scenario accounted for cumulative growth and development within the study area. (*Ibid.*)

Due to the conceptual nature of the future development within the project area, future proposals could require individual assessments of potential impacts to traffic and

circulation. (*Ibid.*) Implementation of the Project would result in a number of roadway and intersection deficiencies. (*Ibid.*) Upon implementation of Mitigation Measures 4.9-1a through 4.9-1nn, which include a range of new roadway construction, roadway widenings, signalizations, and intersection improvements, identified facilities would operate at a satisfactory LOS based on agency criteria. (*Ibid.*) However, since the majority of these recommended improvements are either currently unfunded or only partially funded and two of the recommendations are situated outside of the City of Fontana's jurisdiction, implementation of these improvements cannot be assured. (*Ibid.*) As such, impacts in this regard would be cumulatively considerable. (*Ibid.*)

SECTION 6: RESOLUTION REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that an EIR discuss "any significant irreversible environmental changes which would be involved in the proposed action should it be implemented." (DPEIR p. 5-2.) Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of nonrenewable resources.
- The primary and secondary impacts of the project would generally commit future generations to similar uses.
- The project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project.
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy). (*Ibid.*)

The Proposed Project does not include proposals for any specific development project. (*Ibid.*) While the Project may facilitate and expedite the development of the project area, that development would occur without project approval. (*Ibid.*) Accordingly, the Project would have no direct environmental impacts; however, as it would facilitate development, it would have indirect environmental impacts that would result in significant irreversible environmental changes. (*Ibid.*)

Resources that would be permanently and continually consumed by development facilitated by the Project would include water, electricity, natural gas, and fossil fuels. (*Ibid.*) However, new construction in California is required to conform to energy conservation standards specified in Title 24 of the California Code of Regulations (CCR). (*Ibid.*) These standards establish "energy budgets" for different types of residential and non-residential buildings with which all new buildings must comply. (*Ibid.*) In order to conform to CCR Title 24, efficient energy use would be designed into all new buildings developed in the project site. (*Ibid.*) In addition, all new development would be required to comply with all applicable building codes, development standards, and design requirements related to sustainability and energy conservation contained in the City of Fontana Municipal Code and required pursuant to current and future State legislation, executive orders, and regulatory guidance. (DPEIR pp. 5-2 – 3.) City policy, State standards and mitigation measures contained in the City of Fontana General Plan

EIR (General Plan EIR) and in this Program EIR would help ensure that all natural resources are conserved or recycled to the maximum extent feasible. (DPEIR p. 5-3.)

It is probable that new technologies or systems to improve sustainability and reduce resource consumption would emerge (or become more cost-effective or user-friendly) over the long-range implementation period of the Project. (*Ibid.*) Since development of the Project would occur in stages, as individual projects are proposed, these new technologies could be incorporated into development projects in the project area, further reducing resource consumption and improving sustainability. (*Ibid.*) This being said, even with the implementation of conservation measures and advancing technology, consumption of natural resources would generally increase with implementation of future development associated with the Project. (*Ibid.*)

Construction activities related to development within the project area would result in the irretrievable commitment of nonrenewable resources, primarily in the form of fossil fuels (such as natural gas, diesel and gasoline for automobiles and construction equipment), sand, gravel, wood and related construction materials. (*Ibid.*) These may be considered a permanent investment and commitment of resources to project buildout. (*Ibid.*) In addition, a long-term increase in the demand for electrical resources would occur; however, the CCR standards and mitigation measures identified within the General Plan EIR and within the Draft Program EIR would minimize the consumption of natural resources associated with the Proposed Project. (*Ibid.*) In addition, the future consumption of these resources in relation to future development would not be considered wasteful or unjustifiable. (*Ibid.*)

Finding: The City Council finds that the Project would result in significant irreversible environmental changes, and that such changes would be unavoidable notwithstanding the implementation of improved energy efficiency standards and the mitigation measures adopted in this Resolution. Consequently, a Statement of Overriding Considerations is required.

SECTION 7: RESOLUTION REGARDING GROWTH-INDUCING IMPACTS

State CEQA Guidelines Section 15126.2(d) requires an evaluation of growth inducing impacts that may result from a Proposed Project. Growth inducing impacts can occur when a project places additional stress on a community by directly inducing economic or population growth that would lead to construction of new development projects as the same area as the Project. (DPEIR p. 6-1.)

The project area is highly urbanized. (DPEIR p. 6-5.) The Proposed Project would result in a maximum of 5,483,431 square feet of new commercial development, 1,766,129 square feet of new office space, and 22,387,358 square feet of new industrial development. (*Ibid.*) Based on the Fiscal Impact Analysis prepared for the Proposed Project, the Project would result in the creation of 39,416 new employment positions within the City. (*Ibid.*)

The Proposed Project is considered growth-inducing due to the following factors:

- The Proposed Project would provide for a range of infrastructure improvements and expansions related to traffic/circulation, domestic and recycled water, wastewater, and stormwater. (*Ibid.*) These infrastructure improvements would remove an impediment to growth by providing the additional capacity necessary to support the proposed commercial, industrial, and office uses associated with future development. (*Ibid.*)
- Future development associated with the Project would result in the creation of 39,416 new employment positions. (*Ibid.*) Therefore, development of the Proposed Project would foster economic expansion and growth, because proposed uses would have resultant increases in the City's revenue base and employment opportunities. (*Ibid.*)
- The Project would result in direct growth in the City's population, because the potential exists that future employees (and their families) may choose to relocate to the City. (*Ibid.*) Estimating the number of these future employees who would choose to relocate to the City would be highly speculative, because many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). (*Ibid.*) Because of the uncertainty that exists with regard to the number of new employees who may choose to relocate to the City, a more conservative analysis of impacts associated with the City's permanent population is provided. (*Ibid.*) For analytical purposes, it is assumed that 25 percent of the Project's new employees would choose to relocate to the City, resulting in the creation of 9,854 new households. (*Ibid.*) Based on the City's average number of people per household of 3.95, the Project would result in a total population increase within the City of 38,923 people. (*Ibid.*) This increase in population would exceed SCAG's projections for both population and housing for the City through 2030. (*Ibid.*)

Although the Project is considered consistent with relevant goals and policies contained in the City's General Plan and SCAG's Regional Comprehensive Plan and Guide, the Project would result in both direct and indirect growth inducement. (*Ibid.*) Given the large employment generation of the Project at buildout, future development would cause a substantial increase in the City's population to occur. (*Ibid.*) Although the CEQA Guidelines state that growth should not be assumed to be beneficial or detrimental, the analysis within the Draft Program EIR finds that the Project would result in a significant and unavoidable impact related to growth inducement. (*Ibid.*)

Finding: The City Council finds that the Project would result in a significant impact with regard to growth inducement. The City Council further finds that this impact is unavoidable, insofar as it is not capable of mitigation and in any case CEQA does not require that induced growth be mitigated at the present time. Consequently, a Statement of Overriding considerations must be adopted for this impact.

SECTION 8: RESOLUTION REGARDING ALTERNATIVES

A. ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/ PROJECT PLANNING PROCESS

The following is a discussion of the alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in the Draft PEIR.

Among the factors that are used to consider project alternatives for detailed consideration in an EIR are whether they would meet most of the basic project objectives, be feasible, and whether they would avoid or substantially reduce the significant environmental impacts of the project. (CEQA Guidelines Section 15126[c].) Several alternatives were eliminated during the scoping/planning process, either because they were deemed infeasible or because they were technologically or environmentally inferior as compared to the Proposed Project.

The following objectives have been established for the Proposed Project:

1. Increase and maintain an increased daytime employment population.
2. Coordinate land uses and transportation with infrastructure planning.
3. Embrace flexible and diverse industrial land uses that foster economic development opportunities for the City of Fontana and surrounding areas.
4. Retain and expand existing businesses and business opportunities.
5. Improve pedestrian accessibility, vehicular access, and parking to establish safety throughout the SWIP Specific Plan Update area.
6. Enhance the streetscape as well as the parking and loading areas throughout the SWIP Specific Plan Update area.
7. Tailor land use regulations and design guidelines to custom-fit the SWIP Specific Plan Update area.
8. Improve visual and functional linkages between I-10, Slover Avenue, and the City of Fontana.
9. Identify areas of priority development and property assemblage opportunities to serve as economic development catalysts.
10. Coordinate and focus change in the SWIP Specific Plan Update area rather than a complete "removal and replacement" transformation to enhance the sense of place and promote aesthetic improvements.
11. Incorporate planning policy that encourages viable development in the future, while paying tribute to Fontana's past.

Several alternatives to the Proposed Project were considered and rejected as infeasible. (DPEIR p. 1-3; 7-18.) Some of these alternatives were suggested in the scoping process and from comments to the NOP. (*Ibid.*) The alternatives considered and rejected were: (1) the Alternative Land Use Alternative; (2) the Alternative Site Alternative; and (3) the No Project/No Build Alternative.

1. Alternative Land Use Alternative

Description: The Alternative Land Use Alternative represents an option that would implement a land use (or range of uses) that would result in a reduction or elimination of significant impacts identified under the Proposed Project. (DPEIR p. 7-18.) Alternative land uses that may result in a reduction of impacts could include uses such as lower-intensity residential units and/or open space/recreational facilities. (*Ibid.*)

Impacts: A range of alternative land uses may result in a reduction of Project-related impacts. However, adverse impacts could not be eliminated and, because this alternative also fails to accomplish several of the basic Project objectives, it is inferior to the Proposed Project. (*Ibid.*)

Objectives and Feasibility: While implementation of the Alternative Land Use Alternative may reduce or eliminate one or more of the Proposed Project's identified significant impacts, this Alternative would not accomplish a number of the Project's primary objectives, including: increasing and maintaining the daytime employment population; embracing industrial uses that foster economic development; and retaining and expanding existing businesses and opportunities. (*Ibid.*)

Finding: The City Council rejects this alternative on the bases (1) that it is infeasible for the reasons above and would be inferior to the Proposed Project; (2) that each of these bases individually justify the rejection of this alternative; and (3) thereby finds that it was not required to be analyzed in further detail in the PEIR.

2. Alternative Site Alternative

Description: This alternative would involve the selection of an alternate site for the Specific Plan buildout. (*Ibid.*) However, because the Proposed Project is an update to an already existing specific plan, this alternative is not feasible for the reasons discussed below. (*Ibid.*)

Impacts: The selection of an alternative site for the Proposed Project, while it would eliminate the impacts of the Project on the Proposed Project site, would not alter the impacts of the Proposed Project on whichever site was chosen alternatively. (*Ibid.*) As such, because this alternative does not alter the impacts of the Project and does not accomplish basic Project objectives, as discussed below, it is eliminated from further consideration. (*Ibid.*)

Objectives and Feasibility: When appropriate and feasible, alternative project sites are evaluated in EIRs. (*Ibid.*) In the case of the Proposed Project, an alternative site is not an appropriate alternative for examination because it would be inconsistent with the objectives of the Proposed Project. (*Ibid.*) The basic purpose of the SWIP Specific Plan Update and Annexation Project is to comprehensively update the existing Specific Plan and incorporate additional areas that maximize efficiency within the area. (*Ibid.*) Consideration of the establishment of a Specific Plan in a different location would not address the objectives of the Project, and therefore is not considered a feasible alternative. (*Ibid.*)

Finding: The City Council rejects this alternative on the bases (1) that it is infeasible for the reasons above and would be inferior to the Proposed Project; (2) that each of these bases individually justify the rejection of this alternative; and (3) thereby finds that it was not required to be analyzed in further detail in the PEIR.

3. No Project/No Build Alternative

Description: The project site would remain developed with existing uses and existing infrastructure would remain as it is currently. (*Ibid.*)

Impacts: Because there would be no construction or operation of new development within the project area, all impacts of the Proposed Project would be eliminated with this alternative. (*Ibid.*) However, the beneficial impacts associated with the implementation of the Proposed Project – economic development, infrastructure improvements, resolution of land use conflicts, and orderly, planned buildout of the project area - would not be realized. (*Ibid.*)

Objectives and Feasibility: Since the existing project area has been designated for development under existing General Plan and Specific Plan designations, implementation of this alternative would require imposition of a moratorium on development within site boundaries. (*Ibid.*) There being no legal grounds for a permanent moratorium on development within the project area, this alternative was rejected as infeasible. (*Ibid.*)

Finding: The City Council rejects this alternative on the bases (1) that it is infeasible for the reasons above and would be inferior to the Proposed Project because it avoids beneficial impacts; (2) that each of these bases individually justify the rejection of this alternative; and (3) thereby finds that it was not required to be analyzed in further detail in the PEIR.

B. ALTERNATIVES SELECTED FOR ANALYSIS

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the project, or to the location of the project, which could 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." (Guidelines § 15126[a].) Accordingly, the alternatives selected for review pursuant to the EIR focus on: (a) the specific general plan policies pertaining to the project site, and (b) alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the project objectives (i.e. the alternatives could impede some degree the attainment of project objectives). The alternatives analyzed in the following sections include:

- No Project Alternative (Buildout of Existing SWIP Specific Plan and General Plan)
- Reduced Density Alternative
- Existing Specific Plan Boundary Alternative

1. **Alternative 1 – No Project Alternative (Buildout of Existing SWIP Specific Plan and General Plan)**

Description: Under the No Project Alternative, the Proposed Project would not occur and the boundary of the existing SWIP Specific Plan would not be altered. (DPEIR p. 7-4.) Under this alternative, no additional areas would be annexed into the City's incorporated limits. (*Ibid.*) Development within the existing Specific Plan area would continue to occur under existing SWIP Specific Plan designations, and areas outside of the existing Specific Plan boundary would continue to develop under existing City of Fontana General Plan (General Plan) designations. (*Ibid.*)

Tables 2-1 and 2-2, included in Section 7 of this Resolution, provide a comparison between the Proposed Project and the No Project Alternative. (*Ibid.*) Buildout under the No Project Alternative would result in a total of 43,756,379 square feet of new development. (*Ibid.*) The Proposed Project would result in a total of 29,636,918 square feet of new development. (*Ibid.*) Thus, in comparison to the Proposed Project, the No Project Alternative would result in an increase of 14,119,461 square feet of new development. (*Ibid.*) This represents an approximate 48 percent increase in new development. (*Ibid.*)

Impacts:

Aesthetics/Light and Glare

This Alternative would have increased impacts related to aesthetics, light and glare. (DPEIR p. 7-5.) The No Project Alternative would represent an approximate 48 percent increase in new development intensity in comparison to the Proposed Project. (*Ibid.*) This increase in development would result in greater impacts in relation to scenic vistas, scenic resources, visual character, and light and glare. (*Ibid.*) In addition, the No Project Alternative would not include the comprehensive land use and design requirements included in the Proposed Project, which are intended to guide the orderly development of the site. (*Ibid.*) The Proposed Project would benefit the project area by resolving land use conflicts, implementing uniform design requirements, and includes an extensive streetscape program that would benefit the aesthetic character of the project area. (*Ibid.*) In addition, buildout under the No Project Alternative is still anticipated to result in development that would adversely impact views of scenic vistas, including the nearby Jurupa Mountains to the south. (*Ibid.*) Thus, under the No Project Alternative, the significant and unavoidable impact identified under the Proposed Project for scenic vistas would remain. (*Ibid.*)

Air Quality and Climate Change

The No Project Alternative would result in increased air quality impacts in comparison to the Proposed Project due to the substantial additional development that would occur under the existing SWIP Specific Plan. (*Ibid.*) The significant and

unavoidable air quality impacts identified above would not be eliminated under this Alternative. (*Ibid.*)

The increase in development would expand the amount and area where construction would occur, thus resulting in an increase in short-term construction related impacts. (*Ibid.*) In addition, the 48 percent increase in development would result in greater sources of stationary and mobile emissions, resulting in increased long-term operational impacts. (*Ibid.*) Moreover, this Alternative would still result in a conflict with the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan, since it would exceed SCAQMD thresholds. (*Ibid.*) Thus, under the No Project Alternative, the significant and unavoidable impacts identified for air quality would remain. (*Ibid.*)

Biological Resources

Based on the analysis provided within the Draft Program EIR, the site appears to have limited biological resource value due to its urbanized nature. (*Ibid.*) Under the Proposed Project, it was determined that the project area offered marginally-suitable habitat for several special-status wildlife species. (*Ibid.*) In addition, a biological database records search found that no sensitive plant species were identified as having the potential to occur on-site. (*Ibid.*) Although it is expected that similar mitigation requirements and existing laws/ordinances would apply to the No Project Alternative, the increased development that would occur under the No Project Alternative would generally result in increased biological impacts (sensitive species, habitats, natural communities, wetlands/drainages) in comparison to the Proposed Project. (DPEIR p. 7.6.)

Cultural Resources

The project area exhibited a low sensitivity for archaeological and cultural resources, and a moderate potential for paleontological resources. (*Ibid.*) Similar to impacts related to biological resources, since it is assumed that substantially more development would occur in association with the No Project Alternative, a corresponding increase in the likelihood of impacts to cultural resources would also occur. (*Ibid.*) Consequently, there would be an increased potential of uncovering buried cultural or paleontological resources during grading and or construction activities associated with future development. (*Ibid.*) Therefore, potential cultural resource impacts would increased with the No Project Alternative in comparison to the Proposed Project. (*Ibid.*)

Hazards and Hazardous Materials

Impacts under the Proposed Project could be mitigated to less than significant levels. (*Ibid.*) As stated above, the No Project Alternative would result in a substantial increase in development potential for the site under existing SWIP Specific Plan and General Plan designations. (*Ibid.*) This increase in development would generally result

in an associated increase in hazardous materials impacts (for both short-term construction and long-term operations). (*Ibid.*) An overall increase in development would increase the potential for the disturbance of unknown hazardous materials contamination, and larger amounts of hazardous materials would be used, stored, and transported on-site as part of industrial/commercial uses. (*Ibid.*)

In addition, the land use and design regulations provided in the Proposed Project are intended to minimize potential conflicts between existing sensitive uses (single-family residential, public facilities) and existing/proposed industrial/commercial uses. (*Ibid.*) These land use interfaces could potentially result in threats due to hazardous materials. (*Ibid.*) The Proposed Project intends to coordinate future development to minimize these potential conflicts through regulating land use and providing for adequate design measures meeting existing regulatory requirements. (*Ibid.*) Thus, the potential benefits of the Proposed Project related to site design and land use would also not occur to the same extent as the No Project Alternative. (*Ibid.*) Thus, impacts related to this Alternative are expected to be increased in comparison to the Proposed Project. (*Ibid.*)

Land Use and Planning

The Proposed Project intends to improve the project area by comprehensively updating the existing Specific Plan. (*Ibid.*) The Project would address issues related to: updating a Specific Plan that has been amended 14 times since its creation in 1983; tying together the multiple annexations that have occurred within the project area; and promotion of orderly and compatible growth in newly annexed areas as well as older areas within the Specific Plan area. (DPEIR pp. 7-6 – 7.) The Proposed Project intends to guide future development through the provision of distinct land use districts within the site, which minimize potential land use conflicts and maximize efficiency within an important area of the City's economic base. (DPEIR p. 7-7.)

In the absence of the Proposed Project, the No Project Alternative would continue its current patterns of operation and growth. (*Ibid.*) The Specific Plan would not be revised to promote orderly growth within the project area. (*Ibid.*) In addition, streetscape, utility, and traffic infrastructure improvements would not be facilitated as they would under the Proposed Project. (*Ibid.*) Thus, land use and planning impacts would be increased under the No Project Alternative, in comparison to the Proposed Project. (*Ibid.*)

Noise

The No Project Alternative would result in increased noise impacts in comparison to the Proposed Project. (*Ibid.*) The Proposed Project would result in significant impacts in relation to long-term mobile noise and cumulative mobile noise. (*Ibid.*)

Under this Alternative, both construction and long-term impacts would be increased. (*Ibid.*) Noise emitted during the construction process would increase due to

the substantially higher development proposed under the existing SWIP Specific Plan. (*Ibid.*) The increase in development would also result in a greater amount of noise produced by stationary equipment within the project area. (*Ibid.*) The No Project Alternative would also generate a significant number of additional vehicular trips, which would increase long-term mobile noise and cumulative mobile noise impacts. (*Ibid.*) Thus, the significant and unavoidable noise impacts identified under the Proposed Project would still occur upon implementation of the No Project Alternative. (*Ibid.*)

Public Services, Utilities and Infrastructure

The Proposed Project does not propose specific development projects. (*Ibid.*) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Proposed Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, the above analysis regarding Public Services, Utilities, and Infrastructure determined that future development occurring under the Proposed Project would result in impacts related to public services and utilities. (*Ibid.*)

The No Project Alternative would result in an increase of 14,119,461 square feet of new development in comparison to the Proposed Project. (*Ibid.*) This represents an approximate 48 percent increase in new development. (*Ibid.*) This substantial increase in development would result an associated increase in demand for public services and utilities when compared to the Proposed Project. (*Ibid.*) These increased impacts would occur primarily during long-term operations and would be associated with higher development intensities and population growth within the project area. (*Ibid.*) Thus, the significant and unavoidable impact identified for parks/recreation would still occur under the No Project Alternative. (*Ibid.*)

Traffic and Circulation

Under the No Project Alternative, development within the existing Specific Plan area would continue to occur under existing Specific Plan designations, and areas outside of the existing Specific Plan boundary would continue to develop under existing General Plan designations. (DPEIR p. 7-8.)

Under this Alternative, overall development potential would be substantially greater in comparison to the Proposed Project. (*Ibid.*) With an approximate 48 percent increase in development potential, the No Project Alternative would result in substantially greater traffic generation and impacts on the local and regional roadway network. (*Ibid.*) Potential deficiencies at intersections and roadway segments would be exacerbated by this Alternative. (*Ibid.*) In addition, the Proposed Project would facilitate traffic improvements necessary to support future development within the project area. (*Ibid.*) Mitigation is provided that would require a fair-share implementation program to fund improvements to major transportation corridors, providing critical access to regional nodes (including Interstate 10). (*Ibid.*) Although improvement of roadways

within the project area to General Plan buildout standards may occur under the No Project Alternative, these improvements would likely occur at a slower pace without the implementation program and mitigation requirements included in the Proposed Project. (*Ibid.*) Thus, it is anticipated that the No Project Alternative would result in increased traffic and circulation impacts in comparison to the Proposed Project, and that a significant and unavoidable impact would remain. (*Ibid.*)

Objectives and Feasibility: Given the increased level of development associated with this Alternative and the lack of land use and infrastructure benefits provided under the Proposed Project, the significant aesthetics, air quality, noise, public services, utilities, and infrastructure, and traffic impacts would be exacerbated. (DPEIR p. 7-8.) The No Project Alternative is not preferred by the City due to failure in achieving the majority of the Project's stated objectives. (*Ibid.*)

Finding: The City Council rejects this alternative on the basis that (1) it fails to meet basic Proposed Project objectives; (2) is unable to avoid significant effects of the Proposed Project; (3) would cause significant effects in addition to those caused by the Proposed Project; and (4) finds that any of these grounds provide sufficient justification for rejection of this alternative. (*Ibid.*) Therefore, it is eliminated from further consideration. (*Ibid.*)

2. Alternative 2 – Reduced Density Alternative

Description: The Reduced Density Alternative would include the same impact area as the Proposed Project, but would reduce the intensity of development. (DPEIR p. 7-9.) The Proposed Project would result in a total of approximately 5,483,431 square feet of new commercial development; 1,766,129 square feet of new office development; and 22,387,358 square feet of new industrial development. (*Ibid.*) For the purposes of this analysis, the Reduced Density Alternative assumes a 25 percent overall reduction in new development. (*Ibid.*) This would result in a reduction to approximately 4,112,573 square feet of commercial development; 1,324,596 square feet of office development; and 16,790,518 square feet of industrial development. (*Ibid.*) The total amount of new development occurring under this Alternative would be 22,227,687 square feet. (*Ibid.*)

Impacts:

Aesthetics/Light and Glare

This Alternative would have decreased impacts related to aesthetics, light and glare due to the overall decrease in development intensity. (*Ibid.*) The No Project Alternative would represent an approximate 25 percent reduction in new development intensity in comparison to the Proposed Project. (*Ibid.*) This decrease in development would result in incrementally reduced impacts in regards to scenic vistas, scenic resources, visual character, and light and glare. (*Ibid.*)

The Reduced Density Alternative would include the same project boundaries as the Proposed Project. (*Ibid.*) Moreover, this Alternative would include the same land

use districts, design guidelines, and infrastructure. (*Ibid.*) Although a reduction in impacts would occur, the long-range buildout of over 22 million square feet of commercial, office, and industrial development over 3,111 acres is still anticipated to result in a significant and unavoidable impact in regards to scenic vistas. (*Ibid.*) The introduction of new structures, walls/fences, aesthetic screening, and landscaping could still result in the blockage or impairment of views towards scenic vistas, including the Jurupa Mountains to the south and San Gabriel/San Bernardino Mountains to the north. (*Ibid.*) In addition, the Project could result in the removal of the isolated windrows located within the southerly portion of the project site. (*Ibid.*) Thus, under the Reduced Density Alternative, the significant and unavoidable impact identified under the Proposed Project for scenic vistas would remain. (*Ibid.*)

Air Quality and Climate Change

With a 25 percent reduction in development intensity, the Reduced Density Alternative would result in decreased air quality and climate change impacts in comparison to the Proposed Project. (*Ibid.*) Construction-related air quality and climate change impacts would be reduced, given the smaller impact footprint, reduced building activities, and associated reduction in equipment emissions and construction worker trips. (*Ibid.*) With a reduction of approximately 4,112,573 square feet of commercial development, 1,324,596 square feet of office development, and 16,790,518 square feet of industrial development, long-term operational impacts would also be reduced. (*Ibid.*) The reduced development intensity would result in lower emissions from stationary sources, in addition to a reduction in truck and vehicle emissions. (DPEIR pp. 7-9 – 10.)

Although a reduction in impacts would occur, the long-range buildout of over 22 million square feet of commercial, office, and industrial development over 3,111 acres is still anticipated to result in a significant and unavoidable impact in regards to air quality. (DPEIR p. 7-10.) Given the sizable amount of development that would still occur under this Alternative, it is anticipated that an exceedance of SCAQMD short-term construction and long-term operational thresholds would occur. (*Ibid.*) The significant and unavoidable air quality impacts identified above would not be eliminated under this Alternative. (*Ibid.*)

Biological Resources

The site appears to have limited biological resource value due to its urbanized nature. (*Ibid.*) Under the Proposed Project, it was determined that the Proposed Project area offered marginally-suitable habitat for several special-status wildlife species. (*Ibid.*) In addition, a biological database records search found that no sensitive plant species were identified as having the potential to occur on-site. (*Ibid.*)

Although it is expected that similar mitigation requirements and existing laws/ordinances would apply to the Reduced Density Alternative, the decreased development that would occur under the Reduced Density Alternative would generally

result in incrementally reduced biological impacts (sensitive species, habitats, natural communities, wetlands/drainages) in comparison to the Proposed Project. (*Ibid.*)

Cultural Resources

The project area exhibited a low sensitivity for archaeological and cultural resources, and a moderate potential for paleontological resources. (*Ibid.*) Similar to impacts related to biological resources, it is assumed that since a reduced amount of development would occur in association with the Reduced Density Alternative, a corresponding decrease in the likelihood of impacts to cultural resources would also occur. (*Ibid.*) Consequently, there would be an incremental decrease in the potential for uncovering buried cultural or paleontological resources during grading and or construction activities associated with future development. (*Ibid.*) Therefore, potential cultural resource impacts would decrease with the Reduced Density Alternative in comparison to the Proposed Project. (*Ibid.*)

Hazards and Hazardous Materials

Impacts under the Proposed Project could be mitigated to less than significant levels. (*Ibid.*) The Reduced Density Alternative would result in a reduction of approximately 4,112,573 square feet of commercial development, 1,324,596 square feet of office development, and 16,790,518 square feet of industrial development. (*Ibid.*)

This 25 percent decrease in development intensity would result in an incremental decrease in the potential for both short-term construction and long-term operational hazardous materials impacts. (DPEIR p. 7-11.) An overall decrease in development would decrease the potential for the disturbance of unknown hazardous materials contamination, and reduced amounts of hazardous materials would be used, stored, and transported on-site as part of industrial/commercial uses. (*Ibid.*) As such, hazardous materials impacts associated with the Reduced Density Alternative would be reduced in comparison to the Proposed Project. (*Ibid.*)

Land Use and Planning

The Proposed Project would improve the project area by comprehensively updating the existing Specific Plan. (*Ibid.*) The Project would address issues related to: updating a Specific Plan that has been amended 14 times since its creation in 1983; tying together the multiple annexations that have occurred within the project area; and promotion of orderly and compatible growth in newly annexed areas as well as older areas within the Specific Plan area. (*Ibid.*) The Project intends to guide future development through the provision of distinct land use districts within the site, which minimize potential land use conflicts and maximize efficiency within an important area of the City's economic base. (*Ibid.*)

Under the Reduced Density Alternative, the existing Specific Plan would be updated in a similar manner as the Proposed Project, but with a reduced development intensity. (*Ibid.*) The Reduced Density Alternative would provide consistency for a Specific Plan that has been amended numerous times over a long period of time and provide for orderly development with a similar range of land use districts. (*Ibid.*) Since the functionality of the Proposed Project under the Reduced Density Alternative would not substantially change, land use and planning impacts are considered similar to those of the Proposed Project. (*Ibid.*)

Noise

The Reduced Density Alternative would result in reduced noise impacts in comparison to the Proposed Project. (*Ibid.*) The Proposed Project would result in significant impacts in relation to long-term mobile noise and cumulative mobile noise. (*Ibid.*)

Under this Alternative, both construction and long-term impacts would be reduced. (*Ibid.*) The Reduced Density Alternative would result in a reduction of approximately 4,112,573 square feet of commercial development, 1,324,596 square feet of office development, and 16,790,518 square feet of industrial development. (*Ibid.*) Noise emitted during the process would decrease due to the decreased development intensity and associated reduction in construction equipment, truck trips, and construction employee trips. (*Ibid.*) Long-term operational noise would also be reduced due to a reduction in stationary equipment within the project area, in addition to a decrease in truck and vehicular noise associated with reduced development. (*Ibid.*)

Although a reduction in impacts would occur, the long-range buildout of over 22 million square feet of commercial, office, and industrial development over 3,111 acres is still anticipated to result in a significant and unavoidable impact in regards to long-term mobile and cumulative mobile noise impacts. (*Ibid.*) Given the sizable amount of development that would still occur under this Alternative, it is anticipated that an exceedance of identified noise thresholds due to truck and vehicle trips generated by this Alternative would occur. (DPEIR pp. 7-11 – 12.) The significant and unavoidable impacts would not be eliminated under this Alternative. (DPEIR p. 7-12.)

