

ORDINANCE NO. 1764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA, APPROVING SPECIFIC PLAN AMENDMENT NO. 17-001 TO ESTABLISH AN OVERLAY DISTRICT FOR A PORTION OF THE FREEWAY INDUSTRIAL/COMMERCIAL DISTRICT (FID) AND SPEEDWAY INDUSTRIAL DISTRICT (SID) WITHIN THE SOUTHWEST INDUSTRIAL PARK (SWIP) SPECIFIC PLAN TO INCLUDE THE AREA OF LAND GENERALLY LOCATED SOUTH OF VALLEY BOULEVARD, WEST OF BEECH AVENUE, NORTH OF THE I-10 AND EAST OF HEMLOCK AVENUE AND THE PARCEL ON THE SOUTHEAST CORNER OF VALLEY BOULEVARD AND CHERRY AVENUE (APN: 0234-221-02), AND A REQUEST TO AMEND CHAPTER 6 (FREEWAY INDUSTRIAL/COMMERCIAL DISTRICT) AND CHAPTER 12 (SPEEDWAY INDUSTRIAL DISTRICT) OF THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN TO INCLUDE TEXT TO ESTABLISH THE BUSINESS PARK AND WAREHOUSING DISTRIBUTION OVERLAY DISTRICT – VALLEY BOULEVARD.

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

Section 1. On February 21, 2017, the Planning Commission duly conducted a noticed public hearing on Specific Plan Amendment No. 17-001, received testimony and information from any and all parties, and recommended its approval to the City Council by resolution.

Section 2. After the publication of the public hearing notice as required by law, the Planning Commission and City Council of the City of Fontana, California conducted a public hearing on Specific Plan Amendment No. 17-001.

Section 3. Based on the information presented to the City Council at the public hearing held for Specific Plan Amendment No. 17-001, on March 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.

Section 4. Based on the information contained in the Initial Study (Environmental Checklist) prepared for Specific Plan Amendment No. 17-001, an Initial Study and Negative Declaration have been prepared and circulated for the project and have been submitted and a Negative Declaration is recommended for adoption by the City Council.

Section 5. Specific Plan Amendment No. 17-001 is hereby approved and the Business Park & Warehousing Distribution Overlay District is hereby established for the area located south of Valley Boulevard, west of Beech Avenue, north of the I-10 Freeway and east of Hemlock Avenue and the parcel (APN: 0234-221-02) on the southeast corner of Valley Boulevard and Cherry Avenue as shown in Exhibit "A", and the Southwest Industrial Park Specific Plan is amended to include the text indicated in Exhibit "B", attached hereto and by this reference incorporated.

Section 6. 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 Herald News, 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 11th day of April, 2017.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:

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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 March, 2017, and was finally passed and adopted not less than five days thereafter on the 11th day of April, 2017, by the following vote to wit:

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

NOES:

ABSENT:

ABSTAIN:

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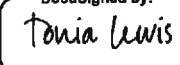
City Clerk of the City of Fontana

DocuSigned by:

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Mayor of the City of Fontana

ATTEST:

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City Clerk

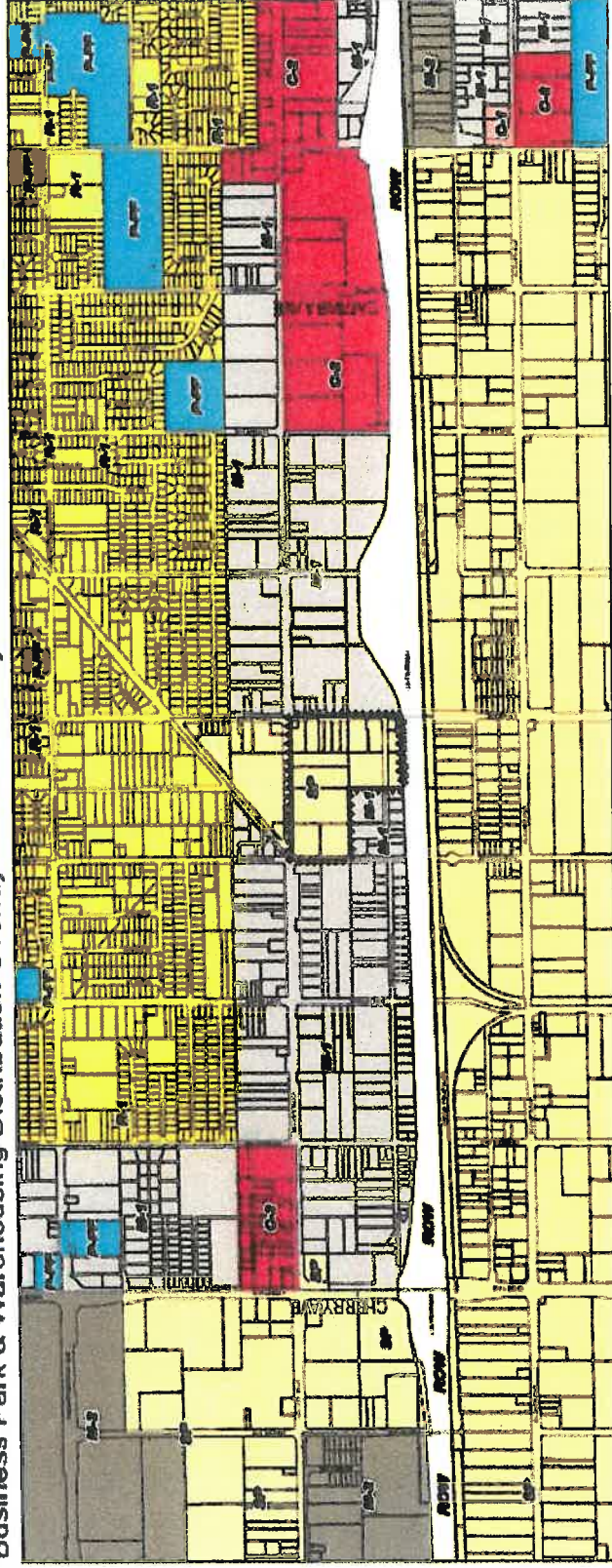
CITY COUNCIL
ORDINANCE NO. 1764

CC MEETING DATE: 03/28/2017

AMENDMENT NO. 7

EXHIBIT "A" to Ordinance No. ____ (SPA No. 17-001)

Business Park & Warehousing Distribution Overlay District – Valley Boulevard



City of Fortuna
Department of Engineering / Mapping
Business Park & Warehousing Distribution Overlay District – Valley Blvd_ZWIP Addition.mxd