Public Services, Utilities and Infrastructure

The Proposed Project does not propose specific development projects. (*Ibid.*) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future development occurring under the Project would result in impacts related to public services and utilities. (*Ibid.*)

The Reduced Density Alternative would result in a 25 percent reduction in development intensity in comparison to the Proposed Project. (*Ibid.*) Generally, this

reduction in development would result in an associated decrease in impacts related to the provision of public services and utility services. (*Ibid.*) The Project's direct and indirect impacts related to the demand for law enforcement and fire protection services, public education, libraries, parks/recreation services, electricity, natural gas, and solid waste services, water supply and wastewater treatment, and storm water drainage facilities would be reduced. (*Ibid.*) However, despite this reduction in development intensity, this Alternative would not eliminate the significant unavoidable impact related to parks/recreation. (*Ibid.*) This impact would remain since the City does not collect Park Development fees for commercial, office, and industrial development. (*Ibid.*) Thus, no enforceable mechanism to implement parks/recreation improvements to accommodate the Alternative are available. (*Ibid.*) The significant and unavoidable impact identified for parks/recreation within Section 4.8, Public Services and Utilities would not be eliminated under this Alternative. (*Ibid.*)

Traffic and Circulation

The Reduced Density Alternative would include the same impact area as the Proposed Project, but would reduce the intensity of development. (*Ibid.*) The Reduced Density Alternative assumes a 25 percent overall reduction in new development, resulting in approximately 4,112,573 square feet of commercial development; 1,324,596 square feet of office development; and 16,790,518 square feet of industrial development. (*Ibid.*) The total amount of new development occurring under this Alternative would be 22,227,687 square feet. (*Ibid.*)

The decreased development potential associated with the Reduced Density Alternative would generally result in decreased traffic and circulation impacts in comparison to the Proposed Project. (*Ibid.*) Trip generation associated with this Alternative would be incrementally reduced, resulting in decreased impacts to local roadway segments and intersections in the site vicinity. (*Ibid.*) However, the implementation of 22,227,687 square feet of development would require many of the same recommended roadway improvements to mitigate project impacts. (*Ibid.*) Similar to the Proposed Project, it can be assumed that many of the improvements would not be fully funded, and could be located outside of the jurisdiction of the City of Fontana. (*Ibid.*) Since implementation of these recommended improvements cannot be ensured by the City, it is anticipated that the significant and unavoidable impacts identified for traffic and circulation would remain. (DPEIR pp. 7-12 – 13.)

Objectives and Feasibility: As shown in the impact analysis above, the decreased development potential associated with the Reduced Density Alternative would generally result in decreased impacts in comparison to the Proposed Project. (DPEIR p. 7-13.) This Alternative would generally accomplish the majority of the identified project objectives, though to a lesser degree (because of the reduced amount of development and associated reduction in economic benefits). (*Ibid.*)

Although development would be reduced under this Alternative, it would still result in the long-range buildout of over 22 million square feet of commercial, office, and

industrial development over 3,111 acres. (*Ibid.*) As a result of this substantial amount of development, it is anticipated that the Reduced Density Alternative would not eliminate any of the identified significant and unavoidable impacts under the Proposed Project (aesthetics, air quality, noise, public services and utilities, and traffic). (*Ibid.*) However, the Reduced Density Alternative has been identified as the Environmentally Superior Alternative. (*Ibid.*)

Finding: The City Council (1) rejects this alternative on the basis that it fails to meet some basic project objectives, and would not avoid any of the significant and unavoidable impacts of the Proposed Project; and (2) finds that either of these grounds provide sufficient justification for rejection of this alternative. Of the alternatives considered in depth in the PEIR, the City Council finds that the Reduced Density Alternative to be the environmentally superior alternative; however, as stated above and in DPEIR p. 7-13, it does not meet the project objectives to the full extent that the Project does.

3. Alternative 3 – Existing Specific Plan Boundary Alternative

Description: The Existing Specific Plan Boundary Alternative would involve an update to the Specific Plan, but would not alter its existing boundaries. (DPEIR p. 7-13.) Thus, the total area of this Alternative would remain at 1,793 acres, which represents the current acreage of the SWIP Specific Plan. (*Ibid.*) Under this Alternative, a similar range of land use districts and allowable development intensities would be implemented to resolve existing land use conflicts within the project area. (*Ibid.*) This Alternative would include design requirements similar to the Proposed Project, in addition to similar streetscape, utility, and traffic infrastructure improvements. (*Ibid.*) By reducing the boundary in comparison to the Proposed Project, future development activities would be limited to a smaller area, and therefore, the associated scope of impacts would be reduced. (*Ibid.*) Although the overall amount of development would be reduced due to the reduced project acreage, the intensity of development within the 1,793-acre boundary would remain the same as the Proposed Project. (*Ibid.*)

Impacts:

Aesthetics/Light and Glare

This Alternative would have decreased impacts related to aesthetics, light and glare due to the decreased impact footprint and overall reduction in development. (*Ibid.*) This decrease in development would result in incrementally reduced impacts in regards to scenic vistas, scenic resources, visual character, and light and glare. (*Ibid.*)

The Existing Specific Plan Boundary Alternative would maintain the existing boundaries of the SWIP Specific Plan. (DPEIR p. 7-14.) This Alternative would include the same range of land use districts, design guidelines, and infrastructure. (*Ibid.*) Although a reduction in impacts would occur, the long-range buildout of 1,793 acres of commercial, office, and industrial development is still anticipated to result in a significant

and unavoidable impact in regards to scenic vistas. (*Ibid.*) The introduction of new structures, walls/fences, aesthetic screening, and landscaping could still result in the blockage or impairment of views towards scenic vistas, including the Jurupa Mountains to the south and San Gabriel/San Bernardino Mountains to the north. (*Ibid.*) Thus, under the Reduced Density Alternative, the significant and unavoidable impact identified under the Proposed Project for scenic vistas would remain. (*Ibid.*)

Air Quality and Climate Change

By limiting development to the existing 1,793-acre Specific Plan boundary, the Existing Specific Plan Boundary Alternative would result in decreased air quality and climate change impacts in comparison to the Proposed Project. (*Ibid.*) Construction-related air quality and climate change impacts would be reduced, given the smaller impact footprint, reduced building activities, and associated reduction in equipment emissions and construction worker trips. (*Ibid.*) With a reduction in commercial, office, and industrial development, long-term operational impacts would also be reduced. (*Ibid.*) The reduced development intensity would result in lower emissions from stationary sources, in addition to a reduction in truck and vehicle emissions. (*Ibid.*)

Although a reduction in impacts would occur, the long-range buildout of over 1,793 acres of commercial, office, and industrial development is still anticipated to result in a significant and unavoidable impact in regards to air quality. (*Ibid.*) Given the sizable amount of development that would still occur under this Alternative, it is anticipated that an exceedance of SCAQMD short-term construction and long-term operational thresholds would occur. (*Ibid.*) The significant and unavoidable air quality impacts identified within Section 4.2, Air Quality and Climate Change would not be eliminated under this Alternative. (*Ibid.*)

Biological Resources

The site appears to have limited biological resource value due to its urbanized nature. (*Ibid.*) Under the Proposed Project, it was determined that the project area offered marginally-suitable habitat for several special-status wildlife species. (*Ibid.*) In addition, a biological database records search found that no sensitive plant species were identified as having the potential to occur on-site. (*Ibid.*)

Although it is expected that similar mitigation requirements and existing laws/ordinances would apply to the Existing Specific Plan Boundary Alternative, the decreased development that would occur under this Alternative would generally result in incrementally reduced biological impacts (sensitive species, habitats, natural communities, wetlands/drainages). (*Ibid.*) By reducing the boundaries of the project area, 1,318 acres that would be impacted by the Proposed Project would no longer be impacted by the Existing Specific Plan Boundary Alternative. (*Ibid.*) As such, this Alternative is expected to result in reduced biological resources impacts in comparison to the Proposed Project. (*Ibid.*)

Cultural Resources

The project area exhibited a low sensitivity for archaeological and cultural resources, and a moderate potential for paleontological resources. (DPEIR p. 7-15.) Similar to impacts related to biological resources, since the overall development footprint under this Alternative would be reduced by 1,318 acres, a corresponding decrease in the likelihood of impacts to cultural resources would also occur. (*Ibid.*) Consequently, there would be an incremental decrease in the potential for uncovering buried cultural or paleontological resources during grading and or construction activities associated with future development. (*Ibid.*) Therefore, potential cultural resource impacts would decrease with the Existing Specific Plan Boundary Alternative in comparison to the Proposed Project. (*Ibid.*)

Hazards and Hazardous Materials

Analysis related to hazards and hazardous materials within this Program EIR found that impacts under the Proposed Project could be mitigated to less than significant levels. (*Ibid.*) As stated above, the Existing Specific Plan Boundary Alternative would maintain the existing boundaries of the Specific Plan. (*Ibid.*) As such, this Alternative would reduce the project footprint by 1,318 acres, with an associated reduction in commercial, office, and industrial development. (*Ibid.*)

This decrease in the impact footprint and development would result in an incremental decrease in the potential for both short-term construction and long-term operational hazardous materials impacts. (*Ibid.*) An overall decrease in development would reduce the potential for the disturbance of unknown hazardous materials contamination, and reduced amounts of hazardous materials would be used, stored, and transported on-site as part of industrial/commercial uses. (*Ibid.*) As such, hazardous materials impacts associated with the Existing Specific Plan Boundary Alternative would be reduced in comparison to the Proposed Project. (*Ibid.*)

Land Use and Planning

The Proposed Project would improve the project area by comprehensively updating the existing Specific Plan. (*Ibid.*) The Proposed Project would address issues related to: updating a Specific Plan that has been amended 14 times since its creation in 1983; tying together the multiple annexations that have occurred within the project area; and promotion of orderly and compatible growth in newly annexed areas as well as older areas within the Specific Plan area. (*Ibid.*) The Proposed Project intends to guide future development through the provision of distinct land use districts within the site, which minimize potential land use conflicts and maximize efficiency within an important area of the City's economic base. (*Ibid.*) Under the Existing Specific Plan Boundary Alternative, the existing Specific Plan would be updated in a similar manner as the Proposed Project, but with a reduced impact footprint (i.e., 1,318 acres less than the Proposed Project). (*Ibid.*) The Existing Specific Plan Boundary Alternative would still provide consistency for a Specific Plan that has been amended numerous times

over a long period of time and provide for orderly development with a similar range of land use districts. (*Ibid.*) Since the functionality of the Proposed Project under the Existing Specific Plan Boundary Alternative would not substantially change, land use and planning impacts are considered similar to those of the Proposed Project. (DPEIR pp. 7-15 – 16.)

Noise

The Existing Specific Plan Boundary Alternative would result in reduced noise impacts in comparison to the Proposed Project. (DPEIR p. 7-16.) As discussed within Section 4.7, Noise, the Proposed Project would result in significant impacts in relation to long-term mobile noise and cumulative mobile noise. (*Ibid.*)

Under this Alternative, both construction and long-term impacts would be reduced. (*Ibid.*) As stated above, the Existing Specific Plan Boundary Alternative would reduce the project footprint by 1,318 acres, with an associated reduction in commercial, office, and industrial development. (*Ibid.*) Noise emitted during the process would decrease due to the decreased footprint and development envelope and associated reduction in construction equipment, truck trips, and construction employee trips. (*Ibid.*) Long-term operational noise would also be reduced due to a reduction in stationary equipment within the project area, in addition to a decrease in truck and vehicular noise associated with reduced development. (*Ibid.*)

Although a reduction in impacts would occur, the long-range buildout of over 1,793 acres of commercial, office, and industrial development is still anticipated to result in a significant and unavoidable impact in regards to long-term mobile and cumulative mobile noise impacts. (*Ibid.*) Given the sizable amount of development that would still occur under this Alternative, it is anticipated that an exceedance of identified noise thresholds due to truck and vehicle trips generated by this Alternative would occur. (*Ibid.*) The significant and unavoidable impacts would not be eliminated under this Alternative. (*Ibid.*)

Public Services, Utilities and Infrastructure

The Proposed Project does not propose specific development projects. (*Ibid.*) Rather, the Proposed Project provides for a comprehensive update of land uses, regulations, and development standards within site boundaries. (*Ibid.*) The Proposed Project would promote orderly and compatible growth in newly annexed areas as well as older areas of the Specific Plan. (*Ibid.*) However, future development occurring under the Project would result in impacts related to public services and utilities. (*Ibid.*)

The Existing Specific Plan Boundary Alternative would maintain the existing boundaries of the Specific Plan. (*Ibid.*) This would result in a reduction in the project footprint by 1,318 acres, with an associated reduction in commercial, office, and industrial development. (*Ibid.*) Generally, this reduction in development would result in an associated decrease in impacts related to the provision of public services and utility

services. (*Ibid.*) The Project's direct and indirect impacts related to the demand for law enforcement and fire protection services, public education, libraries, parks/recreation services, electricity, natural gas, and solid waste services, water supply and wastewater treatment, and storm water drainage facilities would be reduced. (*Ibid.*) However, despite this reduction in development intensity, this Alternative would not eliminate the significant unavoidable impact related to parks/recreation. (DPEIR pp. 7-16 – 17.) This impact would remain since the City does not collect Park Development fees for commercial, office, and industrial development. (DPEIR p. 7-17.) Thus, no enforceable mechanism to implement parks/recreation improvements to accommodate the Alternative are available. (*Ibid.*) The significant and unavoidable impact identified for parks/recreation within Section 4.8, Public Services and Utilities would not be eliminated under this Alternative. (*Ibid.*)

Traffic and Circulation

The Existing Specific Plan Boundary Alternative would maintain the existing boundaries of the Specific Plan. (*Ibid.*) This would result in a reduction in the project footprint by 1,318 acres, with an associated reduction in commercial, office, and industrial development. (*Ibid.*)

The decreased development potential associated with the Existing Specific Plan Boundary Alternative would generally result in decreased traffic and circulation impacts in comparison to the Proposed Project. (*Ibid.*) Trip generation associated with this Alternative would be incrementally reduced, resulting in decreased impacts to local roadway segments and intersections in the site vicinity. (*Ibid.*) However, the implementation of 1,793 acres of development would require many of the same recommended roadway improvements to mitigate project impacts. (*Ibid.*) Similar to the Proposed Project, it can be assumed that many of the improvements would not be fully funded, and could be located outside of the jurisdiction of the City of Fontana. (*Ibid.*) Since implementation of these recommended improvements cannot be ensured by the City, it is anticipated that the significant and unavoidable impacts identified for traffic and circulation would remain. (*Ibid.*)

Objectives and Feasibility: By reducing the boundary in comparison to the Proposed Project, future development activities would be limited to a smaller area, and therefore, the associated scope of impacts would be reduced. (DPEIR p. 7-17.) Although the overall amount of development would be reduced due to the reduced project acreage, the intensity of development within the 1,793-acre boundary would remain the same as the Proposed Project. (*Ibid.*) This Alternative would generally accomplish the majority of the identified project objectives, though to a lesser degree (because of the reduced amount of development and associated reduction in economic benefits). (*Ibid.*)

Although development would be reduced under this Alternative, it would still result in the long-range buildout of over 1,793 acres of commercial, office, and industrial development. (*Ibid.*) As a result of this substantial amount of development, it is

anticipated that the Existing Specific Plan Boundary Alternative would not eliminate any of the identified significant and unavoidable impacts under the Proposed Project (aesthetics, air quality, noise, public services and utilities, and traffic). (*Ibid.*)

Finding: The City Council rejects this alternative on the basis that (1) it fails to meet some basic Proposed Project objectives; (2) is unable to avoid significant effects of the Proposed Project; and (3) finds that any of these grounds provide sufficient justification for rejection of this alternative. (*Ibid.*) Therefore, it is eliminated from further consideration. (*Ibid.*)

SECTION 9: RESOLUTION ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council hereby declares that, pursuant to the State CEQA Guidelines Section 15093, the City Council has balanced the benefits of the Project against any unavoidable environmental impacts in determining whether to approve the Project. Pursuant to the State CEQA Guidelines, if the benefits of the Proposed Project outweigh the unavoidable adverse environmental impacts, those impacts may be considered "acceptable."

The City Council hereby declares that the PEIR has identified and discussed significant effects which may occur as a result of the Proposed Project. With the implementation of the Mitigation Measures discussed in the PEIR and adopted by this Resolution, these effects can be mitigated to a level of less than significant except for the unavoidable significant impacts discussed in Sections 4, 5, 6 and 7 of this Resolution.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any Mitigation Measures recommended in the PEIR would not be incorporated, such Mitigation Measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the PEIR are infeasible because they would prohibit the realization of Project objectives and/or specific economic, social and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effect of the Project to the extent feasible by adopting the Mitigation Measures contained in this Resolution, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its

unavoidable adverse impact after 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:

- The Proposed Project will promote orderly and compatible growth in newly annexed areas as well as older areas within the Specific Plan. (DPEIR p. S-1.)
- The more orderly and compatible growth plan will result in 14,119,461 fewer square feet of new development that the existing SWIP Specific Plan and therefore result in fewer environmental impacts. (DPEIR p. 2-17.)
- The Proposed Project will ensure that future development of parcels within the SWIP Specific Plan Update area (both privately owned lands as well as publicly owned lands which are approved for private use and development) implement the goals and policies of the *City of Fontana General Plan* (General *Plan*). (DPEIR p. S-2.)
- The Proposed Project will include infrastructure improvements necessary to support development within the project area, including improvements to circulation and water supply. (*Ibid*; 2-15.)
- The Proposed Project will include approximately 3,111 acres of industrial, manufacturing, office, commercial, research and development, flex-tech, residential, public, and public/utility right-of-way uses. (*Ibid.*)
- The Proposed Project will increase and maintain an increased daytime employment population. (DPEIR p. S-3.)
- The Proposed Project will improve pedestrian accessibility, vehicular access, and parking to establish safety throughout the project area. (*Ibid.*)
- The Proposed Project will enhance the streetscape as well as the parking and loading areas throughout the project area. (*Ibid.*)
- The Proposed Project will improve visual and functional linkages between I-10, Slover Avenue, and the City of Fontana. (*Ibid.*)
- The Proposed Project will incorporate planning policy that encourages viable development in the future, while paying tribute to Fontana's past. (*Ibid.*)
- The Proposed Project will incorporate facade improvements that enhance the I-10 Corridor. (DPEIR p. 2-9.)
- The Proposed Project will revitalize and redevelop existing industrial uses and properties. (DPEIR p. 2-11.)
- The Proposed Project will encourage pedestrian-oriented elements along Poplar Avenue. (DPEIR p. 2-12.)
- The Proposed Project will result in the continued and expanded use and operation of home based trucking/heavy equipment businesses. (DPEIR p 2-14.)
- Public rights-of-way along major and primary roadways (i.e., Etiwanda, Mulberry, Cherry, Beech, Citrus, Philadelphia, Slover and Jurupa Avenues, and Valley Boulevard) would be improved to provide a "sense of arrival" through a unified hierarchy of gateways and corridors that utilize a coordinated streetscape.

These improvements would include street trees, shrubs, groundcover, and gateway designs, among other facilities. (DPEIR p. 2-16.)

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. The City Council finds that each of the Project benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the PEIR and therefore finds those impacts to be acceptable.

SECTION 10: CERTIFICATION OF THE PEIR

The City Council finds that it has been presented with the PEIR, which it has reviewed and considered, and further finds that the PEIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and that the PEIR reflects the independent judgment and analysis of the City Council.

The City Council declares that no evidence of new significant impacts as defined by the State CEQA Guidelines section 15088.5 have been received by the City Council after circulation of the Draft PEIR which would require recirculation.

Therefore, the City Council hereby certifies the PEIR based on the entirety of the record of proceedings, including but not limited to the following findings and conclusion:

A. Findings

The following significant environmental impacts (both project-specific and cumulative) have been indentified in the PEIR and will require mitigation as set forth in Section 4 and Section 5 of this Resolution but cannot be mitigated to a level of less than significant: Scenic Vistas, Air Quality, Long-Term Mobile Noise, Parks and Recreation, and Increased Traffic Volumes. The PEIR also identified, as described in Sections 6 and 7 of this Resolution, that the Project would result in significant irreversible environmental changes and have a significant and unavoidable impact with regard to growth inducement.

B. Conclusions

All significant environmental impacts from the implementation of the Project have been identified in the PEIR and, with implementation of the Mitigation Measures identified, will be mitigated to a less than significant level, except for the impacts listed in subsection A above.

Other reasonable alternatives to the Project which could feasibly achieve the basic objectives of the Project have been considered and rejected in favor of the Project.

Environmental, economic, social and other considerations and benefits derived from the development of the Project override the significant and unavoidable impact of the project identified in subsection A.

SECTION 11: RESOLUTION ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit A. Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project. In the event of any inconsistencies between the Mitigation Measures set for herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 12: APPROVAL OF THE PROJECT

In light of the findings contained in this resolution and the entirety of the record of proceedings, the City Council for the City of Fontana hereby approves the Southwest Industrial Park Specific Plan Update and Annexation project.

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 Department of Community Development – Planning Division, 8353 Sierra Avenue, Fontana, CA 92335. The custodian for these records is Don Williams, Director of Community Development. This information is provided in compliance with Public Resources Code section 21081.6.

SECTION 14: RESOLUTION REGARDING STAFF DIRECTION

A Notice of Determination shall be filed with the County of San Bernardino and the State Clearinghouse within 5 (five) working days of final Project approval.

APPROVED AND ADOPTED this 8th day of May, 2012.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, California, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City Council at a regular meeting thereof, held on the 8th day of May, 2012, by the following vote to wit:

AYES: Mayor Warren and Council Members Roberts, Tahan, Slowik and Wibert.
NOES: None.
ABSENT: None.
ABSTAIN: None.

City Clerk of the City of Fontana

Mayor of the City of Fontana

ATTEST

City Clerk of the City of Fontana

Exhibit B

Ordinance 1761

Pages 7-5 to 7-34, 9-5 to 9-34, 11-5 to 11-36, and the definition section of the Southwest Industrial Park ("SWIP") Specific Plan

7.3 Allowable Land Uses and Permit Requirements

This Section identifies allowable land uses and their permit requirements.

A. Allowed Uses

Table 7-2 – Allowable Land Uses and Permit Requirements identifies the types of land uses allowed in the JND and the permit required to establish each use.

B. Uses Not Listed

Uses not listed in Table 7-2 are prohibited land uses, until and unless the Director of Community Development makes a similar use determination in compliance with Subsection 7.11.C Entitlement Procedures - Similar Use Determination.

C. Other Applicable Regulations

The provisions contained in this SWIP Specific Plan constitute the primary land use and development standards for the Specific Plan area. These regulations are in addition to the provisions in the City of Fontana Municipal Code.

This Specific Plan provides all development standards and guidelines necessary to approve subsequent project applications, unless otherwise noted. Permit processing procedures (e.g., noticing, hearing, appeals, and expiration procedures) and enforcement procedures are provided in Municipal Code Chapter 30 (Zoning and Development Code) shall apply, unless otherwise noted. Where there is a conflict between the provisions in this Specific Plan and otherwise noted. Where there is a conflict between the provisions in this Specific Plan and those in the Zoning and Development Code, the Specific Plan provisions shall prevail to the extent allowable under Federal or State law. Where there is no conflict, both shall be applied concurrently.

D. Definitions

Definitions for land uses are provided in Appendix A Definitions. If a definition is not provided, the definitions in the Municipal Code shall apply. The Director of Community Development shall interpret the definitions; make a similar use determination in compliance with Subsection 7.11.C Entitlement Procedures – Similar Use Determination; and/or refer any questions to the Planning Commission for its determination. For the purposes of this Specific Plan, the following definitions shall apply:

1. Commercial Use: Activity involving the sale of goods or services carried out for profit.

2. Industrial Use: Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

Table 7-2 – Allowable Land Uses and Permit Requirements

Land Use	*Permit Requirement* "P" = Use Permitted by Right "C" = Conditional Use Permit Required "M" = Minor Use Permit Required **Jurupa North Research and Development District (JND)**
Entertainment, Recreation and Public Assembly Uses	
Adult Businesses	Refer to Municipal Code §30-11 & Municipal Code Chapter 15, Article XVIII
Open Space / Park	P
Public Assembly Facilities	C
Recreational Facilities	C
Industry, Manufacturing, and Processing Uses	
Flex-Tech Multi-Use Facilities (1)	P
Handcraft Industry/ Small-Scale Manufacturing	P
Manufacturing, Light	
• Appliance Manufacturing	M
• Electronics & Equipment	P
• Furniture and Fixture Manufacturing	M
• Glass Product Fabrication	P
• Product Assembly and Distribution	P
Research and Development	P
Pallet Yard (2)	***C (Sunset on 6/30/19)***
Residential Uses	
Caretaker Housing (3)	C
Retail Uses	
Alcohol Sales, Off-Site/On-Site	C
Factory/Warehouse Outlet Store	P
Retail Sales, General (4)	P
Service Uses	
Business Support Services	P
Financial Facilities	P
Catering Services	P
Food Service	
• Outdoor Dining	P
• Restaurants	P
Hotel	P
Industrial Repair	C
Mini Storage Facility (4)	P

Table 7-2 – Allowable Land Uses and Permit Requirements (continued)

Land Use	*Permit Requirement* "P" = Use Permitted by Right "C" = Conditional Use Permit Required "M" = Minor Use Permit Required **Jurupa North Research and Development District (JND)**
Motor Vehicle	
Car Wash / Detailing	M
Motor Vehicle Rental, Sales, and Leases	C
Service Stations (4)	C
Vehicle Auctions (not fronting on Jurupa Avenue)	P
Offices	P
Personal Services	P
School, Commercial	M
Distribution, Wholesaling and Warehousing Uses	
Logistics and Distribution Facilities (not fronting on Jurupa Avenue)	P
Warehousing Facilities	P
Transportation, Communications and Infrastructure Uses	
Antennas	M
Broadcasting Offices or Studios	P
Parking Structures (4)	P
Other Uses	
Drive-Through Uses (4)	M
Outdoor Display & Sales	M
Public Facilities	P
Temporary Uses	Municipal Code Chapter 30, Division 14 (Temporary Use).

(1) See Section 7.9E
(2) See Section 7.4G
(3) See Section 7.4D
(4) See Section 7.9F

7.4 Development Standards

New land uses and structures and alterations to existing land uses and structures in the JND shall be designed, constructed, and established in compliance with the requirements in this Section.

A. Intensity and Dimensional Standards

Table 7-3 – Intensity and Dimensional Standards provides the required intensity and dimensional standards for proposed development. The Director of Community Development is authorized to approve modifications of 10 percent or less of any land use district setback, lot width, lot depth, building coverage, building height, or wall height standard in compliance with the administrative variance procedures in Municipal Code Section 30-51.6 (Findings necessary for granting a variance). See Exhibit 7-2 – Dimensional Standards.

The Director of Community Development may grant an administrative variance from the requirements of this chapter where practical difficulties, unnecessary hardships, or results contrary to the intent of this chapter would occur from the strict and literal interpretation and enforcement of the Code. An administrative variance may be granted upon conditions which will ensure the protection of the public safety, health and welfare. To grant an administrative variance, the Director of Community Development must find from the facts presented that the following conditions exist.

(1) That because of circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of this chapter will deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

(2) That the granting of such an administrative variance will be subject to conditions assuring that the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located;

(3) That the administrative variance does not authorize a use or activity which is not a specifically allowed use in the zoning district in which the property is located; and

(4) That the granting of one administrative variance will not be contrary to the general plan.