BASemap UPDATE DECEMBER 2015

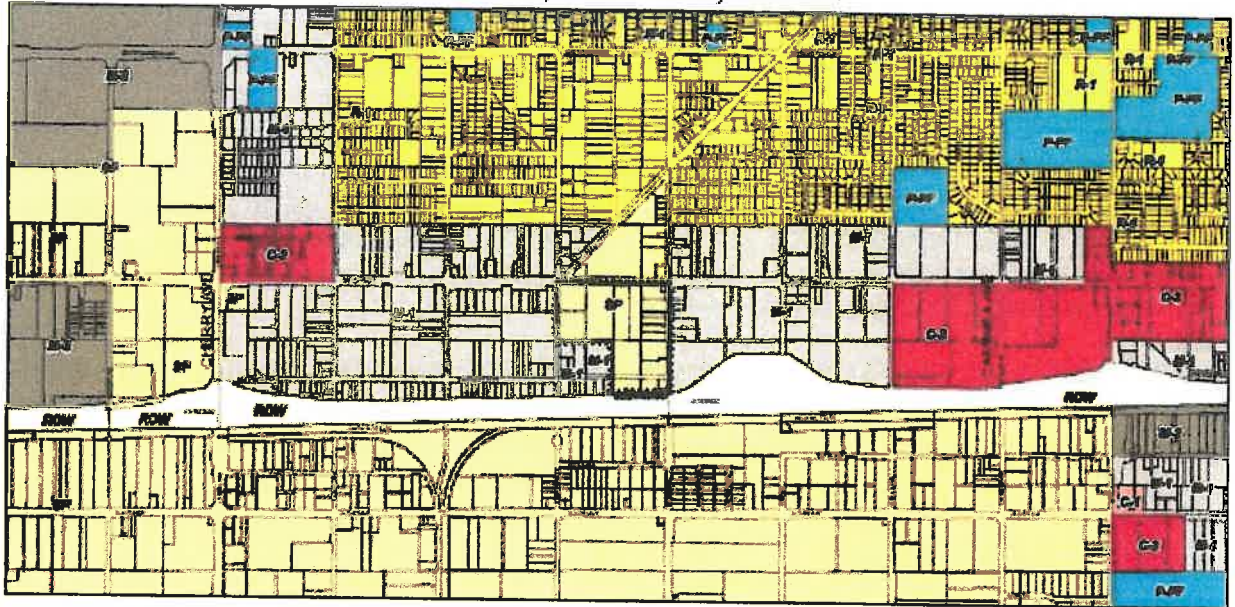
Exhibit "B"

Chapter 6, Freeway Industrial/Commercial District of the Southwest Industrial Park Specific Plan shall have the underlined language added to the Table of Contents as shown below.

Section 6.12 shall also be added to include the language indicated below.

TABLE OF CONTENTS**Chapter 6.0 Freeway Industrial/Commercial District**

6.1 Purpose	6-1
6.2 Applicability	6-2
6.3 Allowable Land Uses and Permit Requirements.....	6-6
6.4 Development Standards	6-8
6.5 Landscape Standards	6-18
6.6 Parking and Loading Standards	6-24
6.7 Sign Standards	6-33
6.8 Public Right-of-Way Streetscape	6-51
6.9 Design Guidelines	6-66
6.10 Development Incentives	6-113
6.11 Entitlement Procedures	6-115
<u>6.12 Valley Business Park Overlay District</u>	<u>6-124</u>

6.12 - Business Park & Warehousing Distribution Overlay District – Valley BoulevardFigure 1**Business Park & Warehousing Distribution Overlay District – Valley Boulevard**

City of Fort Worth
Department of Engineering, Mapping
Business Park & Warehousing Distribution Overlay District – Valley Blvd, OMP Addendum



BASE MAP UPDATE: DECEMBER 2015

(a) *Applicability.* The provisions of Section 6.12, may be applied to any property within the Freeway Industrial/Commercial District (FID) of the Southwest Industrial Park Specific Plan, that is located on the south side of Valley Boulevard, north of Interstate 10 Freeway, west of Beech Avenue, and east of Hemlock Avenue as identified in Figure 1.

(b) *Relation to underlying zoning.* The Business Park & Warehousing Distribution Overlay District – Valley Boulevard (Valley Business Park Overlay) is a flexible designation that is intended to apply in conjunction with, or as an alternative to the provisions of the Freeway Industrial/Commercial District Chapter of the Southwest Industrial Park Specific Plan. When utilized in conjunction with the underlying Freeway Industrial/Commercial District, if the provisions of this section are in conflict with the provisions of the Freeway Industrial/Commercial District, then the provisions of this section shall apply.

(c) *Intent.* The intent of the Valley Business Park Overlay is to provide for a well-planned and orderly development of business park and warehousing distribution uses on properties within the area located on the east of Hemlock Avenue, west of Beech Avenue, north of Interstate 10 (I-10), and south of Valley Boulevard. The vision of this District is to improve the visual aesthetics

along the I-10, Valley Boulevard and other areas and encourage economic growth with business parks and warehouses.

(d) *Warehousing Distribution Definition.* For the purpose of Section 6.12, the term "Warehousing Distribution" uses shall mean 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 60 percent, and a dock to 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. They are further characterized by the presence of third-party logistics companies who are neither the manufacturer of the goods to be distributed nor the end user of the goods, but are rather the independent distributor of such goods.

(e) *Business Park Definition.* For the purpose of this section, the term "Business Park" means a group of two or more buildings on a single or multiple contiguous parcels of land, that are planned, developed, and operated as an integrated site with shared common areas with special attention given to circulation, parking, utility needs, aesthetics, and compatibility located with the Valley Business Park Overlay. The office uses that are permitted are those permitted in the underlying specific plan.

A. Uses permitted.

(a) *General.* Any use permitted in the Freeway Industrial/Commercial District shall be permitted in the Business Park & Warehousing Distribution Overlay District – Valley Boulevard, subject to the Freeway Industrial/Commercial District Chapter of the Southwest Industrial Park Specific Plan.

(b) *Warehousing distribution allowed with a conditional use permit:*

(1) Logistic and Distribution Facility and Warehousing/Distribution Center, High Cube.

(c) *Prohibited uses:*

(1) Any use not listed in the Freeway Industrial/Commercial District or specified in this section are prohibited.

(2) Other uses deemed incompatible by the Director pursuant to Sec. 30-4 of the Zoning and Development Code.

B. Zone change required.

An application for a change of zone to establish the Valley Business Park Overlay on one (1) or more parcels eligible to receive the overlay, shall be filed with the Planning Division pursuant to Sec. 30-38 et seq. of the Zoning and Development Code.

C. Design review or administrative site plan review required.

Any development proposal within the Valley Business Park Overlay shall be subject to a design review or administrative site plan review process pursuant to Sec. 30-103 et seq. of the Zoning and Development Code.

D. Development standards and design guidelines.

(a) ***General.*** The development standards and design guidelines in Section 6.12 shall be minimum requirements for Valley Business Park Overlay type uses. Those standards and guidelines not fully addressed in this section shall be as otherwise stated in the appropriate section(s) of the Fontana Municipal Code and the Southwest Industrial Park Specific Plan. When this section provides for discretionary authority on the part of the Director of Community Development, Planning Commission, or City Council, that discretion may be exercised to impose more stringent requirements, if deemed necessary, to accomplish the overall intent/objective of the Valley Business Park Overlay.

(b) ***Maximum building height.***

- (1) The maximum building height shall be 60 feet.

(c) ***Maximum lot coverage.***

- (1) The maximum lot coverage shall be 50%.

(d) ***Floor-area ratio (FAR).***

- (1) The maximum base FAR shall be 0.55.

(e) ***Minimum lot size.***

- (1) Lots must be a minimum of 1 acre.

(f) ***Building setbacks.*** All required yard areas (setbacks) shall be clear of all structures and other required site features such as parking areas, loading areas, etc., and shall be landscaped and maintained in a neat, healthy, aesthetically pleasing condition in accordance with the landscaping provisions of this section.

- (1) The minimum building setback for Valley Boulevard shall be 30 feet.
- (2) The minimum building setback for Beech Avenue shall be 25 feet.
- (3) The minimum building setback for the I-10 Freeway shall be 40 feet.
- (4) The minimum building setback for lots abutting collector streets shall be 20 feet.
- (5) The minimum building setback for local streets shall be 15 feet.
- (6) The minimum building interior building setback shall be 20 feet for property lines adjacent to parcels with residential uses including nonconforming residential uses.

There shall be no other interior setback requirements.

- (7) These setback requirements may be increased to provide an appropriate separation between uses in order to protect the public health, safety, and welfare if alternative means of providing separation are not practical.

(g) *Parking and drive aisle setbacks (landscape setback area).*

- (1) The minimum landscape setback for Valley Boulevard shall be 30 feet.
- (2) The minimum landscape setback for the I-10 Freeway shall be 10 feet.
- (3) The minimum landscape setback for Beech Avenue shall be 25 feet.
- (4) The minimum landscape setback for lots abutting collector and local streets shall be 20 feet.
- (5) These setback requirements may be increased to provide an appropriate separation between uses in order to protect the public health, safety, and welfare if alternative means of providing separation are not practical.
- (6) Interior landscape setback:
 - (a) Interior landscape setbacks for lots adjacent to residential uses, including nonconforming, shall be 10 feet.
 - (b) Other interior landscape setbacks shall be 5 feet.

(h) *Parking location and buffering.* The placement of buildings and parking lots should emphasize the attractive designs of buildings with less emphasis on parking lots. Off-street parking shall be buffered from the right-of-way through landscaping and building placement. Furthermore, visitor and/or employee parking may be located at the front of the building adjacent to the main entry. Service and loading areas may be located at the sides and rear of the building, and must be completely screened when located adjacent to a public right-of-way.

(i) *Parking and loading requirements.* The following are regulations for off-street parking and loading. They identify required number of parking and loading spaces for all new development projects and those proposing substantial modifications to existing buildings. For all parking and loading-related information or regulations not specifically addressed in this section, refer to Section 6.6 of this Chapter.

(1) General parking and loading requirements.

(a) Methods of calculation.

- (i) Multiple uses. If more than one (1) 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.

- (ii) 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 .5 or more, but shall not be required for a fraction of .4 or less.

(b) Off-site location. Required off-street parking spaces shall be located on the same parcel as the use that they are intended to serve, unless reciprocal parking, shared parking or access agreements are recorded between multiple parcels on the same site.

(2) Required number of parking spaces.

(a) Each land use shall provide the number of off-street parking spaces indicated in Table 1 – Parking Requirements by Land Use, except as otherwise may be determined by the Director of Community Development per subsection D(i)(1)(b) above.

Table 1

Parking Requirements by Land Use	
<i>Motor Vehicle Spaces (Minimum #) per GFA-Gross Floor Area</i>	
Distribution and Warehousing Uses	
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 the the portion over 40,000 sq ft;	
No additional spaces if office area is less than 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.)	

Business Park Valley Boulevard and Office Uses**Vehicle Parking:**

1 space/250 sq ft GFA

(3) Required number of loading spaces.

(a) Each land use shall provide the number of loading spaces indicated in Table 2 – Loading Space Requirements. 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 Section 6.6 of this Chapter.

Table 2

Loading Space Requirements		
Distribution, Wholesaling and Warehouse Uses	5,000 – 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Tractor Trailer

(Tractor trailer loading spaces shall be a minimum of 12 ft wide by 70 ft long with a minimum 14 ft clearance.)

(j) *Fences, walls, and screening.* The following are standards and guidelines for fences, walls, and screening. Fences, walls, and screening must meet the aesthetic requirements of subsection D(n)(3)(a).

(1) Heights.

(a) *Front Setback Area:* Solid fencing/wall shall not be allowed to go above a maximum height of forty-two (42) inches.

(b) *Side and Rear Setback Areas:* Solid fencing/wall may not exceed eight (8) feet in height when located behind the required front, side or rear yard, and may not exceed three and one-half feet in height when located in any required setback adjacent to a street.

(c) *Screening Walls:* Refer to Table 3.

Table 3

Standards for Fences, Walls and Screening		
Location	Materials (1)	Maximum Height (2)
Within front landscape setback area	Solid fencing/wall	42 inches
Behind street side landscape setback area	Solid fencing/wall	8 ft
Behind interior side landscape setback area	Solid fencing/wall	8 ft
Behind rear landscape setback area	Solid fencing/wall	8 ft
Screening of incidental outdoor storage and truck bays from view from the public right-of-way and located behind landscape setback (3)	Solid fencing/wall	14 ft
<p>Note:</p> <p>(1) All fences and walls shall be finished on both sides with a decorative material (e.g., stucco, split-face, and/or slump stone).</p> <p>(2) All fences and walls shall meet the City's line-of-sight regulations, as determined by the City Engineer.</p> <p>(3) Screening walls must meet the design standards of subsection (n)(3)(a).</p>		

(2) Electric fences, barbed wire fencing, chain link, wood and/or similar fencing are prohibited.

(3) Fences and walls shall be compatible in terms of design and materials with the main structures on the site.

(4) 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.

(k) *Screening loading bays and storage areas.*

(1) All loading bays shall be completely screened and a sight-line analysis shall be taken from public right-of-way(s) to demonstrate such screening of all bays. Such analysis shall at a minimum contain a site plan and cross section graphics demonstrating the line of sight from the right-of-way to the loading areas at six (6) feet above the right-of-way surface at three points: The centerline of the right-of-way and the property lines on either side of the right-of-way. The graphics shall be to scale, fully dimensional, and contain all building elevations, berms, walls, landscaping, setbacks, fences, and other structures as they are being proposed to be built.

(2) All incidental storage of materials, including trucks, shall be screened from adjoining properties and public right-of-ways by a visual barrier (e.g., wall, fence etc.) to the satisfaction of the Director of Community Development. Furthermore, such storage shall not be located on any required parking area.

(3) Walls and fences must meet the design criteria of subsection D(n)(3)(a).

(l) *Building orientation.*

(1) All buildings shall be sited and oriented to reduce noise, light and glare, visual and other conflicts. For example, loading areas shall be located in areas where noise from such operations will not adversely impact adjacent, noise sensitive uses.

(2) Placement of the industrial buildings shall provide the most aesthetic public views and de-emphasize parking areas. Open work areas shall be located away from public views.

(m) *Landscaping.*

(1) Landscaping shall be used alone or in conjunction with other features (e.g. open space buffer, topography) to reduce potential visual and light and glare conflicts.

(2) Landscape setbacks along public right-of-ways shall incorporate landscape buffers with undulating and variable height earth-mounding (berms), and/or low walls, preferably in a three-tier planting design.

(n) *Design guidelines.* The design guidelines in this subsection shall apply to all warehousing distribution and business park projects within the Valley Business Park Overlay. Those design guidelines not fully addressed in this section shall be as otherwise stated in the appropriate section(s) of this chapter. For the purposes of creating an attractive aesthetic environment, buildings are assumed to be fronting the I-10 Freeway with an attractive design.