Table 7-3 – Intensity and Dimensional Standards

Lot Size and Building Placement

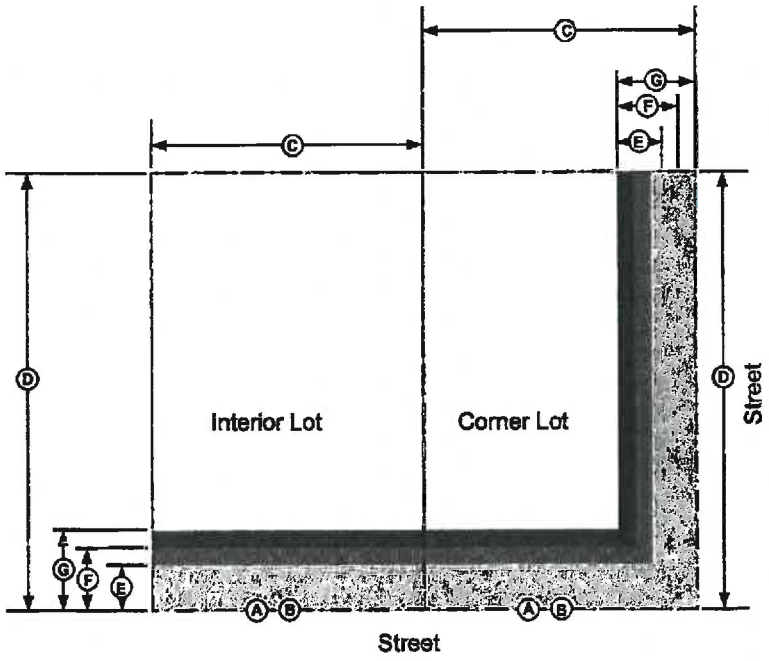
	Industrial Use	Commercial Use
INTENSITY		
Floor Area Ratio (3)	0.55 max. FAR	1.0 max. FAR
LOT DIMENSIONS		
Lot Size	45,000 sq ft min.	35,000 sq ft min (4)
Lot Width (C)	200 ft min.	150 ft min.
Lot Depth (D)	200 ft min.	200 ft min.
BUILDING SETBACKS		
Front Setback (1)		
Major Highway *(Cherry and Jurupa)* (G)		
without building stepback	30 ft min. (5)	20 ft min. (5)
with 15 ft min building stepback	30 ft min. (5)	15 ft min. (5)
Primary Highway *(Beech and Mulberry)* (F)		
without building stepback	25 ft min. (5)	20 ft min(5)
with 15 ft min building stepback	25 ft min. (5)	25 ft min. (5)
Secondary Highway/Collector Street *(Citrus and Poplar/Almond, Banana, Calabash, Catawba, Elm, Hemlock, Live Oak, Redwood)* (E)		
without building stepback	20 ft min. (5)	15 ft min.(5)
with 15 ft min building stepback	20 ft min. (5)	20 ft min. (5)
Side (Street) Setback *(1)*		
Major Highway *(Cherry and Jurupa)* (G)	20 ft min. (5)	20 ft min. (5)
Primary Highway *(Beech and Mulberry)* (F)	25 ft min. (5)	20 ft min. (5)
Secondary Highway/Collector Street *(Citrus and Poplar/Almond, Banana, Calabash, Catawba, Elm, Hemlock, Live Oak, Redwood)* (E)	20 ft min. (5)	15 ft min. (5)
Side (Interior) Setback *(2)*	None	None
Rear Setback *(2)*	None	None
Adjacent to Public Facilities District *(2)*	50 ft min.	50 ft min.
Railroad Setback *(1)*	Comply with Public Utilities Commission Regulations	Comply with Public Utilities Commission Regulations
Accessory Buildings (H)	Rear 50% of lot depth	Rear 50% of lot depth

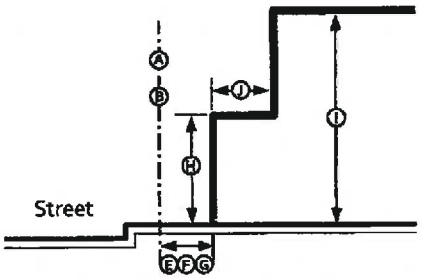
Building Height and Mass

	Industrial	Commercial
HEIGHT		
Primary Building	60 ft max (I)	60 ft max (I)
Accessory Building	1-story or 14 ft max. to eave/parapet line	1-story or 14 ft max. to eave/parapet line
Interior (Floor-to-Floor, excluding parking levels)	Ground floor – 12 ft min	Ground floor – 12 ft min
UPPER STORY STEPBACKS		
All buildings regardless of street frontage	Allowed.	Allowed.
Adjacent to Major Highways *(Cherry and Jurupa)* and residential zones for buildings that have a front setback of between 15 and 30 feet from the public right-of-way line.		Required: 15-foot upper-story stepback for part of buildings above 30 feet from finished grade (H) (I) (J)

Notes:

(1) Setback is measured from public right-of-way line.
(2) Setback is measured from property line.
(3) See Section 7-10 Development Incentives
(4) Lots in commercial center may have a minimum lot size less than 40,000 square feet.
(5) Corner cut off setbacks per Specific Plan.





Ⓐ = Public Right-of-Way Line
Ⓑ = Property Line
Ⓒ = Lot Width
Ⓓ = Lot Depth
Ⓔ = Front/Side Setbacks – Secondary Highway/Collector Street
Ⓕ = Front/Side Setback – Primary Highway
Ⓖ = Front/Side Setback – Major Highway
Ⓗ = 30 foot Height
Ⓘ = 60 foot Height
Ⓙ = 15 foot Stepback above 30 foot Building Height

Exhibit 7-2 – Dimensional Standards.

B. Fences, Walls, and Screening

1. Standards and Guidelines. Table 7-4 – Standards for Fences, Walls, and Screening contains standards for fences, walls, and screening. Refer to Section 7.9 Design Guidelines for guidelines about the design, materials, and construction of fences, walls, and screening.

Table 7-4 – Standards for Fences, Walls, and Screening

Location	*Materials See Section 7.9 Design Guidelines*	*Maximum Height (1)*
Within front setback area	Solid fencing/wall	36 inches
	Open fencing/wall	6 ft
Within street side or railroad right-of-way setback area	Tubular steel construction allowed in required setback area if set back at least 15 ft from lot line. Solid masonry wall not allowed in required setback area.	8 ft if necessary for security purposes, with 18-inch maximum width pilasters
Within interior side setback area	Any type of fence, hedge, or wall allowed, except that if abutting Public Facility District, solid masonry wall only	8 ft
Within rear setback area	Any type of fence, hedge, or wall allowed, except that if abutting Public Facility District or railroad right-of-way, solid masonry wall only	8 ft
Outside of a required setback area	Solid or open fencing/wall	No height limit
Screening of outside storage materials and equipment from view from the public right-of-way *(outside of setback area)*	Solid fencing/wall	*12 ft*
At intersections of alleys, streets, and driveways	All materials, including solid/open fencing and walls	30 inches

Note: (1) All fences and walls shall meet the City's line of sight regulations, as determined by the City Engineer.

2. Materials

   a. Open fencing shall mean fencing with over 50 percent of the surface area open for free passage of light and air and through which the area behind the fence is visible to public view. See Exhibit 7-3 – Open and Solid Fencing.

   b. Solid fencing shall mean fencing with 50 percent or less of the surface area open for free passage of light and air and designed to conceal the area behind the fence from public view. See Exhibit 7-3 – Open and Solid Fencing.

   c. Barbed wire fence, electric fences, or similar fencing material is prohibited.

   d. Chain link fencing is allowed on interior property lines that are not visible from public rights-of-way.

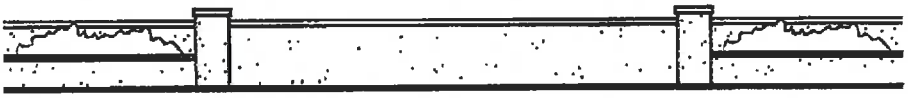
e. For fences up to 100 linear feet, one pilaster shall be provided for every 10 linear feet. For fences more than 100 linear feet and less than 300 linear feet, one pilaster shall be provided for every 30 feet. For fences 300 leaner feet or longer, one pilaster shall be provided for every 60 feet.

Elevation of Wall / Wrought Iron Combination

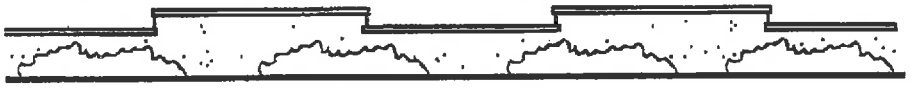
Elevation of Wrought Iron with Pilasters

Examples of Open Fencing

Elevation of Staggered Wall



Elevation of Planters / Wall



Elevation of Wall with Breaks

Examples of Solid Fencing

Exhibit 7-3 – Open and Solid Fencing.

3. Screening and buffering

   a. Roof-mounted and ground-mounted mechanical equipment, utilities, storage, and solid waste storage areas shall be screened from adjoining properties and public right-of-ways by a visual barrier (e.g., wall, fence, landscape material, etc.) to the satisfaction of the Director of Community Development. Where only landscaping is used for screening, it shall be planted with five-gallon (minimum size) shrubs spaced to provide a continuous dense screen.

   b. Parking lot perimeters shall be screened and planted in compliance with Section 7.6 Parking and Loading Standards.

C. Outdoor Activities and Storage

1. Storage in Setback Areas. Material or equipment shall not be stored anywhere in the front yard. Temporary storage of construction materials during construction on the same site is permitted. Boats, campers, motor vehicles, trailers, equipment, materials, or antenna may be stored in side and rear yards, provided that they are outside the required side and rear setback areas identified in Table 7-3 – Intensity and Dimensional Standards.

2. Limitations on Outdoor Uses.

   a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation, except approved outdoor dining areas, vehicle sales and rental businesses, parking areas, nursery growing areas, industrial activities, and other approved uses that require outdoor activities.

   b. Areas used for the approved outdoor storage of vehicles, equipment and/or building materials (raw or finished) ***shall be paved with asphalt and/or concrete*** ~~may use compacted slag, gravel, or other similar material deemed suitable by the Director of Community Development.~~ .

   c. Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan. All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete. Refer to section 7.4G Pallet Yards for regulations and standards for pallet yards.

3. Outdoor Wholesaling. Outdoor wholesaling of goods and materials shall comply with the following:

   a. A building shall be provided on the same parcel or on an adjacent parcel associated with the same business.

   b. All display materials, including vehicles, shall be set back five feet from any landscaped area and shall not be located on required parking areas.

c. The entire area used for display purposes shall be surfaced with asphalt ***and/or concrete*** ~~or an equally serviceable hard pavement surface~~. The surface shall be maintained in good condition.

d. Storage of equipment or materials, with the exception of the display of vehicles for sale or rent, shall be screened by a visually solid masonry wall of minimum height six feet. The approving authority may determine through the design review process that the subject use requires a solid masonry wall higher than six feet.

e. Outdoor display areas shall be maintained in a neat and orderly condition.

D. Caretaker Housing

Caretaker housing shall be:

1. Accessory to a principal use;

2. A maximum of 1,500 square feet total floor area unless otherwise approved by the Planning Commission;

3. Limited to one unit per lot;

4. Subject to the setback requirements applicable to the principal structure with which it is associated; and

5. ***Caretakers' residences in conjunction with a pallet yard is prohibited. Refer to Section 7.4G Pallet Yards for regulations and standards.***

E. Solar Access

A structure, fence, or wall shall not be constructed or modified, and vegetation shall not be placed or allowed to grow so as to obstruct more than 10 percent of the absorption area of a solar energy system on an abutting or adjacent lot at any time.

F. Undergrounding of Utilities

1. Utility service laterals to new development shall be installed underground.

2. Temporary overhead power and telephone facilities are permitted only during construction.

3. Placement, location and screening of utilities of any kind, which cannot be installed underground and must be placed above ground for function and safety reasons, require written approval by the Director of Community Development or the Planning Commission prior to any administrative or discretionary approval.

4. Transformer enclosures shall be designed of durable materials with finishes and colors used that are compatible and harmonious with the overall architectural theme.

5. All utilities including, but not limited to drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communications wires and equipment shall be installed and maintained underground. Placement, location, and screening of utilities of any kind, which cannot be installed underground and must be placed above ground for function and safety reasons, require written approval by the Director of Community Development or the Planning Commission prior to any administrative or discretionary approval.

G. *Pallet Yards*

Pallet Yard. **An open yard that stores, sells, repairs, refurbishes, and/or manufactures pallets.**

1. *Site and Building Design*

- ***An office building shall be provided on the same parcel where the pallet yard and associated business is taking place.***
- ***Caretakers' residences in conjunction with a pallet yard is prohibited.***
- ***An option for guard station or similar structure may be included if it is located near the primary access to the premises. The minimum size of such structure shall be sixteen square feet.***
- ***Any permanent canopy type of structures may be permitted on the site and shall meet all zoning, building, and fire code requirements.***
- ***Heat treaters that are (Underwriters Laboratories [UL]) approved and function as an accessory use to a pallet yard are permitted. They should be depicted on the site plan, comply with the setbacks of the primary structure, obtain all the necessary permits (i.e. Building and Fire Department Permits), and located in an area on the property that is completely screened and not visible from any public right-of-way. Heat treaters are exempted from the Design Guidelines in this Chapter.***
- ***Building materials shall be used which will deter graffiti on perimeter walls.***
- ***All outdoor work, assembly, and/or repair areas shall be depicted on the site plan and conducted under a permanent canopy type structure and areas paved with asphalt and/or concrete.***
- ***All areas to be subleased to other pallet yard subtenants shall be indicated on the site plan and described in the Conditional Use Permit application (i.e. hours of operations, type of activities conducted on site, and number of employees).***
- ***Number of employees for the primary tenant and any subtenants shall be indicated on the site plan and reflected in the parking calculation summary.***
- ***Outdoor display areas shall be maintained in a neat and orderly condition.***

- ***Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan.***

- ***All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete.***

- ***Site and development standards for pallet yards shall comply with the existing the San Bernardino County Fire Department (Community Safety Division) Fire Prevention Standard for Pallet Refurbishing and Storage Yards. Standard Number G-3 includes exceptions to stack and/or pile configuration or pile volume. All exceptions shall be submitted to the fire department prevention bureau. Exception requests submitted shall provide a complete alternative site plan and alternative fire protection methods, if applicable, to be reviewed and approved by the Fire Marshal and Fire Chief prior to any implementation of any variations to fire department standard G-3. Exceptions will be reviewed and granted in certain cases if they can demonstrate safe operations, no impact to the safety of the surrounding community and meet the intent of the G-3 standard. All approved exceptions will be included in the Conditional Use Permit process.***

2. ***Access and Circulation***

- ***Fire access lanes of a minimum twenty-six feet (26') in width shall be required from any structures and/or exterior property line(s). Additional fire access lanes shall be provided as required by the Fire District.***

- ***Fire hydrants shall be required to the satisfaction of the Fire Department.***

- ***All pallet yards will be subject to quarterly inspections by the Fire Department and designated City staff. Such inspections shall be subject to an inspection fee as adopted by City Council.***

3. ***Landscaping and Walls***

- ***All outdoor storage areas shall clearly be identified on the site plan for the property and shall be screened from view from the public right-of-way by one or more decorative block screening walls. All screening walls adjacent to the public right-of-way shall have a minimum height of eight (8) feet and shall not be located in a required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements as determined by the Director of Community Development and/or Planning Commission.***

- ***Landscaping adjacent to the public right of way is required per SWIP. Pallet Yards are exempted from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view.***

4. ***Timeframes/Sunset Provision***

- ***Pallet Yard owners/operators must file a Pre-Application Meeting Request (PAM). Pallet Yard owners/operators must also file additional applicable entitlement applications (e.g., Conditional Use Permit (CUP), Design Review (DR), and/or Administrative Site Plan Review (ASP)) prior to January 31, 2018.***

- ***Pallet Yard owners/operators must complete construction and related improvements, and obtain a Certificate of Occupancy from the City prior to June 30, 2019. After June 30, 2019, the Conditional Use Permit process to establish Pallet Yards will terminate; therefore, no additional Pallet Yards will be permitted to be established after June 30, 2019.***

- ***All legally established Pallet Yards will be subject to the nonconforming provisions in section 7.11 F after June 30, 2019.***

7.5 Landscape Standards

A. Required Landscaping

This section provides the required minimum standards for all landscaped areas within any new and rehabilitated development.

1. Landscaped area means the entire parcel less the building footprint, driveways, nonirrigated portions of parking lots, and hardscapes (driveways, approaches, sidewalks, etc.). Decorative hardscapes used to enhance the landscape will be considered as part of the landscape area; this would include such things as cobble rock, decomposed granite, brickwork, stamped concrete, gravel, pavers, and water features.

2. Landscape setbacks along public right-of-ways shall incorporate landscape buffers with undulating and variable height earth-mounding (berms), and/or low walls, and required plant materials as shown in Table 7-5 – Landscape Standards.

3. Block wall and wrought iron fencing shall be located behind landscape setback area(s).

4. The developer shall submit to the City's Department of Engineering, a Landscape Documentation Package that conforms to the Water Efficient Landscape Ordinance, specified in the Municipal Code, Chapter 28 Vegetation.

5. All new development landscaping shall comply with the standards shown in Table 7-5 – Landscape Standards. Additional guidelines that should be considered are addressed in Section 7.10 Design Guidelines.

6. The Recommended Plant Materials Palette, Table 7-6 can be found immediately after this section. The plant materials palette is provided to ensure the installation of drought-tolerant, water efficient landscaping that will provide wind breaks and thrive in the local climate conditions. In an effort to provide visual elements that distinguish this

district from others, please note that turf (grass) does not appear in the Plant Materials Palette, and shall be prohibited, in lieu of drought-tolerant ground covers.

7. Public right-of-way improvements, including street improvements, streetscape/landscape (parkway) improvements, and street tree requirements, are in Section 7.8 – Public Right-of-Way Streetscape.

Table 7-5 – Landscape Standards (1)(2)

Minimum Landscaped Area Mixture of ground cover, shrubs, trees, and decorative hardscape features	15% of total site area, not including areas covered by buildings, structures, or areas used for approved outside storage, loading, or other activities. 25% of total site area, for hotels, not including areas covered by buildings, or areas used for approved outside storage, loading, or other activities.
Decorative hardscape features Brick, stone, art, fountains, ponds, etc.	Maximum 15 % of the total required landscaping of site area
Minimum plant sizes in landscaped areas	Minimum Ratio of 1 tree/500 SF of landscape area
Trees	50% - 15-gallon 40% - 24-inch box 10% - 30-inch box or greater
Shrubs	50% - 5-gallon 50% - 1-gallon
Groundcover	12-inch maximum on center spacing that will cover area within one year of initial planting
Street trees in parkways per Master Plan of Parkway Trees	1 tree of not less than 24-inch box size for each 30 linear feet of street frontage In parkways of inadequate width, street trees shall be planted in abutting setback/yard, in addition to the required buffer landscaping in setback area
Landscape buffer in front setback area	1 tree for each 20 linear feet minimum of street frontage and three 5-gallon shrubs for each tree Undulating earth berms with informal tree and shrub massing and/or low decorative walls may be utilized. Maximum slope: 3:1 for berms
Additional landscape requirements	1 tree for each 800 square feet minimum of other required landscaped area and 8 shrubs for each tree.
Landscape Buffer Front setback area and street-side setback area	Major Highway: 30 ft minimum width Primary Highway: 25 ft minimum width Collector/Local Streets: 20 ft minimum width

Notes: (1) The Director of Community Development may require additional setbacks.
(2) Landscaping adjacent to the public right-of-way is required per SWIP. Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 7.4G Pallet Yards for regulations and standards.

B. Recommended Plant Materials Palette

The Recommended Plant Materials Palette in Table 7-6 provides a listing of primarily drought-tolerant trees, shrubs, and ground covers to provide water-efficient landscaping in new projects. The limited selection of landscape material in the palette is envisioned to assist the user in incorporating sustainable landscaping into the project, while including enough variety of size, form, and density, to meet the requirements within buffer setbacks and screening techniques. Final selection shall be approved the City. The Director of Community Development shall approve artificial turf.

Table 7-6 (a) – Recommended Plant Materials Palette
Recommended Trees

Aleppo Pine
Pinus halepensis

Floss Silk Tree
Chorisia speciosa

Bottle Tree
Brachychiton populneus

Holly Oak
Quercus ilex

Canary Island Date Palm
Phoenix canariensis

Mexican Fan Palm
Washingtonia robusta

Table 7-6 (a) – Recommended Plant Materials Palette
Recommended Trees (continued)

Canyon Live Oak
Quercus chrysolepis

Sonoran Palo Verde
Cercidium praecox

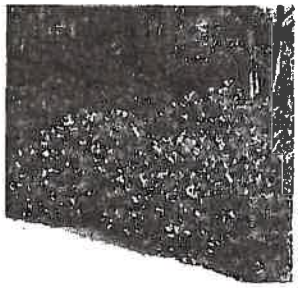
Date Palm
Phoenix dactylifera

Stone Pine
Pinus pinea

Agave
Agave species

Coyote Brush
Baccharis pilularis

Aloe
Aloe species



India Hawthorne
Rhapiolopis indica

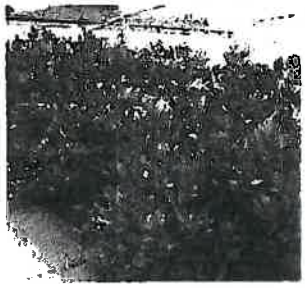
Table 7-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs (continued)

Blue Hibiscus
Alyogyne huegelii

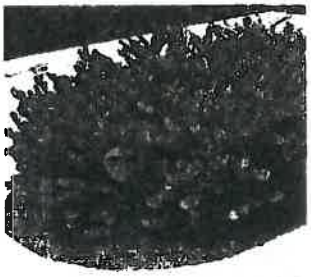
Kangaroo Paw
Anigozanthus hybrids

Bush Morning Glory
Convolvulus cneorum

Lavender
Lavandula species



Coffeeberry
Rhamnus californicus



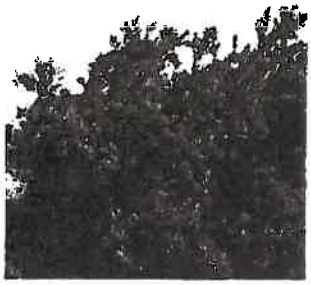
Natal Plum
Garissa grandiflora

Purple Fountain Grass
Pennisetum setaceum
'Cupreum'

Silverberry
Elaeagnus pungens

Table 7-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs (continued)

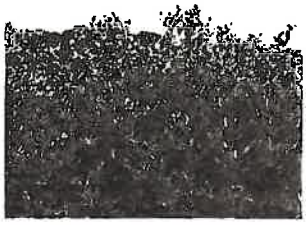
eus



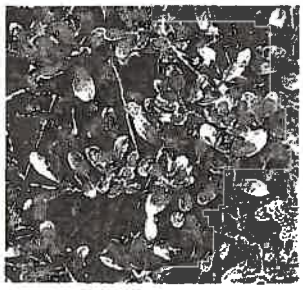
Toyon
Heteromeles arbutifolia

Red Hot Poker
Kniphofia uvaria

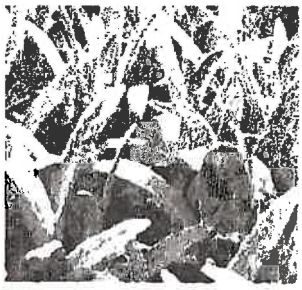
Yaupon
Ilex vomitoria



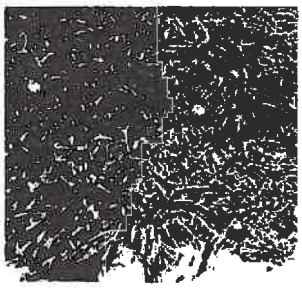
(c) – Recommended Plant Materials Palette
Recommended Groundcover



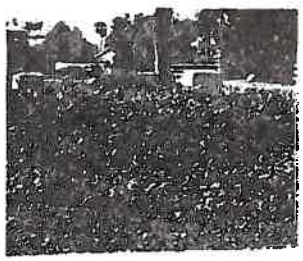
Bearberry
Arctostaphylos uva-ursi



Snow-In-Summer
Cerastium tomentosum



Dymondia
Dymondia margaretae



Trailing Lantana
Lantana montevidensis

Table 7-6 (c) – Recommended Plant Materials Palette
Recommended Groundcover (continued)

Peruvian Verbena
Verbena peruviana

Wholly Thyme
Thymus species

Rosea Ice Plant
Drosanthemum floribundum

7.6 Parking and Loading Standards

A. Applicability

This section contains regulations for off-street parking and loading. Regulations identify required number of parking and loading spaces for all new development projects and those proposing substantial modification to existing buildings. Please refer to Municipal Code Chapter 30 Zoning and Development Code for all parking and loading-related information or regulations not specifically addressed in this section.

B. General Parking and Loading Regulations

1. Methods of Calculation.

    a. Multiple Uses. If more than one use is located on a site, the total number of required off-street parking and loading spaces shall be the sum of the requirements for the various uses computed separately. If individual uses on the same site have a floor area less than that for which loading spaces would be required, then the total gross floor area of all uses on the site or lot shall be used in determining the required number of loading spaces.

    b. Fractional Number. Whenever the computation of the required number of off-street parking or loading spaces results in a fractional number, one additional space shall be required for a fraction of more than one-half, but shall not be required for a fraction of one-half or less.

2. Off-Site Location. Required off-street parking spaces shall be located on the same property as the use that they are intended to serve. Where the required parking spaces cannot be accommodated on the same property, they may be located in a separate off-site parking facility that is not more than 300 feet from the use(s) they serve.

3. Shared Use. Required off-street parking and loading spaces shall not be considered as providing parking or loading spaces for any other use, except where shared use facilities are approved in compliance with Subparagraph 5 Adjustments to Parking Requirements, below.

4. Uses Not Specified. For uses not specified, the Director of Community Development shall determine parking requirements based upon the requirements of the most similar use. See Subsection 7.11.C Entitlement Procedures - Similar Use Determination.

5. Adjustments to Parking Requirements.

    a. Administrative Variance. The Director of Community Development is authorized to approve alternate parking plans involving a modification of 10 percent or less of any of the off-street parking and loading standards in compliance with Section 30-51.5 of Municipal Code Chapter 30.

    b. Parking Study Option. An applicant may submit a separate parking and loading study for new development to the Director of Community Development for

review and approval. A parking and loading study shall provide sufficient data and information to justify the need for adjustments to the parking and loading requirements and shall analyze whether:

i. Adequate off-street parking will be provided for the project;

ii. The project demonstrates the use of creative design concepts, including but not limited to shared parking facilities, transit accessibility, pedestrian amenities, and bicycle amenities;

iii. Environmental impacts associated with the project will not be increased by the modification of standards; and

iv. Traffic safety and pedestrian safety will be enhanced by the modifications.

c. Shared Use Facility. Required off-street parking and loading spaces may be considered as providing parking or loading spaces for another use where joint facilities serving more than one use contain no less than the total number of spaces deemed necessary for each individual use added together with other uses. Where adjoining uses on the same site have different hours of operation with minimal conflict, the Director of Community Development may determine that some or all of the same spaces may be counted as satisfying the requirements for both uses, provided that the number of spaces shall not be less than the prescribed for the use requiring the greater number.