(1) *Site design.*

(a) *Site layout.*

- (i) The layout shall emphasize enhancing the visual aesthetics along the I-10 Freeway by having Business Parks and warehouses fronting the I-10 Freeway. The Director may allow loading dock areas to front the I-10 Freeway with the following findings:
 - a. The guidelines related to fences and walls in subsections D(n)(3)(a) and D(n)(3)(b) are met.
 - b. The designs of the screening of fences and walls enhance the visual aesthetics of the site.
 - (ii) The arrangement of multiple buildings and associated circulation, and parking areas should reflect a well-organized site plan.
 - (iii) Site development may utilize variations on building placement and landscaping when located near a public street.
- (b) Accessory structures.
- (i) The design and location of accessory buildings (e.g., security kiosks, maintenance buildings, and outdoor equipment enclosures) shall be incorporated into and be compatible with the overall design of the project and the main buildings on the site.
 - (ii) With the exception of security kiosks, accessory buildings shall be located as far back from the front and street side yard setback area as possible.
 - (iii) Sea/train-type metal containers are prohibited.
 - (iv) Incidental outdoor storage, work, and loading areas shall be incorporated within the building design and located to the rear or side of buildings unless such building side(s) are adjacent to a public street where it would be prohibited.
- (c) Courtyards and plazas.
- (i) Buildings should be arranged to create opportunities for open space amenities (e.g., plazas, courtyards, outdoor eating areas, etc.). See Figure 2.

Figure 2



(2) Building orientation.

(a) The organization of buildings, parking areas, and landscaping shall recognize the existing characteristics of the site and shall relate to the surrounding development in scale and character.

(b) Buildings should be oriented in a manner that takes advantage of passive solar design.

(c) Buildings shall be oriented to provide a buffer between sensitive uses (i.e. residential, schools, parks, and medical facilities) and outdoor work areas, loading, and incidental storage.

(3) Site elements.

(a) Fences and walls.

- (i) Walls and fencing materials shall consist of decorative wrought iron, tubular steel, stone, stucco, or brick, and shall be compatible with the overall design character/style of the development. The use of chain-link fence and similar materials is prohibited. See Figures 3 and 4.

Figure 3

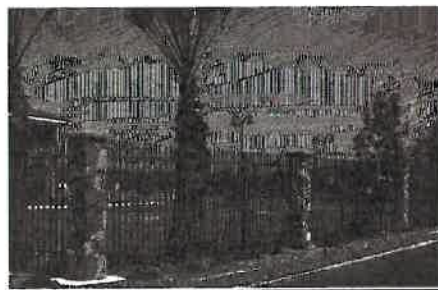
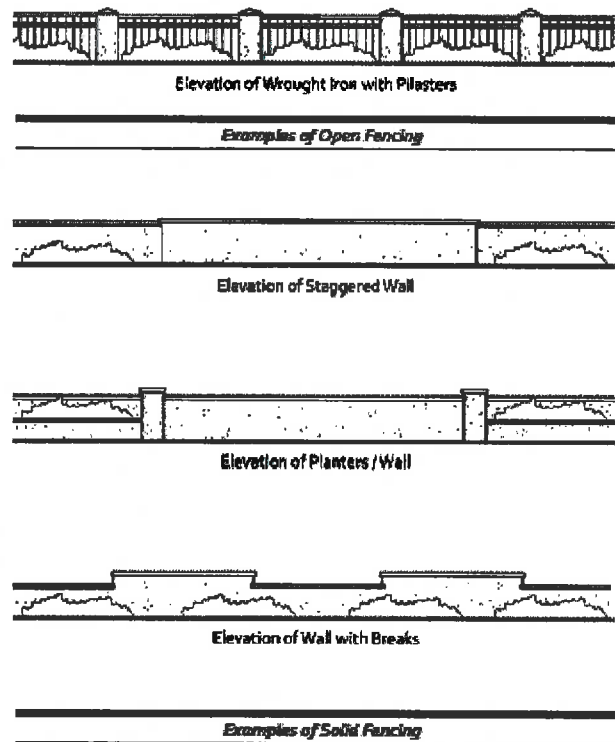


Figure 4



- (ii) Chain link fences, wood fences, electric fences, razor and barbed wire fences are prohibited.
- (iii) Walls and fences shall be integrated with landscaping along the base of the wall or fence.
- (iv) Wall heights and surfaces shall be articulated with varying facade depths or pilasters to promote architectural interest, and shall include a cap along the top of the wall.
- (v) Landscaping shall be used in combination with walls and fences to visually soften blank surfaces and to deter graffiti. Additionally, all walls shall have an anti-graffiti coating to further deter graffiti, to the satisfaction of the City. See Figure 5.

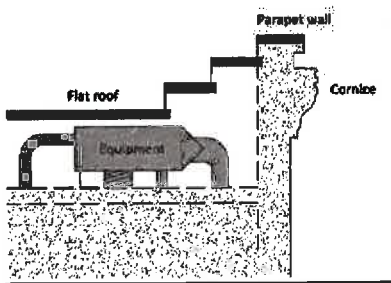
Figure 5



(b) Screening.

- (i) Loading bays and service areas shall be completely screened from public right-of-way(s) by building placement and/or decorative walls. Landscaping may be used in addition to such building placement and/or walls, but shall not be the sole means of screening. A sight-line analysis shall be taken from public right-of-way(s) to indicate screening of all items. The design standards in subsection D(n)(3)(a) must be met.
- (ii) Trash storage enclosures and outdoor mechanical equipment shall be completely screened from public view.
- (iii) Roof-mounted equipment shall be screened from public view through use of parapet walls or other approved screening devices. Special consideration shall be given to the screening of roof-mounted equipment on building rooftops that are visible from the public right-of-way. See Figure 6.

Figure 6



(c) Lighting.

- (i) Outdoor lighting plans shall take into consideration the location and potential growth pattern of nearby trees (existing and planned) so that appropriate lighting levels are maintained over time.

- (ii) Energy efficiency shall be considered through use of proper light location and placement, as well as use of energy-efficient bulbs and/or fixtures.
 - (iii) Lighting fixtures shall include hoods or other design techniques to reduce glare and light pollution, especially along major streets, and to prevent light spillover onto adjacent properties.
 - (iv) Lighting shall be provided in project entryways, walkways, and parking lots to promote safety.
 - (v) Lighting may be mounted on poles or bollards, affixed to building walls, or placed within paved or landscaped areas. Appropriate materials and construction methods shall be used to ensure proper function of project lighting fixtures.
 - (vi) Decorative light fixtures shall be consistent with the architectural design of the building.
 - (vii) Truck and truck trailer parking areas shall incorporate lighting to increase real and perceived security.
- (4) Parking and access.
- (a) Parking.
 - (i) Parking lots shall not be the dominant visual element on the site.
 - (ii) Surface parking areas shall integrate trees and landscape improvements to reduce the heat island effect and to promote better visual aesthetics.
 - (iii) Large parking lots (usually over 100 spaces) shall be divided into multiple, smaller areas and provided with canopy trees located throughout the parking area to reduce the effects of heat and the visual impacts of large parking areas.
 - (iv) Parking lot design shall include water quality storm water facilities consistent with City standards. See Figure 7.

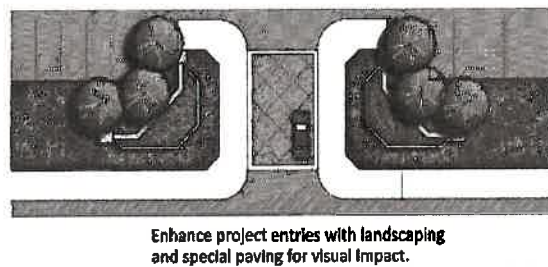
Figure 7



(b) Access.