C. *Required Number of Parking Spaces*

Each land use shall provide the number of off-street parking spaces indicated in Table 7-7 – Parking Requirements by Land Use, except where adjustment has been granted in compliance with Subparagraph 7.6.B.5 Adjustments to Parking Requirements, above. For the purposes of this Section, the following definitions shall apply:

1. Commercial Use: Activity involving the sale of goods or services carried out for profit.

2. Industrial Use: Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

Table 7-7 – Parking Requirements by Land Use

Land Use	*Motor Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces (Minimum #)*
Entertainment, Recreation and Public Assembly Uses		
Adult Businesses	Subject to Parking Plan required by Municipal Code §15-918	
Open Space / Park	Public - Determined by Parks and Recreation Department Private - .25 spaces/1,000 sq ft of total park area	1 space/ 33 vehicle parking spaces
Public Assembly Facilities	With fixed seats – 1 space/3 fixed seats; Without fixed seats – 25 spaces/1,000 sq ft of seating area; and 4 spaces/1,000 sq ft GFA outside assembly area	1 space/33 vehicle parking spaces
Recreational Facilities – Indoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 7.6.B.5 – Adjustments to Parking Requirements	
Amusement Arcade	1 space/each 4 persons of the facility's allowed maximum capacity	1 space/ 3 games up to 20 games; and 1 space/5 games for over 20 games
Athletic Club/Gym	4 spaces/1,000 sq ft GFA; 20 spaces/1,000 sq ft of exercise floor area; 3 spaces/outdoor ball court	.4 spaces/1,000 sq ft GFA
Bowling Alley	4 spaces/lane, and additional spaces required for restaurant and other accessory uses	1 space/33 vehicle parking spaces
Dancing	14 spaces/1,000 sq ft GFA	
Pool/Billiard Hall	2 spaces/table	1 space/5 tables
Skating Rink	14 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Recreational Facilities – Outdoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 7.7.b.5 –Adjustments to Parking Requirements	
• Golf driving range, batting cage	1 space/tee, cage, or similar; and 1 space/employee at maximum shift	1 space/33 vehicle parking spaces
• Swimming pools	14 spaces/1,000 sq ft of water surface area	1 space/33 vehicle parking spaces
Industry, Manufacturing, and Processing Uses		
Flex-Tech Multi-Use Facilities	3.5 spaces per 1,000 sq ft GFA	1 space/33 vehicle parking spaces
Handcraft Industry/ Small-Scale Manufacturing	2 spaces per 1,000 sq ft GFA	None
Light Manufacturing All uses listed under "Manufacturing, Light" in Table 7-2	1.85 spaces/1,000 sq ft GFA; 4 spaces/1,000 sq ft GFA of office space, sales, or similar use where those uses exceed 10% GFA; and 1 space/1 facility vehicle Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use	1 space/33 vehicle parking spaces
Research and Development	2 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces

Table 7-7 – Parking Requirements by Land Use (continued)

Land Use	*Motor Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces (Minimum #)*
Residential Uses		
Caretaker Housing	2 spaces in an enclosed garage	None
Retail Uses		
Alcohol Sales, Off-Site/On-Site	Same as required spaces for the underlying use (e.g., restaurant, public assembly facility, retail store, etc.), unless otherwise modified in compliance with Section 7.7.b.5 –Adjustments to Parking Requirements	
Factory/Warehouse Outlet Store	5 spaces/1,000 sq ft GFA	None
Retail Sales, General Not in shopping center or factory/warehouse outlet mall)	4 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Shopping Center	5 spaces/1,000 sq ft GFA for the initial 10,000 sq ft; and 4 spaces/1,000 sq ft GFA for over 10,000 sq ft	1 space/33 vehicle parking spaces
Service Uses		
Business Support Services	4 spaces/1,000 sq ft GFA	None
Catering Services	2.5 spaces/1,000 sq ft GFA	None
Financial Facilities	4 spaces/1,000 sq ft GFA	2 spaces
Food Service:		
• Fast food restaurant with drive through, walk-in area	Indoor Seating: 13 spaces/1,000 sq ft GFA* **GFA shall not include play areas without seating.* Outdoor Seating (patio area): Less than 50% of indoor area: 6.5 spaces/1,000 sq ft 50% or more of indoor area: 13 spaces/1,000 sq ft	4 spaces
• Other restaurant	Indoor Seating: 10 spaces per 1,000 sq ft GFA Outdoor Seating (patio area): Less than 50% of indoor area:5 spaces/1,000 sq ft 50% or more of indoor area: 10 spaces/1,000 sq ft	2 spaces
Hotel	1.25 spaces per guest room; 10 spaces/1,000 sq ft GFA for lounge/restaurant; Spaces at following rates for conference/banquet facilities: Less than 20 sq ft per room – 0 spaces 20 sq ft per room – 30 spaces/1,000 sq ft GFA 1 space per employee on maximum shift	1 space/33 vehicle parking spaces
Industrial Repair	2 spaces/1,000 sq ft GFA for the initial 40,000 sq ft 1.3 spaces/1,000 sq ft additional GFA greater than 40,000 sq ft 4 spaces/1,000 sq ft GFA of office space, where those uses exceed 10% of GFA OR 1 space for each employee on the maximum shift as determined by Director of Community Development	None

Table 7-7 – Parking Requirements by Land Use (continued)

Land Use	*Motor Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces (Minimum #)*
Mini-Storage Facility	1.75 spaces/100 units; and 1 space/employee	None
Offices	4 spaces/1,000 sq ft GFA	Under 50,000 sq ft – 2 spaces 50,001 – 100,000 sq ft – 3 spaces Over 100,000 sq ft – 5 spaces
Personal Services	4.4 spaces/1,000 sq ft GFA	None
School, Commercial	1 space/teaching and non-teaching position on maximum shift; and 1 space/2 students on maximum enrollment	1 space/33 vehicle parking spaces
Motor Vehicle		
• Car Wash Full-Service	1 space/employee; Stacking for 5 vehicles for car wash lane Reserve spaces equal to 3 times the wash lane capacity	None
• Car Wash Self-Service	2 spaces/bay	None
• Motor Vehicle Rental, Sales, and Leases	Indoor display/sale/service = 3.3 spaces/1,000 sq ft GFA; Outdoor display/sale = .40 spaces/1,000 sq ft GFA; and 1 space/employee	None
• Service Stations		
With convenience market	5 spaces/1,000 sq ft GFA; and5spaces/service bay	1 space/10 vehicle parking spaces
Without convenience market	3.3 spaces/1,000 sq ft or 5 spaces/service bay, whichever is more; minimum of 4 spaces	None
• Vehicle Auctions	**Automobile or boat sales (new/used/auctions)** 1 space/300 sq ft of indoor display, sales, or service area; 1 space/2,500 sq ft of outdoor sales or display area; and 1 space/employee **Truck sales/services (new/used/auction)** 1 space/250 sq ft of sales area; 1 space/3,000 sq ft of outdoor sales or display area; and 1 space/employee	None
Distribution, Wholesaling and Warehousing Uses		
Logistics and Distribution Facilities (High Cube)	**Vehicle Parking:** 1 space/1,000 sq ft GFA for the first 20,000 sq ft; 1 space/2,000 sq ft for the second 20,000 sq ft; 1 space/5,000 sq ft for that portion over 40,000 sq ft. No add'l spaces if office area less than 10% of total building square footage. Office space rate if office area over 10% of total building square footage. **Truck and Trailer Parking:** 1 oversized truck space/5,000 sq ft GFA* *Truck docks shall not be included in this calculation.	None
Warehousing Facilities	1 space/1,000 sq ft GFA for the initial 40,000 sq ft; 1 space/4,000 sq ft of additional GFA greater than 40,000 sq ft; 4 spaces/1,000 sq ft GFA of office space. Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use	None

Table 7-6 Parking Requirements by Land Use (continued)

Land Use	*Motor Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces (Minimum #)*
Transportation, Communications and Infrastructure Uses		
Antennas	1 space	None
Broadcasting Offices or Studios	5 spaces/1,000 sq ft GFA	None
Other Uses		
Drive-Through	Stacking for 7 vehicles at each bay, window, lane, ordering station, or machine	None
Outdoor Display & Sales	1 space/1,000 sq ft of outdoor merchandise areas	None
Pallet Yards	***1 space/250 sq ft of office/canopy area(s) plus 1 space for each employee on the maximum shift as determined by Director of Community Development***	***None***
Public Facilities	Per Public Agency	
Temporary Uses	Per Temporary Use Permit	

Note: Sources consulted to compile the table entries include the Municipal Code; The Dimensions of Parking, ULI and National Parking Association, 5th Edition, 2010; Recommended *Zoning Ordinance Provisions, National Parking Association, December 2006; and Parking Standards, APA Planning Advisory Service Report 510/511; November 2002.*

D. Required Number of Loading Spaces

Each land use shall provide the number of off-street loading spaces indicated in Table 7-8 – Loading Space Requirements by Land Use. Requirements for uses not specifically listed shall be determined by the Director of Community Development based upon the requirements for comparable uses and upon the particular characteristics of the proposed use. For other standards (e.g., size of loading spaces, location, turning radius, etc.), refer to Article XI Off-Street Parking and Loading Standards, Division 4 Loading Area Regulations, in Municipal Code Chapter 30 Zoning and Development Code

Table 7-8 – Loading Space Requirements by Land Use

Land Use	*Loading Spaces (Minimum #)*	*Type*
Entertainment, Recreation and Public Assembly Uses		
Public Assembly Facilities	1 space; and Additional spaces as required by design review	Van (1)
Recreational Facilities	0 - 29,999 sq ft: 1 space 30,000 - 99,999 sq ft: 2 spaces Over 100,000 sq ft: 3 spaces	Truck (2)
Industry, Manufacturing, and Processing Uses		
Flex-Tech Multi-Use Facilities	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck (2)
Handcraft Industry/ Small-Scale Manufacturing		
All uses listed under "Manufacturing, Light" in Table 7-2		
Research and Development		
Retail Uses		
Retail Sales, General and Factory/Warehouse Outlet Store	Up to 10,000 sq ft: 1 space	Truck (2)
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer (3)
Service Uses		
All uses listed under "Service Uses" in Table 7-2; except for the following:	Up to 10,000 sq ft: 1 space	Truck (2)
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer (3)
Hotel	10,000 - 50,000 sq ft: 1 space	Van (1)
	Over 50,000 sq ft: 1 space	Truck (2)
Industrial Repair	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck (2)
Motor Vehicle		
• Motor Vehicle Rental, Sales, and Leases	1 space	Tractor Trailer (3)
• Service Stations	1 space	Tractor Trailer (3)
Offices	5,000 – 50,000 sq ft: 1 space	Van (1)
	Over 50,000 sq ft: 1 space	Truck (2)
Personal Services	Up to 10,000 sq ft: 1 space	Van (1)
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Truck (2)

Table 7-8 – Loading Space Requirements by Land Use (continued)		
Land Use		
	Loading Spaces (Minimum #)	*Type*
School, Commercial	1 space; and additional spaces required by design review	Van (1)
Distribution, Wholesaling and Warehousing Uses		
Warehousing Facilities	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Tractor Trailer (3)
Other Uses		
Pallet Yards	***2 spaces; and Additional spaces as required by Director of Community Development***	***Tractor Trailer (3)***

Notes:
(1) A van loading space shall be a minimum of 12 ft wide by 19 ft long with a minimum 10 ft overhead clearance.
(2) A truck loading space shall be a minimum of 12 ft wide by 45 ft long with a minimum 14 ft overhead clearance.
(3) A tractor trailer loading space shall be a minimum of 12 ft wide by 70 ft long with a minimum 14 ft overhead clearance.

E. Landscaping Standards for Parking Areas

Within any parking area, one tree shall be planted for every five single-row parking stalls or 10 double-row parking stalls. Eighty percent of these shall be 15 gallons in size and the remaining 20 percent shall be 24-inch box or larger in size. If for some reason the contractor is unable to distribute trees in the interior of the parking area in compliance with these standards, the Director of Community Development may approve the placement of no more than 40 percent of the trees within the perimeter of the parking area. Planters shall not have a dimension less than four feet, excluding the thickness of the curbing. These requirements may be reduced for industrial parking areas that are screened from public view.

1. Parking areas shall contain a minimum landscape area equivalent to 30 percent of the total required 15 percent landscaping for the total site area.

2. Parking area perimeter landscaping.

   a. Parking areas for nonresidential uses abutting or adjacent to residentially zoned property shall provide a landscape strip that is a minimum of 10 feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line bordering the residentially zoned property. Parking areas shall be screened from the residentially zoned property by a solid decorative masonry wall that is a minimum of six feet in height.

   b. Parking areas for nonresidential uses abutting or adjacent to non-residentially zoned property or a street shall install a landscape strip that is a minimum of five feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line or the parking area and the street right-of-way. This requirement may be reduced or modified if a joint access agreement exists that is satisfactory to the Director of Community Development. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view. Parking areas shall be

screened from streets through combinations of plant materials, earth berms, raised planters, grade separations, or low walls. Slopes shall not exceed three to one or exceed 36 inches in height measured from the parking lot surface.

c. Plant materials, walls, or structures within a traffic sight area shall not block sight lines from driveways to streets and shall not exceed 36 inches in height.

d. The minimum width of a landscape finger shall be five (5) feet.

e. End of aisle spaces adjacent to landscape finger shall be two feet wider for step out area.

3. Parking area interior landscaping.

a. Tree number and location. One tree shall be provided for each four parking spaces and shall be evenly spaced throughout the interior parking area at a rate of one tree for every eight parking spaces. See Exhibit 7-4 – Parking Lot Landscaping. The required number of trees in the interior area shall not include trees required around the parking area perimeter. Trees are not required for tractor-trailer parking. A minimum of one cluster of trees shall be provided for each 100 feet of a row or double row of parking spaces. Trees shall be located in planters that are bounded on at least two sides by parking area paving. Planters shall have a minimum exterior dimension of five feet.

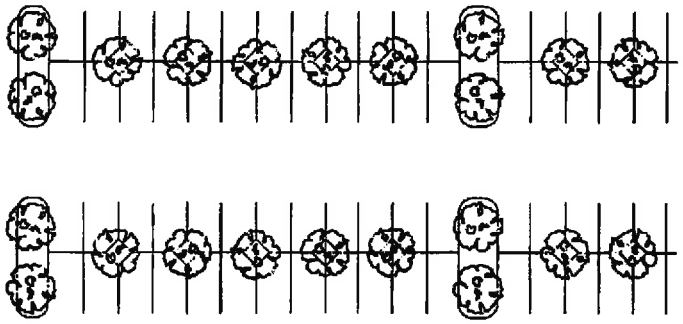


Exhibit 7-4 – Parking Lot Landscaping

b. Tree size. All trees within the parking area shall be a minimum 24-inch box container at time of planting.

c. Landscape protection. Landscaping shall be protected by concrete curbs of at least six inches in height. An end-of-aisle planter shall be provided at the ends of all parking aisles. Finger aisle planters shall be a minimum of nine feet wide and end-of-aisle planters shall be a minimum of seven feet wide, as measured from the inside of the curb. The parking space side of finger and end-of-aisle planters shall have a 24-inch wide concrete surface measured from the face of the curb. Planters shall be landscaped with a mixture of trees, shrubs, and ground cover. Planting areas shall have round corners instead of 90 degree corners and shall be shaped to allow vehicle movements. The Director of Community Development may approve alternative barriers designed to protect landscaped areas from vehicle damage. Wheel stops may be placed to allow for two feet of vehicle

overhang area within the dimension of the parking space. To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped with low-growth, hardy materials in-lieu of paving, allowing a bumper overhang while maintaining the required parking dimensions. However, the overhang area shall not be counted as part of the minimum landscape area required by paragraph (1) above, and when adjacent to a required landscaping strip shall be in addition to the minimum required width. Fixtures (e.g., lights, sprinklers) that are higher than the curb are prohibited within a bumper overhang area. Curbing that creates a bumper overhang barrier shall not exceed a height of five inches.

d. Parking areas with more than 100 spaces shall provide an appropriate entry feature consisting of a concentration of landscape elements, including trees, flowering plants, enhanced paving, and project identification.

4. Parking structures. A landscaping strip 10 feet wide shall be provided on all sides of a parking structure. One tree shall be provided for each 20 to 40 feet of perimeter of the structure, based on species selected. These trees shall be distributed evenly throughout the subject landscape area.

5. ***Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 7.4G Pallet Yards for regulations and standards.***

7.7 Sign Standards

A. Applicability

This section contains standards and guidelines for signage to ensure that signs are consistent with the overall quality and character of anticipated new development. Regulations identify permitted sign types; provide standards for number of signs, size, and location; and provide design guidelines for color, materials, and illumination. Please refer to the Fontana Municipal Code for all sign-related information or regulations not specifically addressed in this section.

B. Standards and Guidelines

1. Standards. The following standards shall apply to all signs, regardless of type:

   a. Sign types not listed in this Section are not permitted.

   b. Linear Frontage Ratio. For each establishment, one and one-half (1 ½) square feet of total sign area shall be allowed for each linear foot of building frontage ("Linear Frontage Ratio"). Unless otherwise noted, all signs (including temporary signs) shall count toward the total sign area permitted based on the Linear Frontage Ratio. For multi-tenant buildings, each establishment shall be calculated individually. For corner establishments, each facade shall be calculated individually. Permitted sign area based on the linear frontage of one establishment or facade shall not be placed on another establishment or facade.

   c. Signs shall not be animated.

Table 9-2 – Allowable Land Uses and Permit Requirements

Land Use	*Permit Requirement* "P"= Use Permitted by Right "C"= Conditional Use Permit Required "M" = Minor Use Permit Required **Slover Central Manufacturing District**
Entertainment, Recreation and Public Assembly Uses	
Adult Businesses	Municipal Code §30-11 & Municipal Code Chapter 15, Article XVIII
Open Space / Park	P
Public Assembly Facilities	C
Recreational Facilities	C
Industry, Manufacturing, and Processing Uses	
Manufacturing, Light	
• Appliance Manufacturing	P
• Electronics & Equipment	P
• Furniture and Fixture Manufacturing	P
• Glass Product Fabrication	P
• Machinery Manufacturing	P
• Paper Product Manufacturing	P
• Product Assembly and Distribution	P
General Manufacturing	
• Concrete, Gypsum, and Plaster Product Manufacturing	P
• Food Products Manufacturing	P
• Glass Product	P
• Plastics, Synthetics, and Rubber Product Manufacturing	P
• Pulp and Pulp Product Industries	P
• Stone and Cut Stone Product Manufacturing	P
• Structural Clay and Pottery Product Manufacturing	P
• Textile and Leather Product Manufacturing	P
• Transportation Product Assembly	P
Research and Development	P
Pallet Yard (1)	***C (Sunset on 6/30/19)***
Residential Uses	
Caretaker Housing (3)	C
Retail Uses	
Factory/Warehouse Outlet Store	P
Retail Sales, General (2)	C

Table 9-2 – Allowable Land Uses and Permit Requirements (continued)

Land Use	*Permit Requirement* "P"= Use Permitted by Right "C"= Conditional Use Permit Required "M" = Minor Use Permit Required **Slover Central Manufacturing District**
Service Uses	
Animal Kennel Services	P
Industrial Repair	P
Mini Storage Facility (2)	P
Motor Vehicle	
Registered Vehicle Storage (4)	C
Service Stations (2)	P
Vehicle Auctions	P
Distribution, Wholesaling and Warehousing Uses	
Industrial Equipment, Materials, and Supplies	C
Logistics and Distribution Facilities	P
Petroleum/Hazardous Material Storage	C
Warehousing Facilities	P
Transportation, Communications and Infrastructure Uses	
Antennas	M
Parking Structures (2)	P
Truck, Truck Trailer Storage	C
Recycling Facility	
• Consumer Recycling Facility (5)	C
• Non-Consumer Recycling Facility (5)	C
Other Uses	
Outdoor Display & Sales	M
Public Facilities	P
Temporary Uses	Municipal Code Chapter 30, Division 14 (Temporary Use).

(1) See Section 9.4I
(2) See Section 9.9E
(3) See Section 9.4D
(4) See Section 9.4G
(5) See Section 9.4H

9.4 Development Standards

New land uses and structures and alterations to existing land uses and structures in the SCD shall be designed, constructed, and established in compliance with the requirements in this Section.

A. Intensity and Dimensional Standards

Table 9-3 – Intensity and Dimensional Standards provides the required intensity and dimensional standards for proposed development. The Director of Community Development is authorized to approve modifications of 10 percent or less of any land use district setback, lot width, lot depth, building coverage, building height, or wall height standard in compliance with the administrative variance procedures in Municipal Code Section 30-51.6 (Findings necessary for granting a variance). See Exhibit 6-2 – Dimensional Standards.

The Director of Community Development may grant an administrative variance from the requirements of this chapter where practical difficulties, unnecessary hardships, or results contrary to the intent of this chapter would occur from the strict and literal interpretation and enforcement of the Code. An administrative variance may be granted upon conditions which will ensure the protection of the public safety, health and welfare. To grant an administrative variance, the Director of Community Development must find from the facts presented that the following conditions exist.

(1) That because of circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of this chapter will deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

(2) That the granting of such an administrative variance will be subject to conditions assuring that the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located;

(3) That the administrative variance does not authorize a use or activity which is not a specifically allowed use in the zoning district in which the property is located; and

(4) That the granting of one administrative variance will not be contrary to the general plan.

Table 9-3 – Intensity and Dimensional Standards

Lot Size and Building Placement	
INTENSITY	
Floor Area Ratio (3)	0.8 max. FAR
LOT DIMENSIONS	
Lot Size	40,000 sq ft min.
Lot Width (C)	200 ft min.
Lot Depth (D)	175 ft min.
BUILDING SETBACKS	
Front Setback (1)	
Major Highway *(Cherry)* (G)	30 ft min. (4)
Primary Highway *(Beech and Slover)* (F)	25 ft min. (4)
Secondary Highway/Collector Street *(Santa Ana)* (E)	20 ft min (4)
Side (Street) Setback *(1)*	
Major Highway *(Cherry)* (G) Primary Highway *(Beech and Slover)* (F) Secondary Highway/Collector Street *(Santa Ana)* (E)	30 ft min. (4) 25 ft. min. (4) 20 ft. min. (4)
Side (Interior) Setback *(2)*	None
Rear Setback *(2)*	None
Railroad Setback *(1)*	Comply with Public Utilities Commission Regulations
Accessory Buildings Setbacks	Comply with setbacks applicable to primary structure
Building Height and Mass	
HEIGHT	
Primary Building	100 ft max
Accessory Building	1-story or 14 ft max. to eave/parapet line
Interior (Floor-to-Floor, excluding parking levels)	Ground floor – 12 ft min
UPPER STORY STEPBACKS	
All buildings regardless of street frontage	Allowed

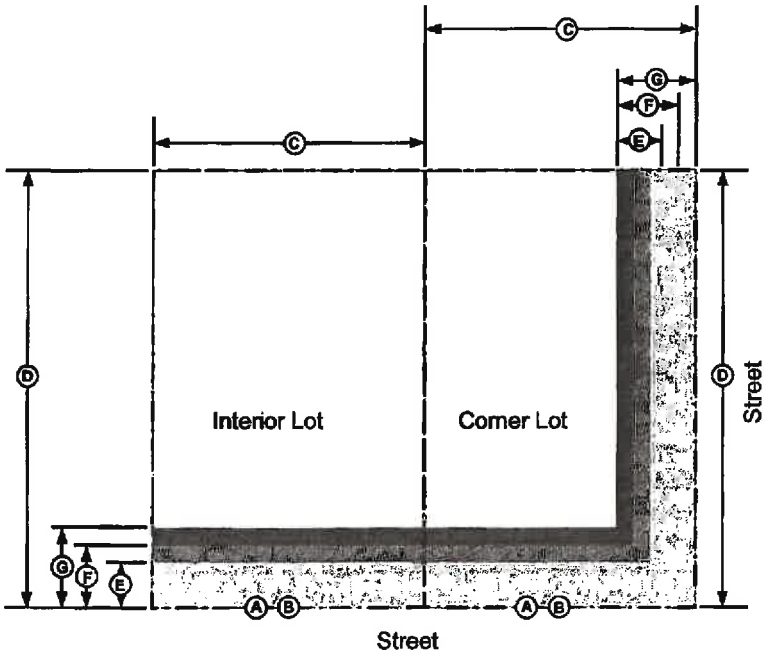
Notes:

(1) Setback is measured from public right-of-way line.

(2) Setback is measured from property line.

(3) See Section 9.10 Development Incentives.

(4) Corner cut-off setbacks per Specific Plan.



Ⓐ = Public Right-of-Way Line
Ⓑ = Property Line
Ⓒ = Lot Width
Ⓓ = Lot Depth
Ⓔ = Front/Side Setbacks – Secondary Highway/Collector Street
Ⓕ = Front/Side Setback – Primary Highway
Ⓖ = Front/Side Setback – Major Highway

Exhibit 9-2 – Dimensional Standards.

B. Fences, Walls, and Screening

1. Standards and Guidelines. Table 9-4 contains standards for fences, walls, and screening. Refer to Section 9.9 Design Guidelines for guidelines about the design, materials, and construction of fences, walls, and screening.

Table 9-4 – Standards for Fences, Walls, and Screening

Location	*Materials See Section 9.9 Design Guidelines*	*Maximum Height*
Within front setback area	Solid fencing/wall	36 inches
	Open fencing/wall	6 ft
Within street side setback area	Tubular steel construction allowed in required setback area if set back at least 15 ft from lot line. Solid masonry wall not allowed in required setback area.	8 ft if necessary for security purposes, with 18-inch maximum width pilasters [2(e)]
Within interior side setback area	Any type of fence, hedge, or wall allowed	8 ft
Within rear setback area	Any type of fence, hedge, or wall allowed	8 ft
Outside of a required setback area	Solid or open fencing/wall	No height limit
At intersections of alleys, streets, and driveways	Solid or open fencing/wall	30 inches
Within Railroad setback area	Open fencing/wall	8 ft

Note: (1) All fences and walls shall meet the City's line of sight regulations, as determined by the City Engineer.

2. Materials.

   a. Open fencing shall mean fencing with over 50 percent of the surface area open for free passage of light and air and through which the area behind the fence is visible to public view. See Exhibit 9-3 – Open and Solid Fencing.

   b. Solid fencing shall mean fencing with 50 percent or less of the surface area open for free passage of light and air and designed to conceal the area behind the fence from public view. See Exhibit 9-3 – Open and Solid Fencing.

   c. Barbed wire fence, electric fences, or similar fencing material is prohibited.

   d. Chain link fencing is allowed on interior property lines that are not visible from public rights-of-way.

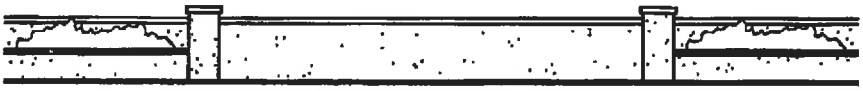
   e. For fences up to 100 linear feet, one pilaster shall be provided for every 10 linear feet. For fences more than 100 linear feet and less than 300 linear feet, one pilaster shall be provided for every 30 feet. For fences 300 leaner feet or longer, one pilaster shall be provided for every 60 feet.

Elevation of Wall / Wrought Iron Combination

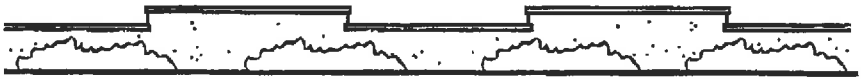
Elevation of Wrought Iron with Pilasters

Examples of Open Fencing

Elevation of Staggered Wall



Elevation of Planters / Wall



Elevation of Wall with Breaks

Examples of Solid Fencing

Exhibit 9-3 – Open and Solid Fencing.

3. Screening and buffering.

   a. Roof-mounted and ground-mounted mechanical equipment, utilities, storage, and solid waste storage areas shall be screened from adjoining properties and public right-of-ways by a visual barrier (e.g., wall, fence, landscape material, etc.) to the satisfaction of the Director of Community Development. Where only landscaping is used for screening, it shall be planted with five-gallon (minimum size) shrubs spaced to provide a continuous dense screen.

   b. Parking lot perimeters shall be screened and planted in compliance with Section 9.6 Parking and Loading Standards.

C. Outdoor Activities and Storage

1. Storage in Setback Areas. Material or equipment shall not be stored anywhere in the front yard. Temporary storage of construction materials during construction on the same site is allowed. Boats, campers, motor vehicles, trailers, equipment, materials, or antenna that may be stored in side and rear yards, provided that they are outside the required side and rear setback areas identified in Table 9-3 – Intensity and Dimensional Standards.

2. Limitations on Outdoor Uses.

   a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation, except approved outdoor dining areas, parking areas, industrial activities, truck trailer storage, and other approved uses that require outdoor activities.

   b. Areas used for the approved outdoor storage of vehicles, equipment and/or building materials (raw or finished) may ***use asphalt and/or concrete*** ~~compacted slag, gravel, or other similar material deemed suitable by the Director of Community Development.~~ .

   c. Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan. All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete. Refer to section 9.41 Pallet Yards for regulations and standards for pallet yards.

3. Outdoor uses. Outdoor uses shall comply with the following:

   a. A building shall be provided on the same parcel or on an adjacent parcel associated with the same business.

   b. All display materials, including vehicles, shall be set back five feet from any landscaped area and shall not be located on required parking areas.

   c. The entire area used for display purposes shall be surfaced with asphalt ***and/or concrete*** ~~or an equally serviceable hard pavement surface~~. The surface shall be maintained in good condition.

d. Storage of equipment or materials, with the exception of the display of vehicles for sale or rent, shall be screened by a visually solid masonry wall of minimum height six feet. The approving authority may determine through the design review process that the subject use requires a solid masonry wall higher than six feet.

e. Outdoor display areas shall be maintained in a neat and orderly condition.

D. Caretaker Housing

Caretaker housing shall be:

1. Accessory to a principal use;

2. A maximum of 1,500 square feet total floor area unless otherwise approved by the planning commission;

3. Limited to one unit per lot; and

4. Subject to the setback requirements applicable to the principal structure with which it is associated.

5. ***Caretakers' residences in conjunction with a pallet yard is prohibited. Refer to Section 9.4l Pallet Yards for regulations and standards.***

E. Solar Access

A structure, fence, or wall shall not be constructed or modified, and vegetation shall not be placed or allowed to grow so as to obstruct more than 10 percent of the absorption area of a solar energy system on an abutting or adjacent lot at any time.

F. Undergrounding of Utilities

1. Utility service laterals to new development shall be installed underground.

2. Temporary overhead power and telephone facilities are permitted only during construction.

3. Placement, location and screening of utilities of any kind, which cannot be installed underground and must be placed above ground for function and safety reasons, require written approval by the Director of Community Development or the Planning Commission prior to any administrative or discretionary approval.

4. Transformer enclosures shall be designed of durable materials with finishes and colors used that are compatible and harmonious with the overall architectural theme.

5. All utilities including, but not limited to drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communications wires and equipment shall be installed and maintained underground. Placement, location, and screening of utilities of any kind, which cannot be installed underground and must be placed above ground for function

and safety reasons, require written approval by the Director of Community Development or the Planning Commission before any administrative or discretionary approval.

G. Registered Vehicle Storage

Registered vehicle storage will be defined as follows:

Registered Vehicle Storage means an off-street, ground level open area that allows parking for the purpose of storage of vehicles, including but not limited to, truck, truck-trailer, buses, boats, construction equipment, recreational vehicles, and automobile storage. These vehicles are to be stored and are not for sale, rental, or leasing. Maintenance or vehicle repair is not permitted at the premises unless otherwise separately allowed and approved under a separate conditional use permit.

Special use regulations are proposed to be applied to Registered Vehicles Storage. All businesses with registered vehicle storage shall comply with the following provisions:

1. The entire storage area shall be surfaced with ***asphalt and/or concrete*** ~~asphalt cement or equivalent material. For specific and delineated storage areas, excluding required drive aisles and required non-storage parking, slag or gravel shall be considered as an equitant paving material on a case-by-case basis.~~ . The surface material shall be striped as required (when feasible) and shall be maintained in good condition.

2. All storage areas shall clearly be identified on the site plan for the property and shall be screened from view from the public right-of-way by one or more decorative block screening walls. All screening walls adjacent to a public right-of-way shall have a minimum height of eight (8) feet and shall not be located in a required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements.

3. A line-of-sight analysis clearly demonstrating that all registered vehicles proposed to be located in the storage area(s) are screened from view from all adjacent public rights-of-way at all times shall be required with all proposals and/or applications. For the purpose of the line-of-sight analysis, the assumed height of the vehicles to be stored shall be fourteen feet and six inches (14'6"). To meet this requirement, storage areas shall be set back from required screening walls to provide the required line-of-sight clearance for screening. Storage areas which have been set back to provide the required line-of-sight clearance for screening shall be identified on the site plan and shall be marked and maintained at all times in a manner consistent with the site plan.

4. All vehicles stored on the premises shall have a valid vehicle registration from the State of California or other similar government entity and shall be maintained in an operable condition at all times.

5. Fire access lanes of a minimum twenty-six feet (26') in width shall be required along the interior perimeter of any required decorative block screening wall adjacent to a public right-of-way. Additional fire access lanes shall be provided as required by the Fire District. This required fire access

lane may be used to meet the line-of-sight clearance set back requirement above.

6. All on-site fire access lanes, drive aisles, required parking, etc., (but not including Identified and marked vehicle storage areas) shall be paved with ***asphalt and/or concrete*** ~~cement or an equivalent material; gravel or slag in these lanes is specifically prohibited.~~

7. A guard station or similar structure shall be required near the primary access to the premises. The minimum size of such structure shall be sixteen square feet.

8. A residence for a caretaker may be permitted and incorporated into the project subject to the approval of a Conditional Use Permit application.

9. Permanent on-site security lighting shall be required to be designed and installed to the standards and satisfaction of the Police Chief or his/her designee.

10. Fire hydrants shall be required to the satisfaction of the Fire District.

11. Vehicles stored on the premises shall not themselves be used as storage containers to store materials in them. With prior 72 hour written notice to the property and/or business owner, any and all stored vehicles shall be open to inspection for the purpose of enforcing this provision.

12. To provide adequate space dimensions to accommodate the movement off large vehicles on the site, the minimum lot size shall be two (2) acres with a minimum lot width of 300 feet and a minimum lot depth of 300 feet. Irregular or unusually shaped lots may require additional minimums to meet the intent of this regulation, as shall lots with unusual, irregular, or severe topographic features or changes.

13. Landscaping adjacent to the public right-of-way is required per the Code. Interior lot landscaping shall not be required for any internal area (wall perimeter, parking area, storage area, etc.) enclosed by the required screening walls. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view (entry gate, guard station, etc.)

H. Consumer/Non-Consumer Recycling Facility.

Consumer Recycling Facility. A facility where recyclable and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes, aluminum collection centers, and paper, bottle, can, newspaper, and glass recycling centers. Consumer Recycling Facilities does not include the following:

1. Auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).

2. Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.

3. Other waste collection or any similar activities as described in Section 562119 of the NAICS.

4. Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.

5. Waste Treatment and Disposal or any similar activities as defined in Section 56221 of the NAICS; and

6. Hazardous Waste Collection or any similar activities as defined in Section 562112 of the NAICS.

Non-Consumer Recycling Facility. A facility where recyclable and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes all activities as defined in "Consumer Recycling Facility", and the following:

1. Auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).

2. Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.

3. Other waste collection or any similar activities as described in Section 562119 of the NAICS.

4. Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.

The placement, construction and operation of consumer/non-consumer recycling facilities, shall be subject to the following development standards:

a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation, except approved uses that require outdoor activities. A building shall be provided on the same parcel or on an adjacent parcel associated with the same business. All parcels associated with the recycling facility shall be contiguous.

b. Recyclable materials or any equipment used in operation of the recycling facility shall not be anywhere in the front yard. Materials or equipment may be located in side and rear yards, provided that they are outside the required side and rear setback areas identified in the Intensity and Dimensional Standards.

c. Storage of recyclable materials or any equipment used in operation of the recycling facility shall be screened by a solid masonry wall of minimum height

six (6) feet and a maximum of eight (8) feet where appropriate. The approving authority may determine through the design review process that the subject use requires a solid masonry wall higher than six feet. All materials shall not be visible above the constructed masonry wall with the exception of materials/equipment which cannot be screened entirely (e.g. cranes, windmills, etc.).

d. The recycling facility shall be surfaced with asphalt ***and/or concrete*** ~~an equally serviceable hard pavement surface~~. The surface shall be maintained in good condition.

e. Recycling facilities shall be maintained in good repair and shall be maintained in a litter-free condition.

f. Recycling facilities shall be designed in a manner consistent with the Design Guidelines.

g. Signage required for a recycling facility shall comply with the Sign Standards of the Southwest Industrial Specific Plan.

h. Recycling facilities which are operated by an on-site attendant and located within 100 feet of a property zoned or occupied for residential uses shall operate only during the hours of 8:00 a.m. to 6:00 p.m., unless otherwise established in the conditional use permit.

I. Pallet Yards

Pallet Yard. An open yard that stores, sells, repairs, refurbishes, and/or manufactures pallets.

1. Site and Building Design

- ***An office building shall be provided on the same parcel where the pallet yard and associated business is taking place.***
- ***Caretakers' residences in conjunction with a pallet yard is prohibited.***
- ***An option for guard station or similar structure may be included if it is located near the primary access to the premises. The minimum size of such structure shall be sixteen square feet.***
- ***Any permanent canopy type of structures may be permitted on the site and shall meet all zoning, building, and fire code requirements.***
- ***Heat treaters that are (Underwriters Laboratories [UL]) approved and function as an accessory use to a pallet yard are permitted. They should be depicted on the site plan, comply with the setbacks of the primary structure, obtain all the necessary permits (i.e. Building and Fire Department Permits),***

and located in an area on the property that is completely screened and not visible from any public right-of-way. Heat treaters are exempted from the Design Guidelines in this Chapter.

- ***Building materials shall be used which will deter graffiti on perimeter walls.***
- ***All outdoor work, assembly, and/or repair areas shall be depicted on the site plan and conducted under a permanent canopy type structure and areas paved with asphalt and/or concrete.***
- ***All areas to be subleased to other pallet yard subtenants shall be indicated on the site plan and described in the Conditional Use Permit application (i.e. hours of operations, type of activities conducted on site, and number of employees).***
- ***Number of employees for the primary tenant and any subtenants shall be indicated on the site plan and reflected in the parking calculation summary.***
- ***Outdoor display areas shall be maintained in a neat and orderly condition.***
- ***Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan.***
- ***All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete.***
- ***Site and development standards for pallet yards shall comply with the existing the San Bernardino County Fire Department (Community Safety Division) Fire Prevention Standard for Pallet Refurbishing and Storage Yards. Standard Number G-3 includes exceptions to stack and/or pile configuration or pile volume. All exceptions shall be submitted to the fire department prevention bureau. Exception requests submitted shall provide a complete alternative site plan and alternative fire protection methods, if applicable, to be reviewed and approved by the Fire Marshal and Fire Chief prior to any implementation of any variations to fire department standard G-3. Exceptions will be reviewed and granted in certain cases if they can demonstrate safe operations, no impact to the safety of the surrounding community and meet the intent of the G-3 standard. All approved exceptions will be included in the Conditional Use Permit process.***

2.Access and Circulation

- ***Fire access lanes of a minimum twenty-six feet (26') in width shall be required along the interior perimeter of the yard adjacent to the property line. Additional fire access lanes shall be provided as required by the Fire District.***
- ***Fire hydrants shall be required to the satisfaction of the Fire Department.***
- ***All pallet yards will be subject to quarterly inspections by the Fire Department and designated City staff. Such inspections shall be subject to***

an inspection fee as adopted by City Council.

3. Landscaping and Walls

- ***All outdoor storage areas shall clearly be identified on the site plan for the property and shall be screened from view from the public right-of-way by one or more decorative block screening walls. All screening walls adjacent to the public right of way shall have a minimum height of eight (8) feet and shall not be located in a required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements as determined by the Director of Community Development and/or Planning Commission.***

- ***Landscaping adjacent to the public right of way is required per SWIP. Pallet Yards are exempted from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view.***

4. Timeframes/Sunset Provision

- ***Pallet Yard owners/operators must file a Pre-Application Meeting Request (PAM). Pallet Yard owners/operators must also file additional applicable entitlement applications (e.g., Conditional Use Permit (CUP), Design Review (DR), and/or Administrative Site Plan Review (ASP)) prior to January 31, 2018.***

- ***Pallet Yard owners/operators must complete construction and related improvements, and obtain a Certificate of Occupancy from the City prior to June 30, 2019. After June 30, 2019, the Conditional Use Permit process to establish Pallet Yards will terminate; therefore, no additional Pallet Yards will be permitted to be established after June 30, 2019.***

- ***All legally established Pallet Yards will be subject to the nonconforming provisions in section 7.11 F after June 30, 2019.***

9.5 Landscape Standards

A. Required landscaping

This section provides the required minimum standards for all landscaped areas within any new and rehabilitated private development.

1. Landscaped area means the entire parcel less the building footprint, driveways, nonirrigated portions of parking lots, and hardscapes (such as driveways, approaches and sidewalks). Decorative hardscapes used to enhance the landscape will be considered as part of the landscape area; this would include such things as cobble rock, decomposed granite, brickwork, stamped concrete, gravel, pavers, and water features.

2. Landscape setbacks along public right-of-ways shall incorporate landscape buffers with undulating and variable height earth-mounding (berms), and/or low walls, and required plant materials as shown in Table 9-5 (Landscaping Standards).

3. Block wall and wrought iron fencing shall be located behind landscape setback area(s).

4. The developer shall submit to the City's Department of Engineering, a Landscape Documentation Package that conforms to the requirements of the Water Efficient Landscape Ordinance in Municipal Code, Chapter 28Vegetation.

5. All new development landscaping shall comply with the standards shown in Table9-5 – Landscape Standards. Additional guidelines that should be considered are addressed in Section 9.9 Design Guidelines.

6. The Recommended Plant Materials Palette, Table 9-6, can be found immediately after this section. The plant materials palette is provided to ensure the installation of drought-tolerant, water efficient landscaping that will provide wind breaks and thrive in the local climate conditions. In an effort to provide visual elements that distinguish this district from others, please note that turf (grass) does not appear in the Plant Materials Palette, and shall be prohibited, in lieu of drought-tolerant ground covers.

7. Public right-of-way improvements, including street improvements, streetscape/landscape (parkway) improvements, and street tree requirements, are in Section 9.8 Public Right-of-Way Streetscape.

Table 9-5 – Landscape Standards *(1)*

Note: The Director of Community Development Director may require additional setbacks.

Minimum Landscaped Area Mixture of ground cover, shrubs, trees, and decorative hardscape features	15% of total site area, not including areas covered by buildings, structures, or areas used for approved outside storage, loading, or other activities. 25% of total site area, for hotels, not including areas covered by buildings, or areas used for approved outside storage, loading, or other activities.
Decorative hardscape features Brick, stone, art, fountains, ponds, etc.	Maximum 15 % of the total required landscaping of site area
Minimum plant sizes in landscaped areas	Minimum Ratio 1 tree/500 SF of landscape area
Trees	50% - 15-gallon 40% - 24-inch box 10% - 30-inch box or greater
Shrubs	50% - 5-gallon 50% - 1-gallon
Groundcover	12-inch maximum on center spacing that will cover area within one year of initial planting
Street trees in parkways per Master Plan of Parkway Trees	1 tree of not less than 24-inch box size for each 30 linear feet of street frontage In parkways of inadequate width, street trees shall be planted in abutting setback/yard, in addition to the required buffer landscaping in setback area
Landscape buffer in front setback area	1 tree for each 20 linear feet minimum of street frontage and three 5-gallon shrubs for each tree Undulating earth berms with informal tree and shrub massing and/or low decorative walls may be utilized Maximum slope: 3:1 for berms
Additional landscape requirements	1 tree for each 800 square feet minimum of other required landscaped area and 8 shrubs for each tree.
Landscape Buffer Front setback area and street-side setback area	Major Highway: 30 ft minimum width Primary Highway: 25 ft minimum width Collector/Local Streets: 20 ft minimum width

Notes: (1) Landscaping adjacent to the public right of way is required per SWIP. Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 9.4l Pallet Yards for regulations and standards.

B. Recommended Plant Materials Palette

Table 9-6 – Recommended Plant Materials Palette provides a listing of primarily drought-tolerant trees, shrubs, and ground covers to provide water efficient landscaping in new projects. The limited selection of landscape material in the palette is envisioned to assist the user in incorporating sustainable landscaping into the project, while including enough variety of size, form, and density, to meet the requirements within buffer setbacks and screening techniques. . Final selection shall be approved by the City. The Director of Community Development shall approve artificial turf.

Table 9-6 (a) – Recommended Plant Materials Palette
Recommended Trees

African Sumac
Rhus lancea

Desert Willow
Chilopsis linearis

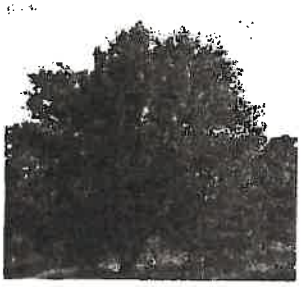
Arizona Sycamore
Platanus wrightii

Golden Rain Tree
Koelreutaria paniculata

Bottle Tree
Brachychiton populneus

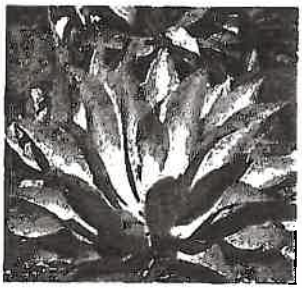
Honey Locust
Gleditsia triacanthos

Table 9-6 (a) – Recommended Plant Materials Palette
Recommended Trees (continued)



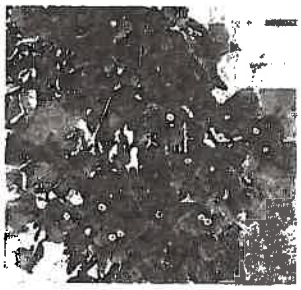
Canyon Live Oak
Quercus chrysolepis

Table 9-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs



Agave
Agave species

Gray-Leaved Euryops
Euryops pectinatus



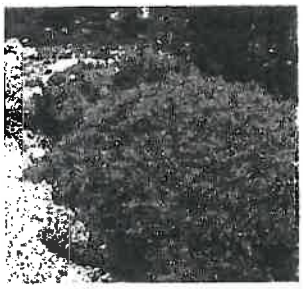
Bougainvillea
Bougainvillea species

Kangaroo Paw
Anigozanthus hybrids

Coffeeberry
Rhamnus californicus

Purple Fountain Grass
Pennisetum setaceum 'Cupreum'

Table 9-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs (continued)



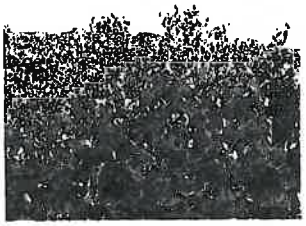
Coyote Brush
Baccharis pilularis

Redberry
Rhamnus croceus

Desert Spoon
Dasylirion species

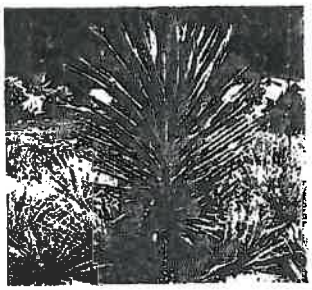
Red Hot Poker
Kniphofia uvaria

Rosemary
Rosmarinus officinalis cultivars



Yaupon
Ilex vomitoria

Texas Ranger
Leucophyllum species



Yucca
Yucca species

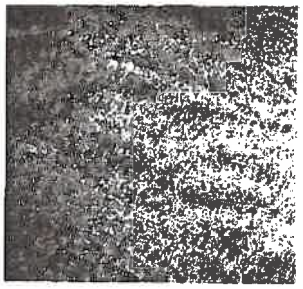
Table 9-6 (c) – Recommended Plant Materials Palette
Recommended Groundcover

Moss Verbena
Verbena tenuisecta

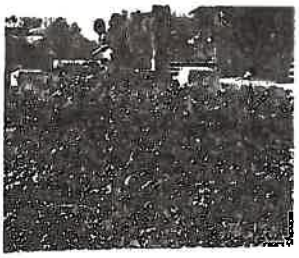
Prostrate Myoporum
Myoporum parvifolium

Peruvian Verbena
Verbena peruviana

Rosea Ice Plant
Drosanthemum floribundum



Poverty Weed
Iva hayesiana



Trailing Lantana
Lantana montevidensis

9.6 Off-Street Parking and Loading Standards

A. Applicability

This section contains regulations for off-street parking and loading. Regulations identify required number of parking and loading spaces for all new development projects and those proposing substantial modification to existing buildings. Refer to Municipal Code Chapter 30 (Zoning and Development Code) for all parking and loading-related information or regulations not specifically addressed in this section.

B. General Parking and Loading Regulations

1. Methods of Calculation.

    a. Multiple Uses. If more than one use is located on a site, the total number of required off-street parking and loading spaces shall be the sum of the requirements for the various uses computed separately. If individual uses on the same site have a floor area less than that for which loading spaces would be required, then the total gross floor area of all uses on the site or lot shall be used in determining the required number of loading spaces.

    b. Fractional Number. Whenever the computation of the required number of off-street parking or loading spaces results in a fractional number, one additional space shall be required for a fraction of more than one-half, but shall not be required for a fraction of one-half or less.

2. Off-Site Location. Required off-street parking spaces shall be located on the same property as the use that they are intended to serve. Where the required parking spaces cannot be accommodated on the same property, they may be located in a separate off-site parking facility that is not more than 300 feet from the use(s) they serve.

3. Shared Use. Required off-street parking and loading spaces shall not be considered as providing parking or loading spaces for any other use, except where shared use facilities are approved in compliance with Subparagraph 5 Adjustments to Parking Requirements, below.

4. Uses Not Specified. For uses not specified, the Director of Community Development shall determine parking requirements based upon the requirements of the most similar use. See Sub Section 9.11.C Entitlement Procedures -- Similar Use Determination.

5. Adjustments to Parking Requirements.

    a. Administrative Variance. The Director of Community Development is authorized to approve alternate parking plans involving a modification of 10 percent or less of any of the off-street parking and loading standards in compliance with Section 30-51.5 of Municipal Code Chapter 30.

    b. Parking Study Option. An applicant may submit a separate parking and loading study for new development to the Director of Community Development for review.

A parking and loading study shall provide sufficient data and information to justify the need for adjustments to the parking and loading requirements and shall analyze whether:

i. Adequate off-street parking will be provided for the project;

ii. The project demonstrates the use of creative design concepts, including but not limited to shared parking facilities, transit accessibility, pedestrian amenities, and bicycle amenities;

iii. Environmental impacts associated with the project will not be increased by the modification of standards; and

iv. Traffic safety and pedestrian safety will be enhanced by the modifications.

c. Shared Use Facility. Required off-street parking and loading spaces may be considered as providing parking or loading spaces for another use where joint facilities serving more than one use contain no less than the total number of spaces deemed necessary for each individual use added together with other uses. Where adjoining uses on the same site have different hours of operation with minimal conflict, the Director of Community Development may determine that some or all of the same spaces may be counted as satisfying the requirements for both uses, provided that the number of spaces shall not be less than the prescribed for the use requiring the greater number.

C. *Required Number of Parking Spaces*

Each land use shall provide the number of off-street parking spaces indicated in Table 9-7 – Parking Requirements by Land Use, except where adjustment has been granted in compliance with Subparagraph 9.6.B.5 Adjustments to Parking Requirements, above. For the purposes of this Section, the following definitions shall apply:

1. Commercial Use: Activity involving the sale of goods or services carried out for profit.

2. Industrial Use: Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

Table 9-7 – Parking Requirements by Land Use

Land Use	*Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces Minimum #*
Entertainment, Recreation and Public Assembly Uses		
Adult Businesses	Subject to Parking Plan required by Municipal Code §15-918	
Open Space / Park	Public - Determined by Parks and Recreation Department Private - .25 spaces/1,000 sq ft of total park area	1 space/ 33 vehicle parking spaces
Public Assembly Facilities	With fixed seats – 1 space/3 fixed seats; Without fixed seats – 25 spaces/1,000 sq ft of seating area; and 4 spaces/1,000 sq ft GFA outside assembly area	1 space/33 vehicle parking spaces
Recreational Facilities – Indoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 9.6.B.5. –Adjustments to Parking Requirements	
Amusement Arcade	1 space/each 4 persons of the facility's allowed maximum capacity	1 space/ 3 games up to 20 games; and 1 space/5 games for over 20 games
Athletic Club/Gym	4 spaces/1,000 sq ft GFA; 20 spaces/1,000 sq ft of exercise floor area; 3 spaces/outdoor ball court	.4 spaces/1,000 sq ft GFA
Bowling Alley	4 spaces/lane, and additional spaces required for restaurant and other accessory uses	1 space/33 vehicle parking spaces
Dancing	14 spaces/1,000 sq ft GFA	
Pool/Billiard Hall	2 spaces/table	1 space/5 tables
Skating Rink	14 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Recreational Facilities – Outdoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 9.6.B.5 –Adjustments to Parking Requirements	
• Golf driving range, batting cage	1 space/tee, cage, or similar; and 1 space/employee at maximum shift	1 space/33 vehicle parking spaces
• Swimming pools	14 spaces/1,000 sq ft of water surface area	1 space/33 vehicle parking spaces
Industry, Manufacturing, and Processing Uses		
Light Manufacturing All uses listed under "Manufacturing, Light" in Table 9-2	1.85 spaces/1,000 sq ft GFA; 4 spaces/1,000 sq ft GFA of office space, sales, or similar use where those uses exceed 10% GFA; and 1 space/1 facility vehicle Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use	1 space/33 vehicle parking spaces

Table 9-7 – Parking Requirements by Land Use (continued)

Land Use	*Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces Minimum #*
General Manufacturing All uses listed under "General Manufacturing" in Table 9-2	1.85 spaces/1,000 sq ft GFA; 4 spaces/1,000 sq ft GFA of office space, sales, or similar use where those uses exceed 10% GFA; and 1 space/1 facility vehicle Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use.	1 space/50 vehicle parking spaces
Research and Development	2 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Residential Uses		
Caretaker Housing	2 spaces in an enclosed garage	None
Retail Uses		
Factory/Warehouse Outlet Store	5 spaces/1,000 sq ft GFA	None
Retail Sales, General		
Not in shopping center or factory/warehouse outlet mall)	4 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Shopping Center	5 spaces/1,000 sq ft GFA for the initial 10,000 sq ft; and 4 spaces/1,000 sq ft GFA for over 10,000 sq ft	1 space/33 vehicle parking spaces
Service Uses		
Animal Kennel Services	4 spaces/1,000 sq ft GFA; and 1.25 spaces/1,000 sq ft of boarding area	None
Industrial Repair	2 spaces/1,000 sq ft GFA for the initial 40,000 sq ft 1.3 spaces/1,000 sq ft additional GFA greater than 40,000 sq ft 4 spaces/1,000 sq ft GFA of office space, where those uses exceed 10% of GFA OR 1 space for each employee on the maximum shift as determined by Director of Community Development	None
Mini-Storage Facility	1.75 spaces/100 units; and 1 space/employee	None
Motor Vehicle		
• Service Stations With convenience market	5 spaces/1,000 sq ft GFA; and5spaces/service bay	1 space/10 vehicle parking spaces
Without convenience market	3.3 spaces/1,000 sq ft or 5 spaces/service bay, whichever is more; minimum of 4 spaces	None
• Vehicle Auctions	**Automobile or boat sales (new/used/auction)** 1 space/300 sq ft of indoor display, sales, or service area; 1 space/2,500 sq ft of outdoor sales display area; and 1 space/employee **Truck sales/services (new/used/auction)** 1 space/250 sq ft of sales area; 1 space/3,000 sq ft of outdoor sales or display area; and 1 space/employee	None
Distribution, Wholesaling and Warehousing Uses		
Industrial Equipment, Materials, and	2 spaces/3 employees on maximum working shift; 1 space for visitor parking on the basis of each 10 employees	None

Table 9-7 – Parking Requirements by Land Use (continued)

Land Use	*Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces Minimum #*
Supplies, Truck, Truck Trailer Storage	on maximum working shift, or a minimum of 3 spaces, whichever is greater; and 1 truck/trailer storage space/every truck to be stored	

Table 9-7 – Parking Requirements by Land Use

Land Use	*Vehicle Spaces (Minimum #)* *GFA—Gross Floor Area*	*Bicycle Spaces Minimum #*
Logistics and Distribution Facilities (High Cube)	**Vehicle Parking:** 1 space/1,000 sq ft GFA for the first 20,000 sq ft; 1 space/2,000 sq ft for the second 20,000 sq ft; 1 space/5,000 sq ft for that portion over 40,000 sq ft. No add'l spaces if office area less than 10% GFA. Office space rate if office area over 10% GFA. **Truck and Trailer Parking:** 1 oversized truck space/5,000 sq ft GFA* *Truck docks shall not be included in this calculation.	None
Petroleum/Hazardous Material Storage	1 space/employee on maximum shift	None
Warehousing Facilities	2 spaces/3 employees on maximum working shift; No additional spaces if office area is less than 10% GFA. Office space rate if office area over 10% GFA. Space to accommodate all trucks and other vehicles used in connection with use	None
Transportation, Communications, and Infrastructure Uses		
Antennas	1 space	None
Consumer/Non-Consumer Recycling Facility	1 space/employee; 1 space/facility vehicle; and Sufficient spaces to accommodate all visitors to establishment at any one time under normal operating conditions	None
Other Uses		
Outdoor Display & Sales	1 space/1,000 sq ft of outdoor merchandise areas	None
Pallet Yards	***1 space/250 sq ft of office/canopy area(s) plus 1 space for each employee on the maximum shift as determined by Director of Community Development***	***None***
Public Facilities	Per Public Agency	
Temporary Uses	Per Temporary Use Permit	

Note: Sources consulted to compile the table entries include the Municipal *Code; The Dimensions of Parking, ULI and National Parking Association, 5th Edition, 2010; Recommended Zoning Ordinance Provisions, National Parking Association, December 2006; and Parking Standards, APA Planning Advisory Service Report 510/511; November 2002.*

D. Required Number of Loading Spaces

Each land use shall provide the number of off-street loading spaces indicated in Table 9-8 – Loading Space Requirements by Land Use. Requirements for uses not specifically listed shall be determined by the Director of Community Development based upon the requirements for comparable uses and upon the particular characteristics of the proposed use. For other standards (e.g., size of loading spaces, location, turning radius, etc.), refer to Article XI (Off-Street Parking and Loading Standards), Division 4 (Loading Area Regulations), in Municipal Code Chapter 30 (Zoning and Development Code)

Table 9-8 – Loading Space Requirements by Land Use

Land Use	*Loading Spaces (Minimum #)*	*Type (1)*
Entertainment, Recreation and Public Assembly Uses		
Public Assembly Facilities	1 space; and Additional spaces as required by design review	Van
Recreational Facilities	0 - 29,999 sq ft: 1 space 30,000 - 99,999 sq ft: 2 spaces Over 100,000 sq ft: 3 spaces	Truck
Industry, Manufacturing, and Processing Uses		
All uses listed under "Light Manufacturing" in Table 9-2	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck
All uses listed under "General Manufacturing" in Table 9-2		
Research and Development		
Retail Uses		
Retail Sales, General and Factory/Warehouse Outlet Store	Up to 10,000 sq ft: 1 space	Truck
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer
Service Uses		
All uses listed under "Service Uses" In Table 9-2; except for the following:	Up to 10,000 sq ft: 1 space	Truck
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer

Table 9-8 – Loading Space Requirements by Land Use (continued)

Land Use	*Loading Spaces (Minimum #)*	*Type (1)*
Industrial Repair	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck
Motor Vehicle		
• Service Stations	1 space	Tractor Trailer
Distribution, Wholesaling and Warehousing Uses		
Warehousing Facilities	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Tractor Trailer
Other Uses		
Pallet Yards	***2 spaces; and Additional spaces as required by Director of Community Development***	***Tractor Trailer***

Notes:

(1) A van loading space shall be a minimum of 12 ft wide by 19 ft long with a minimum 10 ft overhead clearance. A truck loading space shall be a minimum of 12 ft wide by 45 ft long with a minimum 14 ft overhead clearance. A tractor trailer loading space shall be a minimum of 12 ft wide by 70 ft long with a minimum 14 ft overhead clearance.

E. Landscaping Standards for Parking Areas

Within any parking area, one tree shall be planted for every five single-row parking stalls or 10 double-row parking stalls. Eighty percent of these shall be 15 gallons in size and the remaining 20 percent shall be 24-inch box or larger in size. If for some reason the contractor is unable to distribute trees in the interior of the parking area in compliance with these standards, the Director of Community Development may approve the placement of no more than 40 percent of the trees within the perimeter of the parking area. Planters shall not have a dimension less than four feet, excluding the thickness of the curbing. These requirements may be reduced for industrial parking areas that are screened from public view.

1. Parking areas shall contain a minimum landscape area equivalent to 30 percent of the total required 15 percent landscaping for the total site area.

2. Parking area perimeter landscaping.

   a. Parking areas for nonresidential uses abutting or adjacent to residentially zoned property shall provide a landscape strip that is a minimum of 10 feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line bordering the residentially zoned property. Parking areas shall be screened from the residentially zoned property by a solid decorative masonry wall that is a minimum of six feet in height.

   b. Parking areas for nonresidential uses abutting or adjacent to non-residentially zoned property or a street shall install a landscape strip that is a minimum of five feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line or the parking area and the street right-of-way. This requirement may be reduced or modified if a joint access agreement exists that is satisfactory to the Director of Community Development. Parking areas shall be screened from streets through combinations of plant materials, earth berms, raised

planters, grade separations, or low walls. Slopes shall not exceed three to one or exceed 36 inches in height measured from the parking lot surface.

c. Plant materials, walls, or structures within a traffic sight area shall not block sight lines from driveways to streets and shall not exceed 36 inches in height.

d. The minimum width of a landscape finger shall be five (5) feet.

e. End of aisle spaces adjacent to landscape finger shall be two feet wider for step out area.

3. Parking area interior landscaping.

a. Tree number and location. One tree shall be provided for each four parking spaces and shall be evenly spaced throughout the interior parking area at a rate of one tree for every eight parking spaces. See Exhibit 7-4 – Parking Lot Landscaping. The required number of trees in the interior area shall not include trees required around the parking area perimeter. Trees are not required for tractor-trailer parking. A minimum of one cluster of trees shall be provided for each 100 feet of a row or double row of parking spaces. Trees shall be located in planters that are bounded on at least two sides by parking area paving. Planters shall have a minimum exterior dimension of five feet.