- (i) The use of common (shared) access points and driveways is required for all service and loading areas pursuant to Traffic Engineering's Standard Plan No. 701 Access Management Requirements, to reduce curb cuts along streets. Additionally, placement of vehicle access points close to building entries shall be avoided to minimize pedestrian and vehicular conflicts.
- (ii) Entry drives shall be clearly marked by special features, (e.g., enhanced paving, prominent landscape features, low-level decorative walls, and well-designed monument-type signs). See Figure 8.

Figure 8



(5) Architecture.

(a) Mass and scale.

- (i) The mass and scale of the buildings shall respect the visual and physical relationship to the adjacent buildings and surrounding sensitive uses. Taller building elements shall be placed towards the center of the site, with lower elements adjacent to surrounding properties.

- (ii) Buildings shall be stepped back when adjacent to or in close proximity to sensitive uses (e.g. residential, schools, etc.).
- (iii) Vertical and horizontal offsets shall be provided to reduce the visual bulk of the building. See Figure 9.
- (iv) Every building shall have a celebrated entry at the entrance of the building which shall include elements such as up lighting, tall landscaping, and/or architecture elements accentuated at the entry of the building.

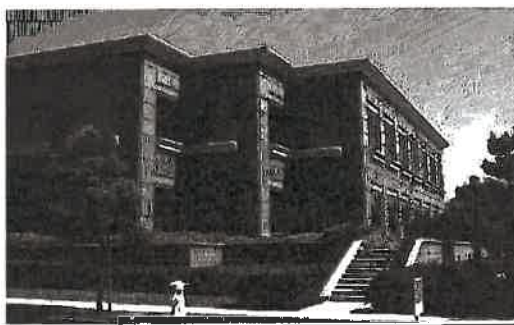
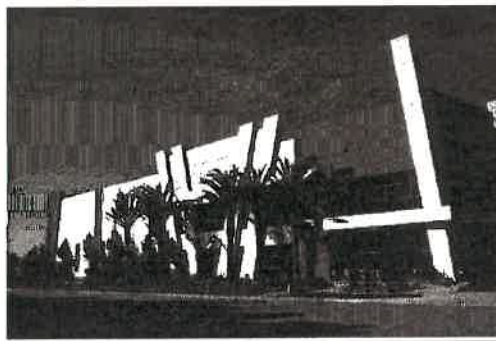
Figure 9



(b) Building facades.

- (i) Building facades shall incorporate architectural elements such as windows, pillars, and wall plane breaks to minimize blank walls, to create visual interest, and to reduce the opportunity for graffiti.
- (ii) All building elevations, whether front, side, or rear shall be architecturally detailed.
- (iii) Architectural accents (e.g., cornices, tiles, trim around windows, grooves in building faces, accent band details, bulkheads, etc.) shall be used to create variation along building facades. See Figure 10.

Figure 10



- (iv) Roofs shall be designed as an integral component of building form, mass, and facade. Building form shall be enhanced by sloped or offset roof planes, eave heights, and rooflines. See Figure 11.

Figure 11



(c) Colors and materials.

- (i) Colors and materials for all structures on-site should consist of earth tones. Use of different colors and materials or textures is strongly encouraged.

(ii) Building materials shall be durable and able to withstand long-term exposure to the elements.

(iii) Large expanses of smooth material (e.g., concrete) shall be broken up with expansion joints, reveals, or changes in texture and color.

(6) Landscaping.

(a) Landscaping shall be in scale with adjacent structures, streets, and public spaces, and be sized appropriately when fully grown.

(b) Landscaped areas should incorporate a three-tiered planting system:

(i) Ground cover and flowering plants;

(ii) Shrubs and vines; and,

(iii) Trees.

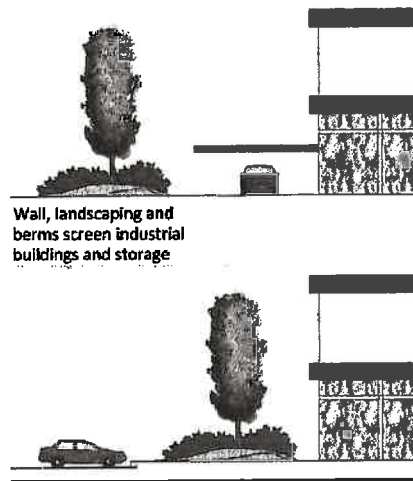
(c) Development on corner lots shall be enhanced with a combination of specimen trees, accent plantings, upgraded perimeter wall surfaces, hardscape treatments and landscape lighting adjacent to the street intersection.

(d) Drought-tolerant and low-maintenance trees, vines, and groundcovers shall be used on-site. Drip irrigation systems shall be installed to ensure the highest possible level of water conservation.

(e) Setbacks adjacent to sensitive uses shall include dense landscaping to provide visual screening and noise attenuation.

(f) Landscaped berms along site edges shall be used to screen parking, loading and service areas and to serve as a sound reduction measure. See Figure 12.

Figure 12



(g) Surface parking lots shall be well-landscaped to reduce heat island effect and visually reduce the expanse of paved area.

(h) Pervious paving materials are strongly encouraged for sidewalks, pathways, and parking lots or other paved surfaces on-site.

(i) An automatic irrigation system using current equipment and technology shall be provided for planted areas.

(j) Run-off retention and on-site water filtration/stormwater treatment features and bioswales should be a part of the overall landscape design, and can also serve as buffering methods for adjacent businesses. See Figure 13.

Figure 13



(k) Trees shall be selected and placed to provide canopy and shade for walkways, pedestrian open spaces, and parking areas.

(l) Tree and shrub planting shall be in large masses.

(m) Plant material selected shall be suited to the specific soil and micro climatic conditions.

Chapter 12, Speedway Industrial District of the Southwest Industrial Park Specific Plan shall have the underlined language added to the Table of Contents as shown below.

Section 12.12 shall also be added to include the language indicated below.

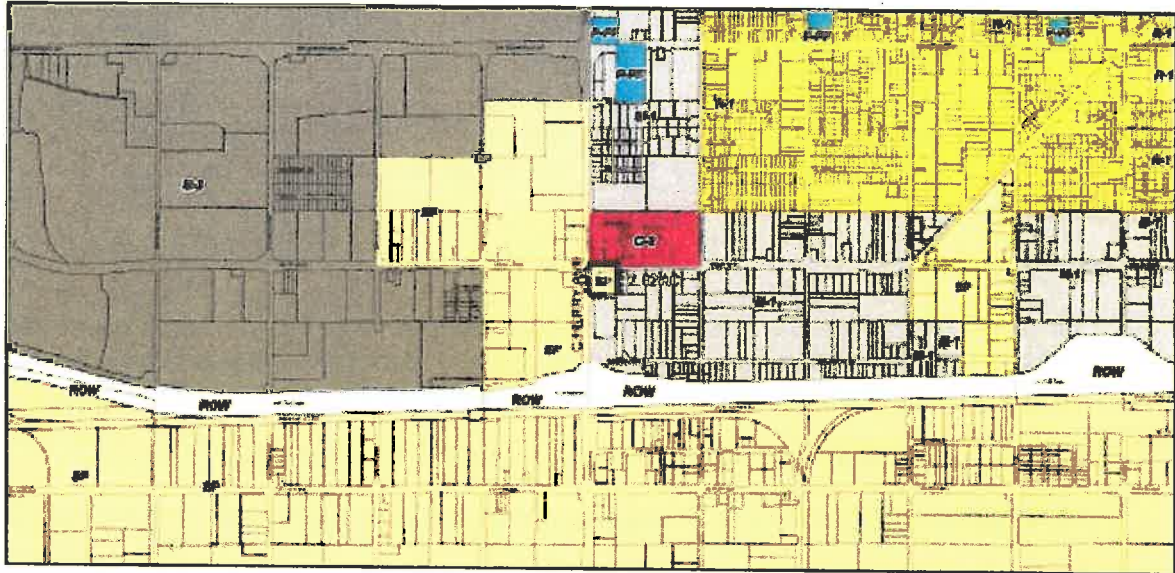
TABLE OF CONTENTS

Chapter 12.0 Speedway Industrial District

12.1 Purpose	12-1
12.2 Applicability	12-2
12.3 Allowable Land Uses and Permit Requirements	12-5
12.4 Development Standards	12-8
12.5 Landscape Regulations	12-15
12.6 Parking and Loading Standards	12-21
12.7 Sign Standards	12-32
12.8 Public Right-of-Way Streetscape	12-50
12.9 Design Guidelines	12-63
12.10 Development Incentives	12-112
12.11 Entitlement Procedures	12-115
<u>12.12 Valley Business Park Overlay District</u>	<u>12-125</u>

12.12 - Business Park & Warehousing Distribution Overlay District – Valley Boulevard

Figure 1



(a) *Applicability.* The provisions of Section 12.12, may be applied to any property within the Speedway Industrial District (SID) of the Southwest Industrial Park Specific Plan, that is located south of Valley Boulevard and East of Cherry Avenue as indicated as identified in Figure 1.

(b) *Relation to underlying zoning.* The Business Park & Warehousing Distribution Overlay District – Valley Boulevard (Valley Business Park Overlay) is a flexible designation that is intended to apply in conjunction with, or as an alternative to the provisions of the Speedway Industrial District Chapter of the Southwest Industrial Park Specific Plan. When utilized in conjunction with the underlying Speedway Industrial District, if the provisions of this section are in conflict with the provisions of the Speedway Industrial District, then the provisions of this section shall apply.

(c) *Intent.* The intent of the Valley Business Park Overlay is to provide for a well-planned and orderly development of business park and warehousing distribution uses. The vision of this District is to improve the visual aesthetics along the I-10, Valley Boulevard and other areas and encourage economic growth with business parks and warehouses.

(d) *Warehousing Distribution Definition.* For the purpose of Section 12.12, the term "Warehousing Distribution" uses shall mean 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 60 percent, and a dock to 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. They are further characterized by the presence of third-party logistics companies who are neither the manufacturer of the goods to be distributed nor the end user of the goods, but are rather the independent distributor of such goods.

(e) *Business Park Definition.* For the purpose of this section, the term "Business Park" means a group of two or more buildings on a single or multiple contiguous parcels of land, that are planned, developed, and operated as an integrated site with shared common areas with special attention given to circulation, parking, utility needs, aesthetics, and compatibility located with the Valley Business Park Overlay. The office uses that are permitted are those permitted in the underlying specific plan.

A. Uses permitted.

(a) *General.* Any use permitted in the Speedway Industrial District shall be permitted in the Business Park & Warehousing Distribution Overlay District – Valley Boulevard, subject to the Speedway Industrial District Chapter of the Southwest Industrial Park Specific Plan.

(b) *Warehousing distribution allowed with a conditional use permit.*

(1) Logistic and Distribution Facility and Warehousing/Distribution Center, High Cube.

(c) *Prohibited uses:*

(1) Any use not listed in the Speedway Industrial Commercial District or specified in this section are prohibited.

(2) Other uses deemed incompatible by the Director pursuant to Sec. 30-4 of the Zoning and Development Code.

B. Zone change required.

An application for a change of zone to establish the Valley Business Park Overlay on one (1) or more parcels eligible to receive the overlay, shall be filed with the Planning Division pursuant to Sec. 30-38 et seq. of the Zoning and Development Code.

C. Design review or administrative site plan review required.

Any development proposal within the Valley Business Park Overlay shall be subject to a design review or administrative site plan review process pursuant to Sec. 30-103 et seq. of the Zoning and Development Code.

D. Development standards and design guidelines.

(a) *General.* The development standards and design guidelines in Section 12.12 shall be minimum requirements for Valley Business Park Overlay type uses. Those standards and guidelines not fully addressed in this section shall be as otherwise stated in the appropriate section(s) of the Fontana Municipal Code and the Southwest Industrial Park Specific Plan. When

this section provides for discretionary authority on the part of the Director of Community Development, Planning Commission, or City Council, that discretion may be exercised to impose more stringent requirements, if deemed necessary, to accomplish the overall intent/objective of the Valley Business Park Overlay.

(b) *Maximum building height.*

- (1) The maximum building height shall be 60 feet.

(c) *Maximum lot coverage.*

- (1) The maximum lot coverage shall be 50%.

(d) *Floor-area ratio (FAR).*

- (1) The maximum base FAR shall be 0.55.

(e) *Minimum lot size.*

- (1) Lots must be a minimum of 1 acre.

(f) *Building setbacks.* All required yard areas (setbacks) shall be clear of all structures and other required site features such as parking areas, loading areas, etc., and shall be landscaped and maintained in a neat, healthy, aesthetically pleasing condition in accordance with the landscaping provisions of this section.

- (1) The minimum building setback for Valley Boulevard and Cherry Avenue shall be 30 feet.

- (2) The minimum building setback for the I-10 Freeway shall be 40 feet.

- (3) The minimum building setback for lots abutting collector streets shall be 20 feet.

- (4) The minimum building setback for local streets shall be 15 feet.

- (5) The minimum building interior building setback shall be 20 feet for property lines adjacent to parcels with residential uses including nonconforming residential uses. There shall be no other interior setback requirements.

- (6) These setback requirements may be increased to provide an appropriate separation between uses in order to protect the public health, safety, and welfare if alternative means of providing separation are not practical.

(g) *Parking and drive aisle setbacks (landscape setback area).*

- (1) The minimum landscape setback for Valley Boulevard and Cherry Avenue shall be 30 feet.

- (2) The minimum landscape setback for the I-10 Freeway shall be 10 feet.

- (3) The minimum landscape setback for lots abutting collector and local streets shall be 20 feet.
- (4) These setback requirements may be increased to provide an appropriate separation between uses in order to protect the public health, safety, and welfare if alternative means of providing separation are not practical.
- (5) Interior landscape setback:

- (a) Interior landscape setbacks for lots adjacent to residential uses, including nonconforming, shall be 10 feet.

- (b) Other interior landscape setbacks shall be 5 feet.

(h) *Parking location and buffering.* The placement of buildings and parking lots should emphasize the attractive designs of buildings with less emphasis on parking lots. Off-street parking shall be buffered from the right-of-way through landscaping and building placement. Furthermore, visitor and/or employee parking may be located at the front of the building adjacent to the main entry. Service and loading areas may be located at the sides and rear of the building, and must be completely screened when located adjacent to a public right-of-way.