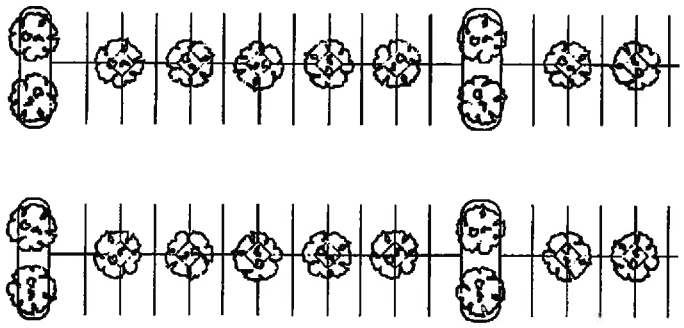


Exhibit 9-4 – Parking Lot Landscaping

b. Tree size. All trees within the parking area shall be a minimum 24-inch box container at time of planting.

c. Landscape protection. Landscaping shall be protected by concrete curbs of at least six inches in height. An end-of-aisle planter shall be provided at the ends of all parking aisles. Finger aisle planters shall be a minimum of nine feet wide and end-of-aisle planters shall be a minimum of seven feet wide, as measured from the inside of the curb. The parking space side of finger and end-of-aisle planters shall have a 24-inch wide concrete surface measured from the face of the curb. Planters shall be landscaped with a mixture of trees, shrubs, and ground cover. Planting areas shall have round corners instead of 90 degree corners and shall be shaped to allow vehicle movements. The Director of Community Development may approve alternative barriers designed to protect landscaped areas from vehicle damage. Wheel stops may be placed to allow for two feet of vehicle overhang area within the

dimension of the parking space. To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped with low-growth, hardy materials in-lieu of paving, allowing a bumper overhang while maintaining the required parking dimensions. However, the overhang area shall not be counted as part of the minimum landscape area required by paragraph (1) above, and when adjacent to a required landscaping strip shall be in addition to the minimum required width. Fixtures (e.g., lights, sprinklers) that are higher than the curb are prohibited within a bumper overhang area. Curbing that creates a bumper overhang barrier shall not exceed a height of five inches.

d. Parking areas with more than 100 spaces shall provide an appropriate entry feature consisting of a concentration of landscape elements, including trees, flowering plants, enhanced paving, and project identification.

4. Parking structures. A landscaping strip 10 feet wide shall be provided on all sides of a parking structure. One tree shall be provided for each 20 to 40 feet of perimeter of the structure, based on species selected. These trees shall be distributed evenly throughout the subject landscape area.

5. ***Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 9.4l Pallet Yards for regulations and standards.***

11.3 Allowable Land Uses and Permit Requirements

This Section identifies allowable land uses and their permit requirements.

A. Allowed Uses

Table 11-2 Allowable Land Uses and Permit Requirements identifies the types of land uses allowed in the SWD and the permit required to establish each use.

B. Uses Not Listed

Uses not listed in Table 11-2 are prohibited land uses, until and unless the Director of Community Development makes a similar use determination in compliance with Subsection 11.11.C Entitlement Procedures--Similar Use Determination.

C. Other Applicable Regulations

The provisions contained in this SWIP Specific Plan constitute the primary land use and development standards for the Specific Plan area. These regulations are in addition to the provisions in the City of Fontana Municipal Code.

This Specific Plan provides all development standards and guidelines necessary to approve subsequent project applications, unless otherwise noted. Permit processing procedures (e.g., noticing, hearing, appeals, and expiration procedures) and enforcement procedures are provided in Municipal Code Chapter 30 (Zoning and Development Code) shall apply, unless otherwise noted. Where there is a conflict between the provisions in this Specific Plan and otherwise noted. Where there is a conflict between the provisions in this Specific Plan and those in the Zoning and Development Code, the Specific Plan provisions shall prevail to the extent allowable under Federal or State law. Where there is no conflict, both shall be applied concurrently.

D. Definitions

Definitions for land uses are provided in Appendix A Definitions. If a definition is not provided, the definitions in the Municipal Code shall apply. The Director of Community Development shall interpret the definitions; make a similar use determination in compliance with Subsection 11.11.C Entitlement Procedures—Similar Use Determination; and/or refer any questions to the Planning Commission for its determination. For the purposes of this Specific Plan, the following definitions shall apply:

1. Commercial Use: Activity involving the sale of goods or services carried out for profit.

2. Industrial Use: Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

Table 11-2 Allowable Land Use and Permit Requirements

Land Use	*Permit Requirement* "P"= Use Permitted by Right "C" = Conditional Use Permit Required "M" = Minor Use Permit Required ***Slover West Industrial District***
Entertainment, Recreation and Public Assembly Uses	
Adult Businesses	Municipal Code §30-11 & Municipal Code Chapter 15, Article XVIII
Open Space / Park	P
Public Assembly Facilities	C
Recreational Facilities	C
Industry, Manufacturing, and Processing Uses	
Handcraft Industry/ Small-Scale Manufacturing	P
Manufacturing, Light	
• Appliance Manufacturing	P
• Electronics & Equipment	P
• Furniture and Fixture Manufacturing	P
• Glass Product Fabrication	P
• Machinery Manufacturing	P
• Paper Product Manufacturing	P
• Product Assembly and Distribution	P
General Manufacturing	
• Plastics, Synthetics, and Rubber Product Manufacturing	P
• Pulp and Pulp Product Industries	P
• Stone and Cut Stone Product Manufacturing	P
• Structural Clay and Pottery Product Manufacturing	P
• Textile and Leather Product Manufacturing	P
Pallet Yard (1)	***C (Sunset on 6/30/19)***
Research and Development	P
Residential Uses	
Caretaker Housing (2)	C
Retail Uses	
Alcohol Sales, Off-Site/On-Site	C
Factory/Warehouse Outlet Store	P
Retail Sales, General (3)	P
Service Uses	
Animal Kennel Services	P
Business Support Services	P

Table 11-2 Allowable Land Use and Permit Requirements (continued)

Land Use	*Permit Requirement* "P"= Use Permitted by Right "C" = Conditional Use Permit Required "M" = Minor Use Permit Required *Slover West Industrial District*
Food Service	
• Outdoor Dining	P
• Restaurants	P
Industrial Repair	P
Mini Storage Facility (3)	P
Motor Vehicle	
Registered Vehicle Storage (4)	C
Service Stations (3)	C
Vehicle Auction	P
Distribution, Wholesaling and Warehousing Uses	
Industrial Equipment, Materials, and Supplies	C
Logistics and Distribution Facilities	P
Petroleum/Hazardous Material Storage	C
Warehousing Facilities	P
Transportation, Communications and Infrastructure Uses	
Antennas	M
Broadcasting Offices or Studios	P
Parking Structures (3)	P
Truck, Truck Trailer Storage	C
Recycling Facility	
• Consumer Recycling Facilities(5)	C
• Non Consumer Recycling Facilities (5)	C
Other Uses	
Outdoor Display & Sales	M
Public Facilities	P
Temporary Uses	Municipal Code Chapter 30, Division 14 (Temporary Use).

(1) See Section 11.4I
(2) See Section 11.4D
(3) See Section 11.9E
(4) See Section 11.4G
(5) See Section 11.4H

11.4 Development Standards

New land uses and structures and alterations to existing land uses and structures in the SWD shall be designed, constructed, and established in compliance with the requirements in this Section.

A. Intensity and Dimensional Standards

Table 11-3 Intensity and Dimensional Standards provides the required intensity and dimensional standards for proposed development. The Director of Community Development is authorized to approve modifications of 10 percent or less of any land use district setback, lot width, lot depth, building coverage, building height, or wall height standard in compliance with the administrative variance procedures in Municipal Code Section 30-51.6 (Findings necessary for granting a variance). See Exhibit 11-3 – Dimensional Standards.

The Director of Community Development may grant an administrative variance from the requirements of this chapter where practical difficulties, unnecessary hardships, or results contrary to the intent of this chapter would occur from the strict and literal interpretation and enforcement of the Code. An administrative variance may be granted upon conditions which will ensure the protection of the public safety, health and welfare. To grant an administrative variance, the Director of Community Development must find from the facts presented that the following conditions exist.

(1) That because of circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of this chapter will deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification;

(2) That the granting of such an administrative variance will be subject to conditions assuring that the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zoning district in which the property is located;

(3) That the administrative variance does not authorize a use or activity which is not a specifically allowed use in the zoning district in which the property is located; and

(4) That the granting of one administrative variance will not be contrary to the general plan.

Table 11-3 - Intensity and Dimensional Standards

Lot Size and Building Placement

INTENSITY	
Floor Area Ratio (3)	1.0 max. FAR
LOT DIMENSIONS	
Lot Size	40,000 sq ft min.
Lot Width (C)	200 ft min.
Lot Depth (D)	175 ft min.
BUILDING SETBACKS	
Front Setback (1)	
Major Highway *(Cherry)* (G)	30 ft min. *(4)*
Primary Highway *(Mulberry and Slover)* (F)	25 ft min. *(4)*
Secondary Highway/Collector Street *(Almond, Banana, Calabesh, and Santa Ana)* (E)	20 ft min. *(4)*
Side (Street) Setback *(1)*	
Major Highway *(Cherry, Citrus, and Valley)* (G)	30 ft min. *(4)*
Primary Highway *(Beech, Fontana, Mulberry, and Slover)* (F)	25 ft min. *(4)*
Secondary Highway/Collector Street *(Poplar)* (E)	20 ft min. *(4)*
Side (Interior) Setback *(2)*	None
Rear Setback *(2)*	None
Adjacent to Residential Truck District *(2)*	25 ft min.
Accessory Building Setbacks	Comply with setbacks applicable to primary structure

(Continued)
(See footnotes next page)

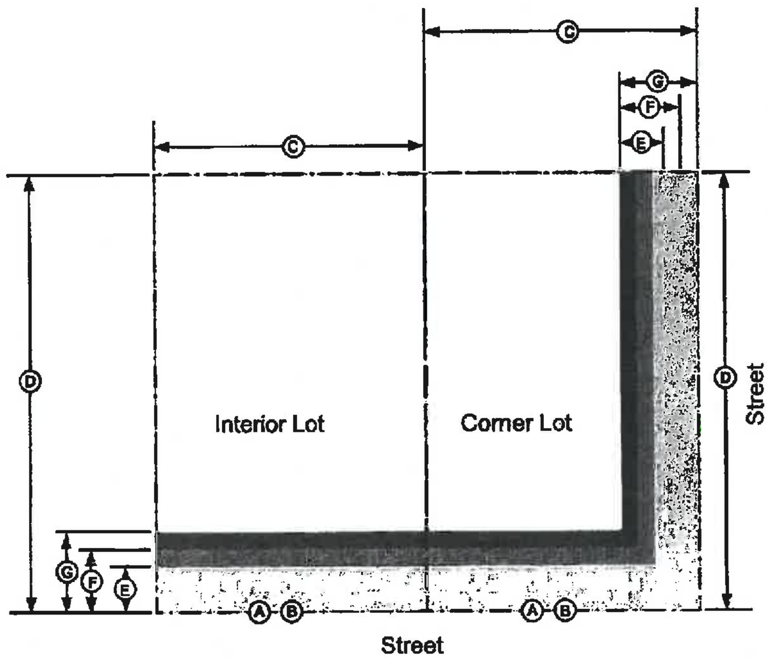
Table 11-3 - Intensity and Dimensional Standards

Building Height and Mass

HEIGHT	
Primary Building	60 ft max
Accessory Building	1-story or 14 ft max. to eave/parapet line
Interior (Floor-to-Floor, excluding parking levels)	Ground floor – 12 ft min
UPPER STORY STEPBACKS	
All buildings regardless of street frontage	Allowed

Notes:

(1) Setback is measured from public right-of-way line.
(2) Setback is measured from property line.
(3) See Section 11.10 Development Incentives.
(4) Corner cut-off setbacks per Specific Plan.



- Ⓐ = Public Right-of-Way Line
- Ⓑ = Property Line
- Ⓒ = Lot Width
- Ⓓ = Lot Depth
- Ⓔ = Front/Side Setbacks – Secondary Highway/Collector Street
- Ⓕ = Front/Side Setback – Primary Highway
- Ⓖ = Front/Side Setback – Major Highway

Exhibit 11-2 – Dimensional Standards.

B. Fences, Walls, and Screening

1. Standards. Table 11-4 contains standards for fences, walls, and screening.

Table 11-4 – Standards for Fences, Walls, and Screening

Location	*Materials See Section 11.9 Design Guidelines*	*Maximum Height*
Within front setback area	Solid fencing/wall	36 inches; or 42 inches if abutting residential front yard
	Open fencing/wall	6 ft
Within street side setback area	Tubular steel construction allowed in required setback area if set back at least 15 ft from lot line. Solid masonry wall not allowed in required setback area.	8 ft if necessary for security purposes, with 18-inch maximum width pilasters [2(e)]
Within interior side setback area	Any type of fence, hedge, or wall allowed, except that if abutting residential zone, solid masonry wall only	8 ft
Within rear setback area	Any type of fence, hedge, or wall allowed, except that if abutting residential zone, solid masonry wall only	8 ft
Outside of a required setback area	Solid or open fencing/wall	No height limit
Screening of outside storage materials and equipment from view from the public right-of-way ***(outside of setback area)***	Solid fencing/wall	***12 ft***
At intersections of alleys, streets, and driveways	Solid or open fencing/walls	30 inches

Note: (1) All fences and walls shall meet the City's line of sight regulations, as determined by the City Engineer.

2. Materials

   a. Open fencing shall mean fencing with over 50 percent of the surface area open for free passage of light and air and through which the area behind the fence is visible to public view. See Exhibit 11-3 – Open and Solid Fencing.

   b. Solid fencing shall mean fencing with 50 percent or less of the surface area open for free passage of light and air and designed to conceal the area behind the fence from public view. See Exhibit 11-3 – Open and Solid Fencing.

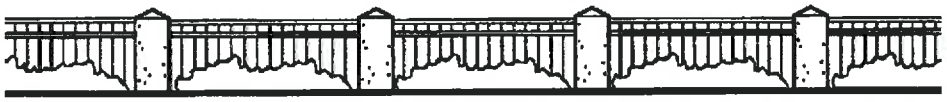
   c. Barbed wire fences, electric fences, or similar fencing material is prohibited.

   d. Chain link fencing is allowed on interior property lines that are not visible from public rights-of-way.

   e. For fences up to 100 linear feet, one pilaster shall be provided for every 10 linear feet. For fences more than 100 linear feet and less than 300 linear feet, one pilaster

shall be provided for every 30 feet. For fences 300 leaner feet or longer, one pilaster shall be provided for every 60 feet.

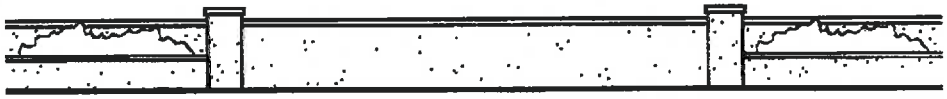
Elevation of Wall / Wrought Iron Combination



Elevation of Wrought Iron with Pilasters

Examples of Open Fencing

Elevation of Staggered Wall



Elevation of Planters / Wall

Elevation of Wall with Breaks

Examples of Solid Fencing

Exhibit 11-3 – Open and Solid Fencing.

3. Screening and buffering

   a. Roof-mounted and ground-mounted mechanical equipment, utilities, storage, and solid waste storage areas shall be screened from adjoining properties and public right-of-ways by a visual barrier (e.g., wall, fence, landscape material, etc.) to the satisfaction of the Director of Community Development. Where only landscaping is used for screening, it shall be planted with five-gallon (minimum size) shrubs spaced to provide a continuous dense screen.

   b. Parking lot perimeters shall be screened and planted in compliance with Section 11.6 Parking and Loading Standards.

C. Outdoor Activities and Storage

1. Storage in Setback Areas. Material or equipment shall not be stored anywhere in the front yard area. Temporary storage of construction materials during construction on the same site is allowed. Boats, campers, motor vehicles, trailers, equipment, materials, or antenna may be stored in side and rear yards, provided that they are outside the required side and rear identified in Table 11-3 Intensity and Dimensional Standards.

2. Limitations on Outdoor Uses

   a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation, except approved outdoor dining areas, parking areas, industrial activities, truck trailer storage, and other approved uses that require outdoor activities.

   b. Areas used for the approved outdoor storage of vehicles, equipment and/or building materials (raw or finished) ***shall be paved with asphalt and/or concrete*** ~~may use compacted slag, gravel, or other similar material deemed suitable by the Director of Community Development.~~ .

   c. Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan. All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete. Refer to section 11.4.l Pallet Yards for regulations and standards for pallet yards.

3. Outdoor uses. Outdoor uses shall comply with the following:

   a. A building shall be provided on the same parcel or on an adjacent parcel associated with the same business.

   b. All display materials, including vehicles, shall be set back five feet from any landscaped area and shall not be located on required parking areas.

   c. The entire area used for display purposes shall be surfaced with ***asphalt and/or concrete*** ~~or an equally serviceable hard pavement surface~~. The surface shall be maintained in good condition.

d. Storage of equipment or materials, with the exception of the display of vehicles for sale or rent, shall be screened by a visually solid masonry wall of minimum height six feet. The approving authority may determine through the design review process that the subject use requires a solid masonry wall higher than six feet.

e. Outdoor display areas shall be maintained in a neat and orderly condition.

D. Caretaker Housing

Caretaker housing shall be:

1. Accessory to a principal use;

2. A maximum of 1,500 square feet total floor area unless otherwise approved by the planning commission;

3. Limited to one unit per lot; and

4. Subject to the setback requirements applicable to the principal structure with which it is associated.

5. ***Caretakers' residences in conjunction with a pallet yard is prohibited. Refer to Section 11.4l Pallet Yards for regulations and standards.***

E. Solar Access

A structure, fence, or wall shall not be constructed or modified, and vegetation shall not be placed or allowed to grow so as to obstruct more than 10 percent of the absorption area of a solar energy system on an abutting or adjacent lot at any time.

F. Undergrounding of Utilities

1. Utility service laterals to new development shall be installed underground.

2. Temporary overhead power and telephone facilities are permitted only during construction.

3. Placement, location and screening of utilities of any kind, which cannot be installed underground and must be placed above ground for function and safety reasons, require written approval by the Director of Community Development or the Planning Commission prior to any administrative or discretionary approval.

4. Transformer enclosures shall be designed of durable materials with finishes and colors used that are compatible and harmonious with the overall architectural theme.

5. All utilities including, but not limited to drainage systems, sewers, gas lines, water lines, and electrical, telephone, and communications wires and equipment shall be installed and maintained underground. Placement, location, and screening of utilities of any kind,

which cannot be installed underground and must be placed above ground for function and safety reasons, require written approval by the Director of Community Development or the Planning Commission prior to any administrative or discretionary approval.

G. Registered Vehicle Storage

Registered vehicle storage will be defined as follows:

Registered Vehicle Storage means an off-street, ground level open area that allows parking for the purpose of storage of vehicles, including but not limited to, truck, truck-trailer, buses, boats, construction equipment, recreational vehicles, and automobile storage. These vehicles are to be stored and are not for sale, rental, or leasing. Maintenance or vehicle repair is not permitted at the premises unless otherwise separately allowed and approved under a separate conditional use permit.

Special use regulations are proposed to be applied to Registered Vehicles Storage. All businesses with registered vehicle storage shall comply with the following provisions:

1. The entire storage area shall be surfaced with ***asphalt and/or concrete*** ~~asphalt cement or equivalent material. For specific and delineated storage areas, excluding required drive aisles and required non-storage parking, slag or gravel shall be considered as an equitant paving material on a case-by case basis.~~. The surface material shall be striped as required (when feasible) and shall be maintained in good condition.

2. All storage areas shall clearly be identified on the site plan for the property and shall be screened from view from the public right-of-way by one or more decorative block screening walls. All screening walls adjacent to a public right-of-way shall have a minimum height of eight (8) feet and shall not be located in a required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements.

3. A line-of-sight analysis clearly demonstrating that all registered vehicles proposed to be located in the storage area(s) are screened from view from all adjacent public rights-of-way at all times shall be required with all proposals and/or applications. For the purpose of the line-of-sight analysis, the assumed height of the vehicles to be stored shall be fourteen feet and six inches (14'6"). To meet this requirement, storage areas shall be set back from required screening walls to provide the required line-of-sight clearance for screening. Storage areas which have been set back to provide the required line-of-sight clearance for screening shall be identified on the site plan and shall be marked and maintained at all times in a manner consistent with the site plan.

4. All vehicles stored on the premises shall have a valid vehicle registration from the State of California or other similar government entity and shall be maintained in an operable condition at all times.

5. Fire access lanes of a minimum twenty-six feet (26') in width shall be required along the interior perimeter of any required decorative block screening wall adjacent to a public right-of-way. Additional fire access lanes shall be provided as required by the Fire District. This required fire access lane may be used to meet the line-of-sight clearance set back requirement above.

6. All on-site fire access lanes, drive aisles, required parking, etc., (but not including identified and marked vehicle storage areas) shall be paved with ***asphalt and/or concrete*** ~~cement or an equivalent material; gravel or slag in these lanes is specifically prohibited.~~

7. A guard station or similar structure shall be required near the primary access to the premises. The minimum size of such structure shall be sixteen square feet.

8. A residence for a caretaker may be permitted and incorporated into the project subject to the approval of a Conditional Use Permit application.

9. Permanent on-site security lighting shall be required to be designed and installed to the standards and satisfaction of the Police Chief or his/her designee.

10. Fire hydrants shall be required to the satisfaction of the Fire District.

11. Vehicles stored on the premises shall not themselves be used as storage containers to store materials in them. With prior 72 hour written notice to the property and/or business owner, any and all stored vehicles shall be open to inspection for the purpose of enforcing this provision.

12. To provide adequate space dimensions to accommodate the movement off large vehicles on the site, the minimum lot size shall be two (2) acres with a minimum lot width of 300 feet and a minimum lot depth of 300 feet. Irregular or unusually shaped lots may require additional minimums to meet the intent of this regulation, as shall lots with unusual, irregular, or severe topographic features or changes.

13. Landscaping adjacent to the public right-of-way is required per the Code. Interior lot landscaping shall not be required for any internal area (wall perimeter, parking area, storage area, etc.) enclosed by the required screening walls. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view (entry gate, guard station, etc.)

H. Consumer/Non-Consumer Recycling Facility.

Consumer Recycling Facility. A facility where waste and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes, aluminum collection centers, and paper, bottle, can, newspaper, and glass recycling centers. Consumer Recycling Facilities does not include the following:

1. auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).

2. Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.

3. Other waste collection or any similar activities as described in Section 562119 of the NAICS.

4. Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.

5. Waste Treatment and Disposal or any similar activities as defined in Section 56221 of the NAICS; and

6. Hazardous Waste Collection or any similar activities as defined in Section 562112 of the NAICS.

Non-Consumer Recycling Facility. A facility where waste and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes all activities as defined in "Consumer Recycling Facility", and the following:

1. Auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).

2. Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.

3. Other waste collection or any similar activities as described in Section 562119 of the NAICS.

4. Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.

The placement, construction and operation of consumer/non-consumer recycling facilities, shall be subject to the following development standards:

a. All uses shall be conducted entirely within a completely enclosed building that is attached to a permanent foundation, except approved uses that require outdoor activities. A building shall be provided on the same parcel or on an adjacent parcel associated with the same business. All parcels associated with the recycling facility shall be contiguous.

b. Recyclable materials or any equipment used in operation of the recycling facility shall not be anywhere in the front yard. Materials or equipment may be located in side and rear yards, provided that they are outside the required side

and rear setback areas identified in the Intensity and Dimensional Standards.

c. Storage of recyclable materials or any equipment used in operation of the recycling facility shall be screened by a solid masonry wall of minimum height six (6) feet and a maximum of eight (8) feet where appropriate. The approving authority may determine through the design review process that the subject use requires a solid masonry wall higher than six feet. All materials shall not be visible above the constructed masonry wall with the exception of materials/equipment which cannot be screened entirely (e.g. cranes, windmills, etc.).

d. The recycling facility shall be surfaced with asphalt or an equally serviceable hard pavement surface. The surface shall be maintained in good condition.

e. Recycling facilities shall be maintained in good repair and shall be maintained in a litter-free condition.

f. Recycling facilities shall be designed in a manner consistent with the Design Guidelines.

g. Signage required for a recycling facility shall comply with the Sign Standards of the Southwest Industrial Specific Plan.

h. Recycling facilities which are operated by an on-site attendant and located within 100 feet of a property zoned or occupied for residential uses shall operate only during the hours of 8:00 a.m. to 6:00 p.m., unless otherwise established in the conditional use permit.

I. Pallet Yards

Pallet Yard. **An open yard that stores, sells, repairs, refurbishes, and/or manufactures pallets.**

1. Site and Building Design

- ***An office building shall be provided on the same parcel where the pallet yard and associated business is taking place.***
- ***Caretakers' residences in conjunction with a pallet yard is prohibited.***
- ***An option for guard station or similar structure may be included if it is located near the primary access to the premises. The minimum size of such structure shall be sixteen square feet.***
- ***Any permanent canopy type of structures may be permitted on the site and shall meet all zoning, building, and fire code requirements.***

- *Heat treaters that are (Underwriters Laboratories [UL]) approved and function as an accessory use to a pallet yard are permitted. They should be depicted on the site plan, comply with the setbacks of the primary structure, obtain all the necessary permits (i.e. Building and Fire Department Permits), and located in an area on the property that is completely screened and not visible from any public right-of-way. Heat treaters are exempted from the Design Guidelines in this Chapter.*

- *Building materials shall be used which will deter graffiti on perimeter walls.*

- *All outdoor work, assembly, and/or repair areas shall be depicted on the site plan and conducted under a permanent canopy type structure and areas paved with asphalt and/or concrete.*

- *All areas to be subleased to other pallet yard subtenants shall be indicated on the site plan and described in the Conditional Use Permit application (i.e. hours of operations, type of activities conducted on site, and number of employees).*

- *Number of employees for the primary tenant and any subtenants shall be indicated on the site plan and reflected in the parking calculation summary.*

- *Outdoor display areas shall be maintained in a neat and orderly condition.*

- *Pallet storage areas shall be paved with asphalt and/or concrete and depicted on the site plan.*

- *All on-site fire access lanes, drive aisles, and required parking, shall be identified on the site plan and shall be paved with asphalt and/or concrete.*

- *Site and development standards for pallet yards shall comply with the existing the San Bernardino County Fire Department (Community Safety Division) Fire Prevention Standard for Pallet Refurbishing and Storage Yards. Standard Number G-3 includes exceptions to stack and/or pile configuration or pile volume. All exceptions shall be submitted to the fire department prevention bureau. Exception requests submitted shall provide a complete alternative site plan and alternative fire protection methods, if applicable, to be reviewed and approved by the Fire Marshal and Fire Chief prior to any implementation of any variations to fire department standard G-3. Exceptions will be reviewed and granted in certain cases if they can demonstrate safe operations, no impact to the safety of the surrounding community and meet the intent of the G-3 standard. All approved exceptions will be included in the Conditional Use Permit process.*

2. *Access and Circulation*

- *Fire access lanes of a minimum twenty-six feet (26') in width shall be required from any structures and/or exterior property line(s). Additional fire access lanes shall be provided as required by the Fire District.*

- ***Fire hydrants shall be required to the satisfaction of the Fire Department.***

- ***All pallet yards will be subject to quarterly inspections by the Fire Department and designated City staff. Such inspections shall be subject to an inspection fee as adopted by City Council.***

3. ***Landscaping and Walls***

- ***All outdoor storage areas shall clearly be identified on the site plan for the property and shall be screened from view from the public right-of-way by one or more decorative block screening walls. All screening walls adjacent to the public right of way shall have a minimum height of eight (8) feet and shall not be located in a required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements as determined by the Director of Community Development and/or Planning Commission.***

- ***Landscaping adjacent to the public right of way is required per SWIP. Pallet Yards are exempted from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Incidental landscaping may be required as needed to satisfy screening and other requirements in interface area(s) open to public view.***

4. ***Timeframes/Sunset Provision***

- ***Pallet Yard owners/operators must file a Pre-Application Meeting Request (PAM). Pallet Yard owners/operators must also file additional applicable entitlement applications (e.g., Conditional Use Permit (CUP), Design Review (DR), and/or Administrative Site Plan Review (ASP)) prior to January 31, 2018.***

- ***Pallet Yard owners/operators must complete construction and related improvements, and obtain a Certificate of Occupancy from the City prior to June 30, 2019. After June 30, 2019, the Conditional Use Permit process to establish Pallet Yards will terminate; therefore, no additional Pallet Yards will be permitted to be established after June 30, 2019.***

- ***All legally established Pallet Yards will be subject to the nonconforming provisions in section 7.11 F after June 30, 2019.***

11.5 Landscape Standards

A. Required landscaping

This section provides the required minimum standards for all landscaped areas within any new and rehabilitated private development.

1. Landscaped area means the entire parcel less the building footprint, driveways, nonirrigated portions of parking lots, and hardscapes (such as driveways, approaches and sidewalks). Decorative hardscapes used to enhance the landscape will be considered as part of the landscape area; this would include such things as cobble rock, decomposed granite, brickwork, stamped concrete, gravel, pavers, and water features.

2. Landscape setbacks along public right-of-ways shall incorporate landscape buffers with undulating and variable height earth-mounding (berms), and/or low walls, and required plant materials as shown in Table 11-5 Landscape Standards.

3. Block wall and wrought iron fencing shall be located behind landscape setback area(s).

4. The developer shall submit to the City's Department of Engineering, a Landscape Documentation Package, that confoms to the requirements of the Water Efficient Landscape Ordinance in Municipal Code, Chapter 28Vegetation.