(i) *Parking and loading requirements.* The following are regulations for off-street parking and loading. They identify required number of parking and loading spaces for all new development projects and those proposing substantial modifications to existing buildings. For all parking and loading-related information or regulations not specifically addressed in this section, refer to Section 12.6 of this Chapter.

- (1) General parking and loading requirements.

- (a) Methods of calculation.

- (i) Multiple uses. If more than one (1) 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.
 - (ii) 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 .5 or more, but shall not be required for a fraction of .4 or less.

- (b) Off-site location. Required off-street parking spaces shall be located on the same parcel as the use that they are intended to serve, unless reciprocal parking, shared parking or access agreements are recorded between multiple parcels on the same site.

(2) Required number of parking spaces.

(a) Each land use shall provide the number of off-street parking spaces indicated in Table 1 – Parking Requirements by Land Use, except as otherwise may be determined by the Director of Community Development per subsection D(i)(1)(b) above.

Table 1

Parking Requirements by Land Use
<i>Motor Vehicle Spaces (Minimum #) per GFA-Gross Floor Area</i>
Distribution and Warehousing Uses
<p>Vehicle Parking:</p> <p>1 space/1,000 sq ft GFA for the first 20,000 sq ft;</p> <p>1 space/2,000 sq ft for the second 20,000 sq ft;</p> <p>1 space/5,000 sq ft for the the portion over 40,000 sq ft;</p> <p>No additional spaces if office area is less than 10% of total building square footage.</p> <p>Truck and Trailer Parking:</p> <p>1 oversized truck space/5,000 sq ft GFA</p> <p>(Truck docks shall not be included in this calculation.)</p>
Business Park Valley Boulevard and Office Uses
<p>Vehicle Parking:</p> <p>1 space/250 sq ft GFA</p>

(3) Required number of loading spaces.

(a) Each land use shall provide the number of loading spaces indicated in Table 2 – Loading Space Requirements. 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

Section 12.6 of this Chapter.

Table 2

Loading Space Requirements		
Distribution, Wholesaling and Warehouse Uses	5,000 – 30,000 sq ft: 1 space; and 1 additional space for each additional 30,000 sq ft	Tractor Trailer

(Tractor trailer loading spaces shall be a minimum of 12 ft wide by 70 ft long with a minimum 14 ft clearance.)

(j) *Fences, walls, and screening.* The following are standards and guidelines for fences, walls, and screening. Fences, walls, and screening must meet the aesthetic requirements of subsection D(n)(3)(a).

(1) Heights.

(a) *Front Setback Area:* Solid fencing/wall shall not be allowed to go above a maximum height of forty-two (42) inches.

(b) *Side and Rear Setback Areas:* Solid fencing/wall may not exceed eight (8) feet in height when located behind the required front, side or rear yard, and may not exceed three and one-half feet in height when located in any required setback adjacent to a street.

(c) *Screening Walls:* Refer to Table 3.

Table 3

Standards for Fences, Walls and Screening		
Location	Materials (1)	Maximum Height (2)
Within front landscape setback area	Solid fencing/wall	42 inches
Behind street side landscape setback area	Solid fencing/wall	8 ft
Behind interior side	Solid fencing/wall	8 ft

landscape setback area		
Behind rear landscape setback area	Solid fencing/wall	8 ft
Screening of incidental outdoor storage and truck bays from view from the public right-of-way and located behind landscape setback (3)	Solid fencing/wall	14 ft
<p>Note:</p> <p>(1) All fences and walls shall be finished on both sides with a decorative material (e.g., stucco, split-face, and/or slump stone).</p> <p>(2) All fences and walls shall meet the City's line-of-sight regulations, as determined by the City Engineer.</p> <p>(3) Screening walls must meet the design standards of subsection (n)(3)(a).</p>		

(2) Electric fences, barbed wire fencing, chain link, wood and/or similar fencing are prohibited.

(3) Fences and walls shall be compatible in terms of design and materials with the main structures on the site.

(4) 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.

(k) Screening loading bays and storage areas.

(1) All loading bays shall be completely screened and a sight-line analysis shall be taken from public right-of-way(s) to demonstrate such screening of all bays. Such analysis shall at a minimum contain a site plan and cross section graphics demonstrating the line of sight from the right-of-way to the loading areas at six (6) feet above the right-of-way surface at three points: The centerline of the right-of-way and the property lines on either side of the right-of-way. The graphics shall be to scale, fully dimensional, and contain all building elevations, berms, walls, landscaping, setbacks, fences, and other structures as they are being proposed to be built.

(2) All incidental storage of materials, including trucks, shall be screened from adjoining properties and public right-of-ways by a visual barrier (e.g., wall, fence etc.) to the satisfaction of the Director of Community Development. Furthermore, such storage shall not be located on any required parking area.

(3) Walls and fences must meet the design criteria of subsection D(n)(3)(a).

(l) *Building orientation.*

(1) All buildings shall be sited and oriented to reduce noise, light and glare, visual and other conflicts. For example, loading areas shall be located in areas where noise from such operations will not adversely impact adjacent, noise sensitive uses.

(2) Placement of the industrial buildings shall provide the most aesthetic public views and de-emphasize parking areas. Open work areas shall be located away from public views.

(m) *Landscaping.*

(1) Landscaping shall be used alone or in conjunction with other features (e.g. open space buffer, topography) to reduce potential visual and light and glare conflicts.

(2) Landscape setbacks along public right-of-ways shall incorporate landscape buffers with undulating and variable height earth-mounding (berms), and/or low walls, preferably in a three-tier planting design.

(n) *Design guidelines.* The design guidelines in this subsection shall apply to all warehousing distribution and business park projects within the Valley Business Park Overlay. Those design guidelines not fully addressed in this section shall be as otherwise stated in the appropriate section(s) of this chapter. For the purposes of creating an attractive aesthetic environment, buildings are assumed to be fronting the I-10 Freeway with an attractive design.

(1) Site design.

(a) Site layout.

(i) The layout shall emphasize enhancing the visual aesthetics along the I-10 Freeway by having Business Parks and warehouses fronting the I-10 Freeway. The Director may allow loading dock areas to front the I-10 Freeway with the following findings:

- a. The guidelines related to fences and walls in subsections D(n)(3)(a) and D(n)(3)(b) are met.
- b. The designs of the screening of fences and walls enhance the visual aesthetics of the site.

- (ii) The arrangement of multiple buildings and associated circulation, and parking areas should reflect a well-organized site plan.
 - (iii) Site development may utilize variations on building placement and landscaping when located near a public street.
- (b) Accessory structures.
- (i) The design and location of accessory buildings (e.g., security kiosks, maintenance buildings, and outdoor equipment enclosures) shall be incorporated into and be compatible with the overall design of the project and the main buildings on the site.
 - (ii) With the exception of security kiosks, accessory buildings shall be located as far back from the front and street side yard setback area as possible.
 - (iii) Sea/train-type metal containers are prohibited.
 - (iv) Incidental outdoor storage, work, and loading areas shall be incorporated within the building design and located to the rear or side of buildings unless such building side(s) are adjacent to a public street where it would be prohibited.
- (c) Courtyards and plazas.
- (i) Buildings should be arranged to create opportunities for open space amenities (e.g., plazas, courtyards, outdoor eating areas, etc.). See Figure 2.

Figure 2



- (2) Building orientation.
- (a) The organization of buildings, parking areas, and landscaping shall recognize the existing characteristics of the site and shall relate to the surrounding development in scale and character.