5. All new development landscaping shall comply with the standards shown in Table 11-5 Landscape Standards. Additional guidelines that should be considered are addressed in Section 11.9 Design Guidelines.

6. The Recommended Plant Materials Palette, Table 11-6, can be found immediately after this section. The plant materials palette is provided to ensure the installation of drought-tolerant, water efficient landscaping that will provide wind breaks and thrive in the local climate conditions. In an effort to provide visual elements that distinguish this district from others, please note that turf (grass) does not appear in the Plant Materials Palette, and shall be prohibited, in lieu of drought-tolerant ground covers.

7. Public right-of-way improvements, including street improvements, streetscape/landscape (parkway) improvements, and street tree requirements, are in Section 11.8 Public Right-of-Way Streetscape.

Table 11-5 Landscape Standards (1)(2)

Note: The Community Development Director may require additional setbacks.

Minimum Landscaped Area Mixture of ground cover, shrubs, trees, and decorative hardscape features	15% of total site area, not including areas covered by buildings, structures, or areas used for approved outside storage, loading, or other activities. 25% of total site area, for hotels, not including areas covered by buildings, or areas used for approved outside storage, loading, or other activities.
Decorative hardscape features Brick, stone, art, fountains, ponds, etc.	Maximum 15 % of the total 15 % landscaping of site area
Minimum plant sizes in landscaped areas	Minimum Ratio 1 tree/500 SF of landscape area
Trees	50% - 15-gallon 40% - 24-inch box 10% - 30-inch box or greater
Shrubs	50% - 5-gallon 50% - 1-gallon
Groundcover	12-inch maximum on center spacing that will cover area within one year of initial planting
Street trees in parkways per Master Plan of Parkway Trees	1 tree of not less than 24-inch box size for each 30 linear feet of street frontage In parkways of inadequate width, street trees shall be planted in abutting setback/yard, in addition to the required buffer landscaping in setback area
Landscape buffer in front setback area	1 tree for each 20 linear feet minimum of street frontage and three 5-gallon shrubs for each tree Undulating earth berms with informal tree and shrub massing and/or low decorative walls may be utilized. Maximum slope: 3:1 for berms
Additional landscape requirements	1 tree for each 800 square feet minimum of other required landscaped area and 8 shrubs for each tree.
Landscape Buffer in front setback requirements from right-of-way	Major Highway: 30 ft minimum width Primary Highway: 25 ft minimum width Collector/Local Streets: 20 ft minimum width
Landscape buffer in any side or rear yard abutting a residential zone	20 ft minimum width with 1 tree for each 20 linear feet of lot line, and 3 shrubs per tree

Notes: (1) The Director of Community Development may require additional setbacks.
(2) Landscaping adjacent to the public right-of-way is required per SWIP. Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 11.4 Pallet Yards for regulations and standards.

B. Recommended Plant Materials Palette

Table 11-6 Recommended Plant Materials Palette provides a listing of primarily drought-tolerant trees, shrubs, and ground covers to provide water efficient landscaping in new projects. The limited selection of landscape material in the palette is envisioned to assist the user in incorporating sustainable landscaping into the project, while including enough variety of size, form, and density, to meet the requirements within buffer setbacks and screening techniques. Final selection shall be approved by the City. The Director of Community Development shall approve artificial turf.

Table 11-6 (a) – Recommended Plant Materials Palette
Recommended Trees

Aleppo Pine
Pinus halepensis

Chitalpa
Chitalpa tashkentensis

African Sumac
Rhus lancea

Desert Willow
Chilopsis linearis

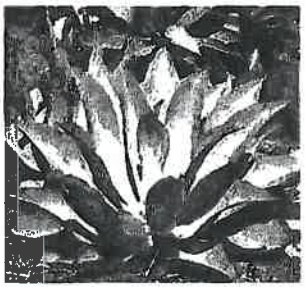
Arizona Sycamore
Platanus wrightii

Honey Locust
Gleditsia triacanthos

Table 11-6 (a) – Recommended Plant Materials Palette
Recommended Trees (continued)

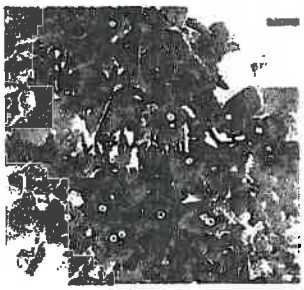
Bottle Tree
Brachychiton populneus

Table 11-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs



Agave
Agave species

Gray-Leaved Euryops
Euryops pectinatus



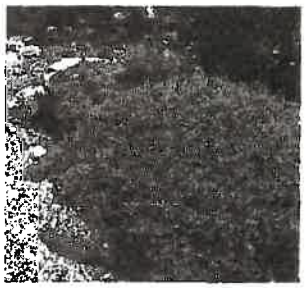
Bougainvillea
Bougainvillea species

Kangaroo Paw
Anigozanthus hybrids

Coffeeberry
Rhamnus californicus

Purple Fountain Grass
Pennisetum setaceum 'Cupreum'

Table 11-6 (b) – Recommended Plant Materials Palette
Recommended Shrubs (continued)



Coyote Brush
Baccharis pilularis

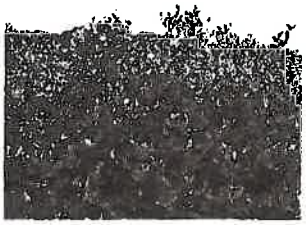
Redberry
Rhamnus croceus

Desert Spoon
Dasylirion species

Red Hot Poker
Kniphofia uvaria

Rosemary
Rosmarinus officinalis cultivars

Yaupon
Ilex vomitoria



Texas Ranger
Leucophyllum species

Yucca
Yucca species

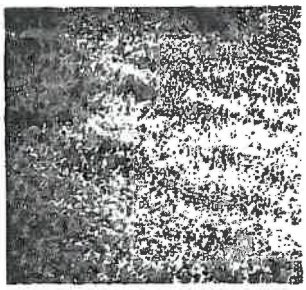
Table 11-6 (c) – Recommended Plant Materials Palette
Recommended Groundcovers

Moss Verbena
Verbena tenuisecta

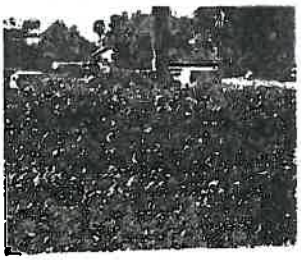
Prostrate Myoporum
Myoporum parvifolium

Peruvian Verbena
Verbena peruviana

Rosea Ice Plant
Drosanthemum floribundum



Poverty Weed
Iva hayesiana



Trailing Lantana
Lantana montevidensis

11.6 Parking and Loading Standards

A. Applicability

This section contains regulations for off-street parking and loading. Regulations identify required number of parking and loading spaces for all new development projects and those proposing substantial modification to existing buildings. Please refer to Municipal Code Chapter 30 Zoning and Development Code for all parking and loading regulations not specifically addressed in this section.

B. General Parking and Loading Regulations

1. Methods of Calculation.

    a. Multiple Uses. If more than one use is located on a site, the total number of required off-street parking and loading spaces shall be the sum of the requirements for the various uses computed separately. If individual uses on the same site have a floor area less than that for which loading spaces would be required, then the total gross floor area of all uses on the site or lot shall be used in determining the required number of loading spaces.

    b. Fractional Number. Whenever the computation of the required number of off-street parking or loading spaces results in a fractional number, one additional space shall be required for a fraction of more than one-half, but shall not be required for a fraction of one-half or less.

2. Off-Site Location. Required off-street parking spaces shall be located on the same property as the use that they are intended to serve. Where the required parking spaces cannot be accommodated on the same property, they may be located in a separate off-site parking facility that is not more than 300 feet from the use(s) they serve, subject to approval by the Director of Community Development.

3. Shared Use. Required off-street parking and loading spaces shall not be considered as providing parking or loading spaces for any other use, except where shared use facilities are approved in compliance with Subparagraph 5 Adjustments to Parking Requirements, below.

4. Uses Not Specified. For uses not specified, the Director of Community Development shall determine parking requirements based upon the requirements of the most similar use. See Subsection 11.11.C Entitlement Procedures-- Similar Use Determination.

5. Adjustments to Parking Requirements.

    a. Administrative Variance. The Director of Community Development is authorized to approve alternate parking plans involving a modification of 10 percent or less of any of the off-street parking and loading standards in compliance with Section 30-51.5 of Municipal Code Chapter 30.

b. Parking Study Option. An applicant may submit a separate parking and loading study for new development to the Director of Community Development for review. A parking and loading study shall provide sufficient data and information to justify the need for adjustments to the parking and loading requirements and shall analyze whether:

   i. Adequate off-street parking will be provided for the project;

   ii. The project demonstrates the use of creative design concepts, including but not limited to shared parking facilities, transit accessibility, pedestrian amenities, and bicycle amenities;

   iii. Environmental impacts associated with the project will not be increased by the modification of standards; and

   iv. Traffic safety and pedestrian safety will be enhanced by the modifications.

c. Shared Use Facility. Required off-street parking and loading spaces may be considered as providing parking or loading spaces for another use where joint facilities serving more than one use contain no less than the total number of spaces deemed necessary for each individual use added together with other uses. Where adjoining uses on the same site have different hours of operation with minimal conflict, the Director of Community Development may determine that some or all of the same spaces may be counted as satisfying the requirements for both uses, provided that the number of spaces shall not be less than the prescribed for the use requiring the greater number.

C. *Required Number of Parking Spaces*

Each land use shall provide the number of off-street parking spaces indicated in Table 11-7 Parking Requirements by Land Use, except where adjustment has been granted in compliance with Subparagraph 11.6.B.5 Adjustments to Parking Requirements, above. For the purposes of this Section, the following definitions shall apply:

1. Commercial Use: Activity involving the sale of goods or services carried out for profit.

2. Industrial Use: Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

Table 11-7 – Parking Requirements by Land Use

Land Use	GFA—Gross Floor Area Slover West Industrial District Vehicle Spaces (Minimum #)	Bicycle Spaces (Minimum #)
Entertainment, Recreation and Public Assembly Uses		
Adult Businesses	Subject to Parking Plan required by Municipal Code §15-918	
Open Space / Park	Public - Determined by Parks and Recreation Department Private - .25 spaces/1,000 sq ft of total park area	1 space/ 33 vehicle parking spaces
Public Assembly Facilities	With fixed seats – 1 space/3 fixed seats; Without fixed seats – 25 spaces/1,000 sq ft of seating area; and 4 spaces/1,000 sq ft GFA outside assembly area	1 space/33 vehicle parking spaces
Recreational Facilities – Indoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 11.6.B.5. Adjustments to Parking Requirements	
Amusement Arcade	1 space/each 4 persons of the facility's allowed maximum capacity	1 space/ 3 games up to 20 games; and 1 space/5 games for over 20 games
Athletic Club/Gym	4 spaces/1,000 sq ft GFA; 20 spaces/1,000 sq ft of exercise floor area; 3 spaces/outdoor ball court	.4 spaces/1,000 sq ft GFA
Bowling Alley	4 spaces/lane, and additional spaces required for restaurant and other accessory uses	1 space/33 vehicle parking spaces
Dancing	14 spaces/1,000 sq ft GFA	
Pool/Billiard Hall	2 spaces/table	1 space/5 tables
Skating Rink	14 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Recreational Facilities – Outdoor, except for the following:	1 space/each 4 persons of the facility's allowed maximum capacity, unless otherwise modified in compliance with Section 11.6.B.5 –Adjustments to Parking Requirements	
• Golf driving range, batting cage	1 space/tee, cage, or similar; and 1 space/employee at maximum shift	1 space/33 vehicle parking spaces
• Swimming pools	14 spaces/1,000 sq ft of water surface area	1 space/33 vehicle parking spaces
Industry, Manufacturing, and Processing Uses		
Handcraft Industry/ Small-Scale Manufacturing	2 spaces/1,000 sq ft GFA	None
Light Manufacturing All uses listed under "Manufacturing, Light" in Table 11-2	1.85 spaces/1,000 sq ft GFA; 4 spaces/1,000 sq ft GFA of office space, sales, or similar use where those uses exceed 10% GFA; and 1 space/1 facility vehicle Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use	1 space/33 vehicle parking spaces

Table 11-7 – Parking Requirements by Land Use (continued)

Land Use	GFA—Gross Floor Area Slover West Industrial District Vehicle Spaces (Minimum #)	Bicycle Spaces (Minimum #)
General Manufacturing All uses listed under "General Manufacturing" in Table 11-2	1.85 spaces/1,000 sq ft GFA; 4 spaces/1,000 sq ft GFA of office space, sales, or similar use where those uses exceed 10% GFA; and 1 space/1 facility vehicle Where multiple tenants and or uses occupy the same building, the parking shall be calculated based upon the floor area used by each tenant or use.	1 space/50 vehicle parking spaces
Research and Development	2 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Residential Uses		
Caretaker Housing	2 spaces in an enclosed garage	None
Retail Uses		
Alcohol Sales, Off-Site/On-Site	Same as required spaces for the underlying use (e.g., restaurant, public assembly facility, retail store, etc.), unless otherwise modified in compliance with Section 11.6.B.5 –Adjustments to Parking Requirements	
Factory/Warehouse Outlet Store	5 spaces/1,000 sq ft GFA	None
Retail Sales, General		
Not in shopping center or factory/warehouse outlet mall)	4 spaces/1,000 sq ft GFA	1 space/33 vehicle parking spaces
Shopping Center	5 spaces/1,000 sq ft GFA for the initial 10,000 sq ft; and 4 spaces/1,000 sq ft GFA for over 10,000 sq ft	1 space/33 vehicle parking spaces
Service Uses		
Animal Kennel Services	4 spaces/1,000 sq ft GFA; and 1.25 spaces/1,000 sq ft of boarding area	None
Business Support Services	4 spaces/1,000 sq ft GFA	None
Food Service:		
• Fast food restaurant with drive through, walk-in area	Indoor Seating: 13 spaces/1,000 sq ft GFA* **GFA shall not include play areas without seating.* Outdoor Seating (patio area): Less than 50% of indoor area: 6.5 spaces/1,000 sq ft 50% or more of indoor area: 13 spaces/1,000 sq ft	4 spaces
• Other restaurant	Indoor Seating: 10 spaces per 1,000 sq ft GFA Outdoor Seating (patio area): Less than 50% of indoor area:5 spaces/1,000 sq ft 50% or more of indoor area: 10 spaces/1,000 sq ft	2 spaces
Industrial Repair	2 spaces/1,000 sq ft GFA for the initial 40,000 sq ft 1.3 spaces/1,000 sq ft additional GFA greater than 40,000 sq ft 4 spaces/1,000 sq ft GFA of office space, where those uses exceed 10% of GFA OR 1 space for each employee on the maximum shift as determined by Director of Community Development	None

Table 11-7 – Parking Requirements by Land Use (continued)

Land Use	GFA—Gross Floor Area Slover West Industrial District Vehicle Spaces (Minimum #)	Bicycle Spaces (Minimum #)
Mini-Storage Facility	1.75 spaces/100 units; and 1 space/employee	None
Motor Vehicle		
Car Wash/ Detailing	1 space/employee; 1 space per wash lane	None
• Car Wash Full-Service	1 space/employee; Stacking for 5 vehicles for car wash lane Reserve spaces equal to 3 times the wash lane capacity	None
• Car Wash Self-Service	2 spaces/bay	None
• Motor Vehicle Rental, Sales, and Leases	Indoor display/sale/service = 3.3 spaces/1,000 sq ft GFA; Outdoor display/sale = .40 spaces/1,000 sq ft GFA; and 1 space/employee	None
• Service Stations		
With convenience market	5 spaces/1,000 sq ft GFA; and5spaces/service bay	1 space/10 vehicle parking spaces
Without convenience market	3.3 spaces/1,000 sq ft or 5 spaces/service bay, whichever is more; minimum of 4 spaces	None
School, Commercial	1 space/teaching and non-teaching position on maximum shift; and 1 space/2 students on maximum enrollment	1 space/33 vehicle parking spaces
School, Trucking	1 truck parking space/truck operated by or for school; 1 space/teaching and nonteaching staff member on maximum shift; 1 space/2 students on maximum enrollment additional spaces required for accessory lodging	1 space/ 4 classrooms
Vehicle Auctions	**Automobile or boat sales (new/used/auction)** 1 space/300 sq ft of indoor display, sales, or service area; 1 space/2,500 sq ft of outdoor sales or display area; and 1 space/employee **Truck sales/services (new/used/auction)** 1 space/250 sq ft of sales area; 1 space/3,000 sq ft of outdoor sales or display area; and 1 space/employee	None
Distribution, Wholesaling and Warehousing Uses		
Industrial Equipment, Materials, and Supplies, Truck, Truck Trailer Storage	2 spaces/3 employees on maximum working shift; 1 space for visitor parking on the basis of each 10 employees on maximum working shift, or a minimum of 3 spaces, whichever is greater; and 1 truck/trailer storage space/every truck to be stored	None
Logistics and Distribution Facilities (High Cube)	**Vehicle Parking:** 1 space/1,000 sq ft GFA for the first 20,000 sq ft; 1 space/2,000 sq ft for the second 20,000 sq ft; 1 space/5,000 sq ft for that portion over 40,000 sq ft. No add'l spaces if office area less than 10% GFA. Office space rate if office area over 10% GFA. **Truck and Trailer Parking:**	None

Table 11-7 – Parking Requirements by Land Use (continued)

Land Use	GFA—Gross Floor Area	
	Slover West Industrial District	
	Vehicle Spaces (Minimum #)	Bicycle Spaces (Minimum #)
	1 oversized truck space/5,000 sq ft GFA* *Truck docks shall not be included in this calculation.	
Petroleum/Hazardous Material Storage	1 space/employee on maximum shift	None
Warehousing Facilities	2 spaces/3 employees on maximum working shift; No additional spaces if office area is less than 10% GFA. Office space rate if office area over 10% GFA. Space to accommodate all trucks and other vehicles used in connection with use	None
Transportation, Communications and Infrastructure Uses		
Antennas	1 space	None
Broadcasting Offices or Studios	5 spaces/1,000 sq ft GFA	None
Recycling Facilities	1 space/employee; 1 space/facility vehicle; and Sufficient spaces to accommodate all visitors to establishment at any one time under normal operating conditions	None
Other Uses		
Drive-Through	Stacking for 7 vehicles at each bay, window, lane, ordering station, or machine	None
Outdoor Display & Sales	1 space/1,000 sq ft of outdoor merchandise areas	None
Pallet Yards	***1 space/250 sq ft of office/canopy area(s) plus 1 space for each employee on the maximum shift as determined by Director of Community Development***	***None***
Public Facilities	Per Public Agency	
Temporary Uses	Per Temporary Use Permit	

Note: Sources consulted to compile the table entries include the Municipal Code; *The Dimensions of Parking, ULI and National Parking Association, 5th Edition, 2010; Recommended Zoning Ordinance Provisions, National Parking Association, December 2006; and Parking Standards, APA Planning Advisory Service Report 510/511; November 2002.*

D. Required Number of Loading Spaces

Each land use shall provide the number of off-street loading spaces indicated in Table 11-8 Loading Space Requirements by Land Use. Requirements for uses not specifically listed shall be determined by the Director of Community Development based upon the requirements for comparable uses and upon the particular characteristics of the proposed use. For other standards (e.g., size of loading spaces, location, turning radius, etc.), refer to Article XI Off-Street Parking and Loading Standards, Division 4 Loading Area Regulations, in Municipal Code Chapter 30 Zoning and Development Code.

Table 11-8 – Loading Space Requirements by Land Use

Land Use	*Loading Spaces (Minimum #)*	*Type (1)*
Entertainment, Recreation and Public Assembly Uses		
Public Assembly Facilities	1 space; and Additional spaces as required by design review	Van
Recreational Facilities	0 - 29,999 sq ft: 1 space 30,000 - 99,999 sq ft: 2 spaces Over 100,000 sq ft: 3 spaces	Truck
Industry, Manufacturing, and Processing Uses		
Handcraft Industry/ Small-Scale Manufacturing	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck
All uses listed under "Light Manufacturing" in Table 3.3-2		
All uses listed under "General Manufacturing" in Table 3.3-2		
Research and Development		
Retail Uses		
Retail Sales, General and Factory/Warehouse Outlet Store	Up to 10,000 sq ft: 1 space	Truck
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer
Service Uses		
All uses listed under "Service Uses" in Table 3.2-2; except for the following:	Up to 10,000 sq ft: 1 space	Truck
	10,001 - 30,000 sq ft: 1 space 30,001 - 90,000 sq ft: 2 spaces Over 90,000 sq ft: 2 spaces; and 1 additional space for each additional 50,000 sq ft over the initial 90,000 sq ft	Tractor Trailer

Table 11-8 – Loading Space Requirements by Land Use (continued)

Land Use	*Loading Spaces (Minimum #)*	*Type (1)*
Industrial Repair	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Truck
Motor Vehicle		
• Motor Vehicle Rental, Sales, and Leases	1 space	Tractor Trailer
• Service Stations	1 space	Tractor Trailer
School, Commercial	1 space; and additional spaces required by design review	Van
Distribution, Wholesaling and Warehousing Uses		
Warehousing Facilities	5,000 - 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Tractor Trailer
Other Uses		
Pallet Yards	***2 spaces; and Additional spaces as determined Director of Community Development***	***Tractor Trailer***

Notes:

(1) A van loading space shall be a minimum of 12 ft wide by 19 ft long with a minimum 10 ft overhead clearance.
A truck loading space shall be a minimum of 12 ft wide by 45 ft long with a minimum 14 ft overhead clearance.
A tractor trailer loading space shall be a minimum of 12 ft wide by 70 ft long with a minimum 14 ft overhead clearance.

E. Landscaping Standards for Parking Areas

Within any parking area, one tree shall be planted for every five single-row parking stalls or 10 double-row parking stalls. Eighty percent of these shall be 15 gallons in size and the remaining 20 percent shall be 24-inch box or larger in size. If for some reason the contractor is unable to distribute trees in the interior of the parking area in compliance with these standards, the Director of Community Development may approve the placement of no more than 40 percent of the trees within the perimeter of the parking area. Planters shall not have a dimension less than four feet, excluding the thickness of the curbing. These requirements may be reduced for industrial parking areas that are screened from public view.

1. Parking areas shall contain a minimum landscape area equivalent to 30 percent of the total required 15 percent landscaping for the total site area.

2. Parking area perimeter landscaping.

    a. Parking areas for nonresidential uses abutting or adjacent to residentially zoned property shall provide a landscape strip that is a minimum of 10 feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line bordering the residentially zoned property. Parking areas shall be screened from the residentially zoned property by a solid decorative masonry wall that is a minimum of six feet in height.

b. Parking areas for nonresidential uses abutting or adjacent to non-residentially zoned property or a street shall install a landscape strip that is a minimum of five feet in width, excluding overhang, curb, and walkways, between the parking area and the common property line, or the parking area and the street right-of-way. This requirement may be reduced or modified if a joint access agreement exists that is satisfactory to the Director of Community Development. Parking areas shall be screened from streets through combinations of plant materials, earth berms, raised planters, grade separations, or low walls. Slopes shall not exceed three to one or exceed 36 inches in height measured from the parking lot surface.

c. Plant materials, walls, or structures within a traffic sight area shall not block sight lines from driveways to streets and shall not exceed 36 inches in height.

d. End of aisle spaces adjacent to landscape finger shall be two feet wider for step out area.

3. Parking area interior landscaping.

a. Tree number and location. One tree shall be provided for each four parking spaces and shall be evenly spaced throughout the interior parking area at a rate of one tree for every eight parking spaces. See Exhibit 11-4 – Parking Lot Landscaping. The required number of trees in the interior area shall not include trees required around the parking area perimeter. Trees are not required for tractor-trailer parking. A minimum of one cluster of trees shall be provided for each 100 feet of a row or double row of parking spaces. Trees shall be located in planters that are bounded on at least two sides by parking area paving. Planters shall have a minimum exterior dimension of five feet.

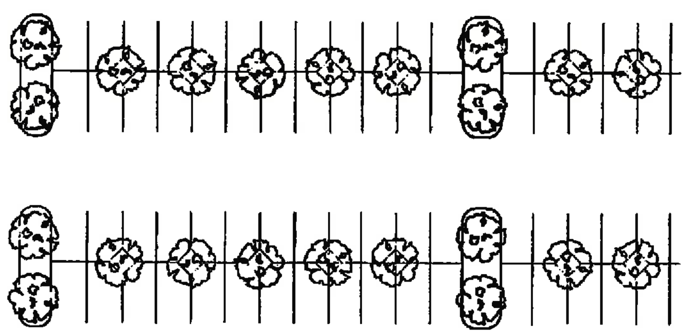


Exhibit 11-4 – Parking Lot Landscaping.

b. Tree size. All trees within the parking area shall be a minimum 24-inch box container at time of planting.

c. Landscape protection. Landscaping shall be protected by concrete curbs of at least six inches in height. An end-of-aisle planter shall be provided at the ends of all parking aisles. Finger aisle planters shall be a minimum of nine feet wide and end-of-aisle planters shall be a minimum of seven feet wide, as measured from the

inside of the curb. The parking space side of finger and end-of-aisle planters shall have a 24-inch wide concrete surface measured from the face of the curb. Planters shall be landscaped with a mixture of trees, shrubs, and ground cover. Planting areas shall have round corners instead of 90 degree corners and shall be shaped to allow vehicle movements. The Director of Community Development may approve alternative barriers designed to protect landscaped areas from vehicle damage. Wheel stops may be placed to allow for two feet of vehicle overhang area within the dimension of the parking space. To increase the parking lot landscaped area, a maximum of two feet of the parking stall depth may be landscaped with low-growth, hardy materials in-lieu of paving, allowing a bumper overhang while maintaining the required parking dimensions. However, the overhang area shall not be counted as part of the minimum landscape area required by paragraph (1) above, and when adjacent to a required landscaping strip shall be in addition to the minimum required width. Fixtures (e.g., lights, sprinklers) that are higher than the curb are prohibited within a bumper overhang area. Curbing that creates a bumper overhang barrier shall not exceed a height of five inches.

d. Parking areas with more than 100 spaces shall provide an appropriate entry feature consisting of a concentration of landscape elements, including trees, flowering plants, enhanced paving, and project identification.

4. Parking structures. A landscaping strip 10 feet wide shall be provided on all sides of a parking structure. One tree shall be provided for each 20 to 40 feet of perimeter of the structure, based on species selected. These trees shall be distributed evenly throughout the subject landscape area.

5. ***Pallet Yards are exempt from providing landscaping in the internal area (wall perimeter, parking, area, storage area, etc.) enclosed by the required screen walls. Refer to Section 11.4l Pallet Yards for regulations and standards.***

Southwest Industrial Park Specific Plan
Appendix A – Definitions

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This Appendix provides definitions of terms and phrases used in this Specific Plan that are technical or specialized or that may not reflect common usage. If any of the definitions in this Appendix conflict with definitions in other provisions of the Municipal Code, these definitions shall control for the purposes of administering this SWIP Specific Plan. If a word is not defined in this Appendix or in the Municipal Code, the Director of Community Development shall determine the most appropriate definition in compliance with this Specific Plan.

- **Abutting.** Having lot lines or zone boundaries in common.

- **Accessory Building.** See Municipal Code Section 30-11 (List of Definitions). A building detached from the main building or structure on the same lot, the use of which is incidental and subordinate to the main building or structure.

- **Adjacent.** The condition of being near to, or close to, but not having a common boundary or dividing line. Properties that are separated by a public access easement, alley, public or private right-of-way, street (other than arterial highways or commuter roadways identified in the Circulation Element), or by a creek, river, stream, or other natural or artificial waterway shall be considered as adjacent to one another.

- **Adult Business.** See Municipal Code Section 30-11 (List of Definitions) and Municipal Code Chapter 15, Article XVIII (Adult-Oriented Business Regulations).

- **Alcohol Sales.**

  1. **Off-Site.** An establishment that sells, serves, or gives away alcoholic beverages for consumption off the premises and that is applying for or has obtained any ABC License for off-site consumption.

  2. **On-Site.** An establishment that sells, serves, or gives away alcoholic beverages for consumption on the premises and that is applying for or has obtained any ABC License for on-site consumption.

- **Ancillary Parking Facilities.** A place for the parking of operational and street legal motor vehicles on a temporary basis within an off-street parking area, including institutional, private, and public parking structures that accommodate temporary or transitional parking. Includes parking areas that serve uses with limited turnover during a normal working weekday (e.g., parking for mass transit systems, employee-type parking, etc.).

- **Animal Kennel Services.** An establishments in which four or more animals that are at least four months of age are kept, boarded, bred, trained, or sold.

- **Antenna.** Any system of wires, poles, rods, towers, whips, reflecting discs, or similar devices used for transmission or reception of electromagnetic waves. Includes all satellite dish antennae, as well as any and all antenna structures used for the reception of television, radio waves, and microwaves. See Municipal Code Chapter 32 (Wireless Telecommunications Towers and Antennas).

- **ATM (Automated Teller Machine).** An automated device used by the public to conduct banking and financial transactions electronically (i.e., withdrawing cash from, or depositing cash or checks into, a bank, savings, credit union, credit card or similar account). Does not apply to retail point-of-sale transactions within a fully enclosed structure.

- **Auction.** See "Vehicle Auction."

- **Bar, Lounge, or Nightclub.** An establishment that sells or serves alcoholic beverages for consumption on the premises and is holding or applying for a public premise license from the California State Department of Alcoholic Beverage Control (ABC) (i.e., ABC License Type 42 [On Sale Beer & Wine-Public Premises], ABC License Type 48 [On Sale General-Public Premises], and ABC License Type 61 [On Sale Beer-Public Premises]). Persons under 21 years of age are not allowed to enter and remain on the premises. The establishment shall include any immediately adjacent area that is owned, leased, rented, or controlled by the licensee.

- **Broadcasting Office or Studio.** Commercial and public communications facilities, including radio and television broadcasting and receiving stations and studios, with facilities entirely enclosed within buildings.

- **Bulkhead.** A horizontal or inclined outside door over a stairway leading to a cellar.

- **Business Support Services.** Establishments that primarily render services rather than selling goods. Services may include copy shops, printing services, engraving, package and postal services, photo processing, janitorial services, and similar operations.

- **Caretaker Housing.** A permanent residence on the site of a nonresidential use. The residence is secondary or accessory to the principal nonresidential use of the site and houses a caretaker employed for security purposes or to provide 24-hour care or monitoring of people, plants, animals, equipment, or other conditions on the site.

- **Car Wash/Detailing.** An establishment engaged in the washing, waxing, or cleaning of automobiles or similar light-duty vehicles. Includes either of the following:

  1. **Full Service.** A car wash establishment where operating functions are performed entirely by an operator/owner with the use of washing, waxing, and drying equipment supplemented with manual detailing by the operator/owner.

  2. **Self Service or Accessory.** An establishment where washing, drying, polishing, or vacuuming of an automobile is done by the car driver or occupant.

- **Catering Service.** An establishment that prepares and delivers food and beverages for off-site consumption.

- **Commercial Use.** Activity involving the sale of goods or services carried out for profit.

- **Consumer Recycling Facility.** A facility where recyclable and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes, aluminum collection centers, and paper, bottle, can, newspaper, and glass recycling centers. Consumer Recycling Facilities does not include the following:
  - auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).
  - Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.
  - Other waste collection or any similar activities as described in Section 562119 of the NAICS.
  - Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.
  - Waste Treatment and Disposal or any similar activities as defined in Section 56221 of the NAICS; and
  - Hazardous Waste Collection or any similar activities as defined in Section 562112 of the NAICS.
- **Drive-Through Facility.** An establishment that provides goods or services accessible to persons who remain in their motor vehicles.
- **Dwelling, Single-Family Attached.** A building or portion thereof used and/or designed as one dwelling unit, located on a single lot, and constructed with one or two common walls with a single-family unit on another lot.
- **Dwelling, Single-Family Detached.** A building used for one dwelling unit, located on a single lot, and separated from any other dwelling unit.
- **Dwelling Unit, Second.** See "Second Dwelling Unit."
- **Factory/Warehouse Outlet Store.** A retail establishment in which a manufacturer sells its stock directly to the public through its own brand-name store.
- **Financial Facility.** An establishment that provides for the custody, loan, or exchange of money and for the extension of credit.
- **Flex-Tech Multi-Use Facility.** A type of development designed and intended to allow a combination of office, research and development, retail sales, and/or industrial, warehouse, and distribution uses with flexibility to shift between different uses. Flex-tech multi-use development typically provides office or sales space on the front side of a building and "flex areas" on the back side with tall interior clear ceiling heights that typically range from 16 to 26 feet. Flex areas are used for additional offices and sales space and/or research and development, warehousing, distribution, light manufacturing, and high-tech operations. A facility will house tenants in separate suites and will provide a wide variety of features (e.g., storage space of a warehouse; utilities infrastructure for call centers or data centers; superior exterior finish and environmental controls for a

retail store; etc.). See Exhibit A-1 Sectional View of Two-Story Flex-Tech Multi-Use Facility.

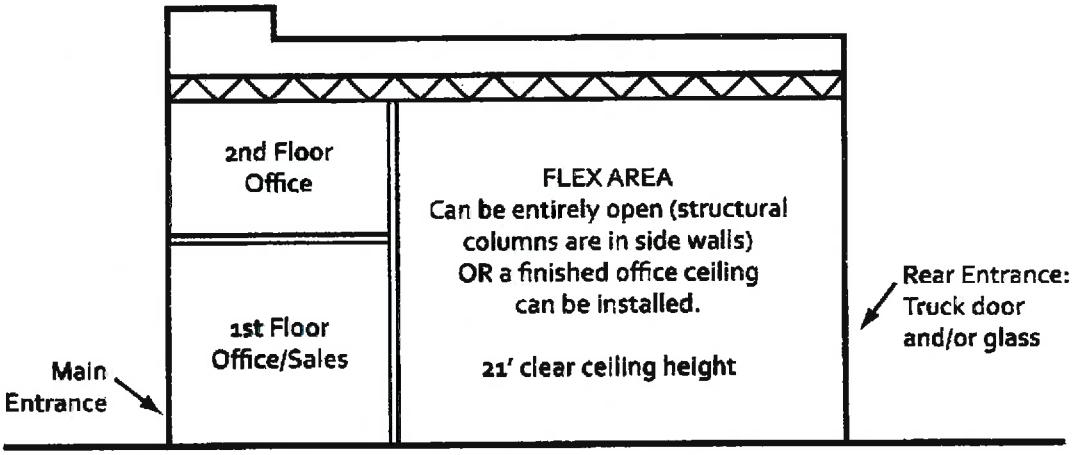

Exhibit A-1 – Sectional View of Two-Story Flex-Tech Multi-Use Facility

- **Food Service.**

  1. **Outdoor Dining.** An outdoor dining area contiguous and accessory to a restaurant.

  2. **Restaurant.** A commercial establishment where food and beverages are prepared, and may be served and consumed on or off the premises. Includes fast food restaurants, take-out restaurants, and full-service restaurants.

- **Granny Housing.** See Municipal Code Section 30-11 (List of Definitions). A dwelling unit to be constructed, or which is attached or detached from, a primary residence on a parcel zoned for a single-family residence, if the dwelling unit is intended for the sole occupancy of one adult or two adult persons who are 55 years of age or over, and the area of floor space of the attached dwelling unit does not exceed 30 percent of the existing living area or the area of the floor space of the detached dwelling unit does not exceed 1,200 square feet.

- **Handcraft Industries, Small-Scale Manufacturing.** Establishments that manufacture and/or assemble small products primarily by hand, including jewelry, pottery, and other ceramics, as well as small glass and metal art and craft products. Also includes manufacturing establishments not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists materials; sporting and athletic goods; toys; professional, controlling, and scientific instruments; monuments and headstones; and other miscellaneous manufacturing industries.

- **High Cube Warehousing/Distribution Center.** See "Warehousing/Distribution Center, High Cube."

- **Home Occupations.** Any accessory activity carried out for gain which is conducted within a dwelling unit incidental to the residential use of the dwelling unit and does not adversely affect the uses permitted in the district of which it is a part, and which is not a medical marijuana dispensary. No products may be sold nor signs displayed other than those permitted, no persons are employed other than occupants of the residence, and no mechanical equipment may be used other than that necessary or convenient for domestic purposes.

- **Hotel.** A building in which there are six or more guest rooms where lodging with or without meals is provided for compensation, and where no provision is made for cooking in any individual room or suite. Access to the guest facilities shall be through a main lobby so as to monitor and control the actual use of the facility by patrons.

- **Industrial Equipment, Materials Storage.** Any land or buildings used for the storage of equipment, vehicles, trucks, truck trailers, containers and tanks, machinery (new or used), and raw or finished building materials used by the owner or occupant of the premises in the conduct of any building trade, industrial, manufacturing, or distribution activities.

- **Industrial Repair.** A service facility where various types of electrical, electronic, and mechanical equipment, and appliances and machines are repaired and/or maintained away from the site of the equipment owner. Includes motor vehicle services such as heavy and light repair, part replacement, maintenance, custom repair, painting, and body work.

- **Industrial Use.** Those fields of economic activity including construction; manufacturing; transportation, communication, electric, gas, and sanitary services; and wholesale trade.

- **Logistics and Distribution Facility.** Warehouse/distribution facilities used for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) before their distribution to retail locations or other warehouses. Warehouse/distribution centers are generally greater than 100,000 square feet in size, with a land coverage ratio of approximately 50 to 80 percent, and a dock-high loading door ratio of approximately 1:5,000 – 10,000 square feet. They are characterized by a small employment count due to a high level of automation; significant movement and storage of products, materials, or equipment; truck activities frequently outside of the peak hour of the adjacent street system; and good freeway access, including:

  - Freight Yards/Forwarding Terminals
  - High Cube Distribution Centers
  - Moving Agencies
  - Parcel Delivery Terminals
  - Railroad Freight Stations
  - Shipping/Receiving Yards
  - Truck Terminals

- **Lot Consolidation.** A legal action in which a lot line is abandoned, a lot line is adjusted, lots are merged, or other equivalent action is taken, for the purpose of allowing a

structure or development to be built so that it extends over what were previously two or more separate lots.

- **Manufacturing.** Establishments that convert substances, components, or raw materials to a product through mechanical, physical, or chemical processes.

- **Light Manufacturing.** Establishments that assemble, fabricate, and convert already processed raw materials into products and whose operation may create limited impacts on surrounding land uses. Includes:

  1. **Appliance Manufacturing.** Establishments that manufacture small portable appliances, devices, or instruments used for domestic functions (e.g., vacuum cleaners, televisions, toasters, hairdryers, mixers, fans, radios, food processors, sewing machines, etc.) and large non-portable appliances used for domestic functions (e.g., washers, dryers, refrigerators, freezers, stoves, etc.).

  2. **Electronics and Equipment Manufacturing.** Establishments that manufacture machinery, apparatus, and supplies for the generation, storage, transmission, transformation, and use of electrical energy. May include the assembly of manufactured parts.

  3. **Furniture and Fixture Manufacturing.** Establishments that produce wood and metal products: household furniture; bedsprings and mattresses; all types of office furniture, partitions, shelving, lockers, and store furniture; and miscellaneous drapery hardware, window blinds, and shades. Includes wood and cabinet shops and sign shops.

  4. **Glass Product Fabrication.** Establishments that make glass products from purchased glass.

  5. **Machinery Manufacturing.** Establishments that make or process raw materials into finished machines or parts for machines.

  6. **Paper Product Manufacturing.** Establishments that convert paper or paperboard without manufacturing the paper, pulp, or paperboard. Includes envelope manufacturing, converted paper products, paper coating and glazing, paper bags, assembly of paperboard boxes, wallpaper, etc.

  7. **Product Assembly and Distribution.** Establishments that assemble small products and electronic equipment from parts manufactured elsewhere. Includes computers, telephones, and automobiles; office and store machines and devices; service industry and household machines.

- **General Manufacturing.** Establishments that convert raw materials into a product and whose intensive nature and scale of operation that may have an impact on surrounding land uses. Includes:

1. **Chemical Product Manufacturing.** Establishments that manufacture basic organic and inorganic chemical products (e.g., synthetic dyes and pigments; soaps and cleaning compounds; fertilizer materials; insecticidal, herbicidal, fungicidal and pesticidal preparations; photographic chemicals, etc.).

2. **Concrete, Gypsum, and Plaster Product Manufacturing.** Establishments that produce bulk concrete, concrete building block, brick, and all types of pre-cast and pre-fab concrete products. Also includes the manufacture of gypsum products, including plasterboard.

3. **Food Products Manufacturing.** Establishments that can, cure, and process raw agricultural and seafood products, and convert raw agricultural and seafood products to finished food products. Includes: meat, poultry, and seafood canning, curing, byproduct processing; fish canning and curing, meat products, sauerkraut, vinegar, yeast, rendering or refining of fats and oils, and sugar processing; and miscellaneous food items prepared from raw products.

4. **Glass Product Manufacturing.** Establishments that manufacture glass and/or glass products by melting silica sand or cullet, including the production of flat glass and other glass products that are pressed, blown, or shaped from glass produced in the same establishment.

5. **Plastics, Synthetics, and Rubber Product Manufacturing.** Establishments that manufacture rubber products including: rubber footwear, mechanical rubber goods, heels and soles, flooring, and other rubber products from natural, synthetic, or reclaimed rubber. Also includes establishments that make products from recycled or reclaimed plastics or styrofoam; mold primary plastics for other manufacturers; manufacture miscellaneous finished plastics products, fiberglass, and fiberglass application services.

6. **Pulp and Pulp Product Industries.** Establishments that manufacture pulp, paper, or paperboard. Includes pulp, paper, and paperboard mills.

7. **Stone and Cut Stone Product Manufacturing.** Establishments that cut, shape, and finish marble, granite, slate, and other stone for construction and miscellaneous uses.

8. **Structural Clay and Pottery Product Manufacturing.** Establishments that produce brick and structural clay products, including pipe, china plumbing fixtures, and vitreous china articles, fine earthenware, and porcelain products.

9. **Textile and Leather Product Manufacturing.** Establishments that transform basic fibers (natural or synthetic) into a product, including yarn or fabric, that can be further manufactured into usable items (apparel, lace, carpets, curtains, upholstery, thread, twine, cordage, etc.) and industries that transform hides into leather by tanning or curing.

10. **Transportation Product Assembly.** Establishments that manufacture or assemble complete equipment for transporting people and goods. Includes: passenger automobiles, trucks, commercial motor vehicles and buses, and special-purpose motor vehicles; chassis or passenger car bodies; boat building and repairing; aircraft manufacturing; motorcycles, bicycles, and parts.

- **Mini-Storage Facility.** A structure or group of structures where individual storage spaces are leased to individuals, organizations, or businesses for self-service storage of personal property, goods, and wares.

- **Motel.** An establishment providing temporary accommodations containing six or more rooms some of which have direct access to the parking areas without the necessity of passing through the main lobby of the building.

- **Motor Vehicle Rentals, Sales, and Leases.** Establishments that sell, rent, or lease new and used passenger automobiles, panel trucks or vans, trailers, and recreational vehicles (RVs). Minor maintenance may be an allowed accessory use. Does not include truck sales ("Truck Sales").

- **Nightclubs, taverns, bars.** a use providing preparation and retail sale for on-site consumption of alcoholic beverages, as licensed by the Alcoholic Beverage Control, and may offer facilities for dancing or performing floor shows.

- **Non-Consumer Recycling Facility.** A facility where recyclable and other discarded materials are sorted, cleaned, treated or reconstituted for the purpose of using the altered form. Includes all activities as defined in "Consumer Recycling Facility", and the following:
    - auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap as identified in Section 423930 of the North American Industry Classification System (NAICS).
    - Solid Waste Collection or any similar activities as described in Section 562111 of the NAICS.
    - Other waste collection or any similar activities as described in Section 562119 of the NAICS.
    - Materials Recovery Facilities or any similar activities as described in Section 562920 of the NAICS.

- **Offices.** A building with a group of rooms used by a business, corporate headquarters, professional, organization, service industry, or government to provide executive, management, administrative, financial services, or medical services.

- **Open Space/Park.** A designated area for passive, active, recreational, or leisure uses.

- **Outdoor Dining.** See "Food Services."

- **Outdoor Display and Sales.** The temporary or permanent outdoor display of merchandise incidental to an adjacent primary use. Does not include the sale of motor vehicles, mobile

homes, boats, and recreational vehicles, or building or landscaping materials. Outdoor displays shall comply with the standards in the Fontana Municipal Code Section 30.88 et seq. (Temporary Uses) for temporary sales and displays.

- ***Pallet. A portable platform for handling, storing, or moving materials and packages.***

- ***Pallet Yard. An opened yard that stores, sells, repairs, refurbishes, and/or manufactures pallets.***

- **Parking Structure.** A structure with one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade with those levels being either open or enclosed. See also "Ancillary Parking Facility."

- **Personal Services.** An establishment that offers specialized goods and services purchased frequently by the consumer, including:

  - Acupuncture
  - Carpet Cleaning
  - Chiropractic clinics
  - Cosmetic Procedures (e.g., laser hair removal, tattoo removal, botox injections, etc.)
  - Dry Cleaning
  - Key Making
  - Health Clubs
  - Laundromats
  - Laundry cleaning, pressing, and dyeing
  - Shoe repair
  - Steam Cleaning
  - Tailors and Seamstresses
  - Tanning Salons
  - Tattoo Services and Body Piercing
  - Studios

- **Petroleum/Hazardous Materials Storage.** Any land or buildings used for the storage of fuel, flammable liquids, or other hazardous materials and chemicals used by the owner or occupant of the premises in the conduct of any building trade, industrial, manufacturing, or distribution activities.

- **Public Assembly Facility.** A facility designed to accommodate groups of people for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-site consumption. May include cultural facilities (e.g., libraries, museums, art galleries, etc.) and places of worship.

- **Public Facility.** A facility that provides a needed service that contributes to the general public welfare, including:

  - Cogeneration Facilities
  - Drainage Ways/Structures
  - Electric Substations
  - Equipment
  - Power Stations
  - Pumping Stations
  - Transmission Lines
  - Water Reservoirs
  - Police, Fire and Emergency Service Stations

- Transportation and Dispatch Facility
- Library
- School

- **Recreational Facility.** A commercial establishment where tickets are sold or fees are collected for the sole purpose of providing the general public with an indoor and/or outdoor area for participating in amusing or entertaining activities, including:

  - Arcade
  - Batting Cage
  - BMX Facility
  - Bowling Alley
  - Bungee Jumping
  - Go-Carting
  - Miniature Golf
  - Motorized Rides (i.e., rollercoasters or ferris wheels)
  - Movie Theater
  - Paintball
  - Rock Climbing
  - Skate Park
  - Skating Rink
  - Tracks, water areas, flight areas for radio-controlled cars, trucks, planes, boats, helicopters
  - Water Rides and Slides

- **Recreation Vehicle (RV).** A moveable vehicular structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreational, camping and travel use. Recreational vehicles include but are not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

- **Recycling Facility**. See Consumer Recycling Facility and Non-Consumer Recycling Facility.

- **Registered Vehicle Storage.** Registered Vehicle Storage means an off-street, ground level open area that allows parking for the purpose of storage of vehicles, including but not limited to, truck, truck-trailer, buses, boats, construction equipment, recreational vehicles, and automobile storage. These vehicles are to be stored and are not for sale, rental, or leasing. Maintenance or vehicle repair is not permitted at the premises unless otherwise separately allowed and approved under a separate conditional use permit.

- **Research and Development.** Establishments engaged in industrial or scientific research, including product testing. Includes electronic research firms or pharmaceutical research laboratories. Excludes manufacturing, except of prototypes, and medical testing and analysis.

- **Restaurant.** See "Food Services."

- **Retail Sales, General.** Any retail establishment that specializes in the on-site indoor sales of newly finished, dated, or restored goods to consumers, including:

  - Appliances
  - Automotive Supply Stores
  - Bakeries (retail only)
  - Carpeting and Floor Covering
  - Clothing and Accessories
  - Convenience Stores
  - Delicatessens
  - Drug and Discount Stores
  - Electrical Supplies
  - Electronic Equipment
  - Floor Covering Stores
  - Florists and Houseplant Stores

- Furniture Stores
- Garden Furniture and Supply Stores
- Glass or Mirror Stores
- Grocery Stores
- Hardware Stores
- Home Furnishings
- Jewelry Stores
- Leather Goods
- Locksmith Establishments
- Luggage and Leather Goods
- Medical Supplies and Equipment
- Mini Warehouses
- Motor Vehicle Parts Stores
- Office Supplies
- Paint and Wallpaper
- Pharmacies
- Plumbing Supplies
- Sporting Goods and Equipment
- Travel Services

- **School, Commercial.** A business, secretarial, or vocational school offering specialized trade and commercial courses. May include facilities, institutions, and conference centers that offer specialized programs in personal growth and development (e.g., arts, communications, environmental awareness, fitness, and management, etc.) and the following specialized schools:

  - Art Schools
  - Business Schools
  - Computers Schools
  - Dance Schools
  - Drama Schools
  - Driver Education Schools
  - Electronics Schools
  - Establishments Providing Courses by Mail or Internet
  - Gymnastics Training Facilities
  - Language Schools
  - Music Schools
  - Photography Schools
  - Religious Ministry Training Facilities
  - Secretarial Schools
  - Seminaries
  - Tutoring Centers
  - Vocational Schools

- **School, Trucking.** A trade school that provides an education in the operation of a tractor-trailer, 18-wheeler, semi, big rig, or similar truck. May include classroom instruction and on-the-job training and sleeping quarters. Truck driving schools may be operated by trucking companies.

- **Second Dwelling Unit.** An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. Includes permanent areas for living, sleeping, eating, cooking, and sanitation on the same parcel on which the single-family dwelling is situated.

- **Service.** An act, or any results of useful labor, which does not in itself produce a tangible commodity.

- **Service Establishment.** An establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.

- **Service Station.** An establishment engaged in the retail sale of gasoline, diesel, and alternative fuel, lubricants, parts, and accessories. May include incidental "minor" maintenance and repair of automobiles, light trucks, vans, or similar size vehicles.

- **Shopping Center.** A group of multi-tenant architecturally unified commercial retail establishments built on a parcel that is planned, developed, and managed as a single operating unit.

- **Sign.** Any card, cloth, plastic, paper, metal or other material or painted character visible from outside of a structure for advertising purposes, mounted to the ground or any tree, building, wall, bush, rock, fence or structure, whether privately or publicly owned. Sign means any graphic announcement, declaration, demonstration, display, illustration, insignia or object used to advertise or promote the interest of any person or business when the sign is placed out-of-doors in view of the general public. Each chapter for each land use district in this Specific Plan has a section entitled "Sign Standards" that provides definitions and illustrations of specific sign types. Related definitions are as follows:

  1. Animation. More than one change in a sign's message or lighting within a single 24-hour period.

  2. Exposed Incandescent Bulb Illumination. The illumination of a sign by incandescent bulbs that are mounted directly to the face of a sign.

  3. Exposed Neon Tube Illumination. The illumination of a sign by neon tubes that are mounted directly to the fact of a sign.

  4. External Illumination. The illumination of a sign by projecting light on to the face of the sign from a light source located outside of the sign, such as "gooseneck" lamps.

  5. Frontage. The length of a lot along a street or other principal public thoroughfare, but not including such length along an alley, railroad or freeway.

  6. Halo Illumination. The illumination of a sign by projecting light behind an opaque letter or emblem that results in the appearance of a ring of light around the unilluminated letter or emblem.

  7. Internal Illumination. The illumination of a sign by projecting light on a translucent panel from a light source located inside of an enclosed sign cabinet.

  8. Linear Frontage Ratio. The ratio of sign area to linear foot of building frontage. The Linear Frontage Ratio is one and one-half (1.5) square feet of total sign area is allowed for each linear foot of building frontage ("Building Frontage").

  9. Transom. A crosspiece that separates a door from a window or fanlight (known as transom window or transom light) above it.

- **Sign Area.** The entire area within a single continuous perimeter composed of squares or rectangles that enclose the extreme limits or writing, representation, emblem, or any figure of similar character, with any frame, background area of sign, structural trim, or other material or color forming an integral part of the display or used to differentiate such signs from the background against which it is placed. If a sign is designed with more than one exterior surface, the area shall be computed as including only the maximum single display surface that is visible

from any ground position at one time. The supports or uprights on which any such sign is supported shall not be included in determining the sign area unless such supports or uprights are designed in such a manner as to form an integral background of the display.

- **Specialty/Antique Automotive Sales.** An establishment that sells rare cars, exotic cars, collector cars, muscle cars, antique cars, vintage cars, classic cars, or similar specialty cars. May also include a vehicle restoration facility intended to restore a car to its original condition.

- **Street Frontage.** The lineal length of that portion of a lot abutting a street.

- **Temporary Uses.** A use established for a fixed period of time with the intent to discontinue the use upon the expiration of the time period. See Division 14 (Temporary Use) in Municipal Code Chapter 30 (Zoning and Development Code).

- **Truck.** Any heavy duty vehicle exceeding a gross vehicle weight rating of 18,500 pounds or any truck-tractor or semi-trailer.

  Trailer. A trailer used in conjunction with a truck-tractor and designed so that a considerable part of its own weight or that of its load rests upon and is carried or drawn by the truck tractor.

  Truck-Tractor. A motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load drawn.

- **Truck Sales, Rentals, and/or Leasing.** Establishments that sell, rent, or lease new and used heavy-duty trucks. Minor maintenance is an allowed accessory use. Does not include car, van, and recreational vehicle (RV) sales ("Motor Vehicle Rentals, Sales, and Leases").

- **Truck Stop.** A facility located in close proximity to a freeway or other limited access highway that provides specialized services to the trucking industry, which may include fueling stations, restrooms, parking areas, convenience stores, showers, internet services, maintenance facilities, vehicle wash services, and on-site or adjacent motels.

- **Truck/Trailer Storage.** The short-term or long-term parking or storage, outside an enclosed building, of trucks and truck trailers that are in usable condition, that are not specifically displayed as merchandise or offered for sale, and that are subordinate and ancillary to a permitted or conditionally permitted use on the same site.

- **Truck Uses.** Oversize vehicles, including recreational vehicles, commercial vehicles exceeding a manufacturer's gross vehicle weight rating of 10,000 pounds, and tractor trailer trucks. See Section 13.6.D. Oversize Vehicle Parking.

- **Vehicle Auction.** A place where automobiles and/or recreational vehicles are offered for wholesale to persons/businesses bidding on the automobiles or recreational vehicles in competition with each other. In conjunction with the auction facility, ancillary uses may include: eating establishments, Department of Motor Vehicles (DMV) services, financing services, vehicle repair, painting, detailing and off-site storage for vehicles waiting to be auctioned at the facility.

- **Warehousing Facility.** The use of a building primarily for the storage of goods of any type, excluding bulk storage of materials which are flammable or explosive or which create hazardous or commonly recognized offensive conditions.

- **Warehousing/Distribution Center, High Cube.** A warehouse/distribution center greater than 200,000 square feet in size with a typical ceiling height of at least 28 feet, employing a high level of automation, and used primarily for distribution to other warehouses. A warehousing use engaged primarily in receipt and distribution of goods, products, supplies etc., with incidental storage and typically identified with a quick turnaround of goods. Excludes bulk storage of materials, which are flammable or explosive or create hazardous or commonly recognized offensive conditions.

- **Warehousing Retail.** A use primarily engaged in the selling of any type of goods directly to the ultimate consumer. Includes incidental wholesaling and storage of goods, but excludes bulk storage of materials which are flammable or explosive or which create hazardous or commonly recognized offensive conditions.

- **Warehousing, Wholesale.** Establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers, industrial, commercial, institutional, or professional business users, other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

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Agent Delivery Events	**Status**	**Timestamp**
Intermediary Delivery Events	**Status**	**Timestamp**
Certified Delivery Events	**Status**	**Timestamp**
Carbon Copy Events	**Status**	**Timestamp**

CITY COUNCIL
ORDINANCE NO. 1761 CC MEETING DATE: 02/28/2017 AMENDMENT NO. 6

Carbon Copy Events	Status	Timestamp
Kathy Kasinger kkasinger@fontana.org Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign ID:	COPIED	Sent: 3/31/2017 8:04:29 AM Viewed: 4/3/2017 7:55:02 AM
Jesse Raymundo jraymundo@fontana.org Security Level: Email, Account Authentication (None) Electronic Record and Signature Disclosure: Not Offered via DocuSign ID:	COPIED	Sent: 3/31/2017 8:04:30 AM

Notary Events		Timestamp

Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	3/31/2017 8:04:30 AM
Signing Complete	Security Checked	3/31/2017 8:04:30 AM
Completed	Security Checked	3/31/2017 8:04:30 AM

Payment Events	Status	Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

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You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: ctejeda@fontana.org

To advise City of Fontana of your new e-mail address
To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at ctejeda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..
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To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically
To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.
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- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.

CITY COUNCIL
ORDINANCE NO. 1761 CC MEETING DATE: 02/28/2017 AMENDMENT NO. 6

TO: HERALD NEWS

EMAIL: LEGALS@FONTANAHERALDNEWS.COM

FROM: FONTANA CITY CLERK'S DEPARTMENT

DATE: FEBRUARY 29, 2017

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. 1761

PUBLISH ONE TIME ONLY ON OR BEFORE MARCH 10, 2017. ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. 1761

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on February 28, 2017 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of **Ordinance No. 1761**, an Ordinance of the City Council of the City of Fontana, approving an Ordinance adopting the pallet yard EIR Addendum to the Certified Final Environmental Impact Report (SCH NO. 2009091086) for the Southwest Industrial Park Specific Plan (SWIP) and Annexation Project and approving Specific Plan Amendment No. 16-001 to regulate and include development standards for pallet yards and require asphalt/concrete paving throughout SWIP; and, that the reading of the tittle constitutes the first reading thereof.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Tonia Lewis
City Clerk

P.O. #800496

CITY COUNCIL
ORDINANCE NO. 1761 CC MEETING DATE: 02/28/2017 AMENDMENT NO. 6

TO: HERALD NEWS

EMAIL: LEGALS@FONTANAHERALDNEWS.COM

FROM: FONTANA CITY CLERK'S DEPARTMENT

DATE: MARCH 15, 2017

PUBLICATION OF SUMMARY OF APPROVED ORDINANCE NO. 1761

PUBLISH ONE TIME ONLY ON OR BEFORE MARCH 24, 2017. ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF APPROVED ORDINANCE NO. 1761

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on March 14, 2017 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted **Ordinance No. 1761,** an Ordinance of the City Council of the City of Fontana, approving an Ordinance adopting the pallet yard EIR Addendum to the Certified Final Environmental Impact Report (SCH NO. 2009091086) for the Southwest Industrial Park Specific Plan (SWIP) and Annexation Project and approving Specific Plan Amendment No. 16-001 to regulate and include development standards for pallet yards and require asphalt/concrete paving throughout SWIP.

A certified copy of the full text of the ordinance is available in the office of the City Clerk of the City of Fontana, 8353 Sierra Avenue, Fontana, California 92335.

CITY COUNCIL OF THE CITY OF FONTANA
Acquanetta Warren, Mayor

Tonia Lewis
City Clerk

P.O. #800496