(b) Buildings should be oriented in a manner that takes advantage of passive solar design.

(c) Buildings shall be oriented to provide a buffer between sensitive uses (i.e. residential, schools, parks, and medical facilities) and outdoor work areas, loading, and incidental storage.

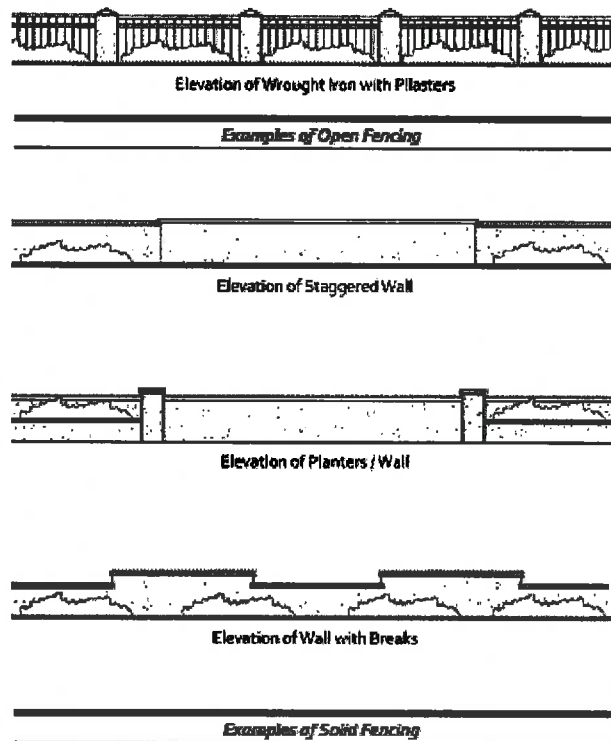
(3) Site elements.

(a) Fences and walls.

- (i) Walls and fencing materials shall consist of decorative wrought iron, tubular steel, stone, stucco, or brick, and shall be compatible with the overall design character/style of the development. The use of chain-link fence and similar materials is prohibited. See Figures 3 and 4.

Figure 3



Figure 4

- (ii) Chain link fences, wood fences, electric fences, razor and barbed wire fences are prohibited.
- (iii) Walls and fences shall be integrated with landscaping along the base of the wall or fence.
- (iv) Wall heights and surfaces shall be articulated with varying facade depths or pilasters to promote architectural interest, and shall include a cap along the top of the wall.
- (v) Landscaping shall be used in combination with walls and fences to visually soften blank surfaces and to deter graffiti. Additionally, all walls shall have an anti-graffiti coating to further deter graffiti, to the satisfaction of the City. See Figure 5.

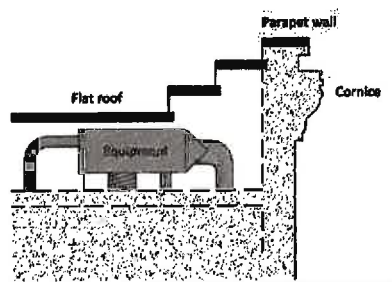
Figure 5



(b) Screening.

- (i) Loading bays and service areas shall be completely screened from public right-of-way(s) by building placement and/or decorative walls. Landscaping may be used in addition to such building placement and/or walls, but shall not be the sole means of screening. A sight-line analysis shall be taken from public right-of-way(s) to indicate screening of all items. The design standards in subsection D(n)(3)(a) must be met.
- (ii) Trash storage enclosures and outdoor mechanical equipment shall be completely screened from public view.
- (iii) Roof-mounted equipment shall be screened from public view through use of parapet walls or other approved screening devices. Special consideration shall be given to the screening of roof-mounted equipment on building rooftops that are visible from the public right-of-way. See Figure 6.

Figure 6

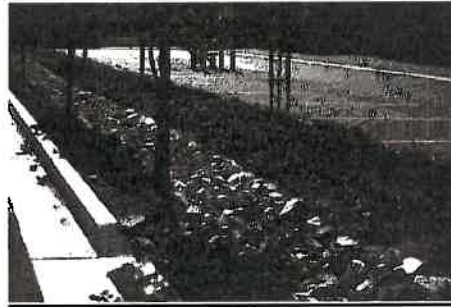


(c) Lighting.

- (i) Outdoor lighting plans shall take into consideration the location and potential growth pattern of nearby trees (existing and planned) so that appropriate lighting levels are maintained over time.

- (ii) Energy efficiency shall be considered through use of proper light location and placement, as well as use of energy-efficient bulbs and/or fixtures.
 - (iii) Lighting fixtures shall include hoods or other design techniques to reduce glare and light pollution, especially along major streets, and to prevent light spillover onto adjacent properties.
 - (iv) Lighting shall be provided in project entryways, walkways, and parking lots to promote safety.
 - (v) Lighting may be mounted on poles or bollards, affixed to building walls, or placed within paved or landscaped areas. Appropriate materials and construction methods shall be used to ensure proper function of project lighting fixtures.
 - (vi) Decorative light fixtures shall be consistent with the architectural design of the building.
 - (vii) Truck and truck trailer parking areas shall incorporate lighting to increase real and perceived security.
- (4) Parking and access.
- (a) Parking.
 - (i) Parking lots shall not be the dominant visual element on the site.
 - (ii) Surface parking areas shall integrate trees and landscape improvements to reduce the heat island effect and to promote better visual aesthetics.
 - (iii) Large parking lots (usually over 100 spaces) shall be divided into multiple, smaller areas and provided with canopy trees located throughout the parking area to reduce the effects of heat and the visual impacts of large parking areas.
 - (iv) Parking lot design shall include water quality storm water facilities consistent with City standards. See Figure 7.

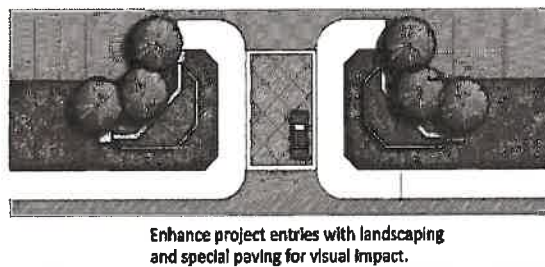
Figure 7



(b) Access.

- (i) The use of common (shared) access points and driveways is required for all service and loading areas pursuant to Traffic Engineering's Standard Plan No. 701 Access Management Requirements, to reduce curb cuts along streets. Additionally, placement of vehicle access points close to building entries shall be avoided to minimize pedestrian and vehicular conflicts.
- (ii) Entry drives shall be clearly marked by special features, (e.g., enhanced paving, prominent landscape features, low-level decorative walls, and well-designed monument-type signs). See Figure 8.

Figure 8



(5) Architecture.

(a) Mass and scale.

- (i) The mass and scale of the buildings shall respect the visual and physical relationship to the adjacent buildings and surrounding sensitive uses. Taller building elements shall be placed towards the center of the site, with lower elements adjacent to surrounding properties.

- (ii) Buildings shall be stepped back when adjacent to or in close proximity to sensitive uses (e.g. residential, schools, etc.).
- (iii) Vertical and horizontal offsets shall be provided to reduce the visual bulk of the building. See Figure 9.
- (iv) Every building shall have a celebrated entry at the entrance of the building which shall include elements such as up lighting, tall landscaping, and/or architecture elements accentuated at the entry of the building.

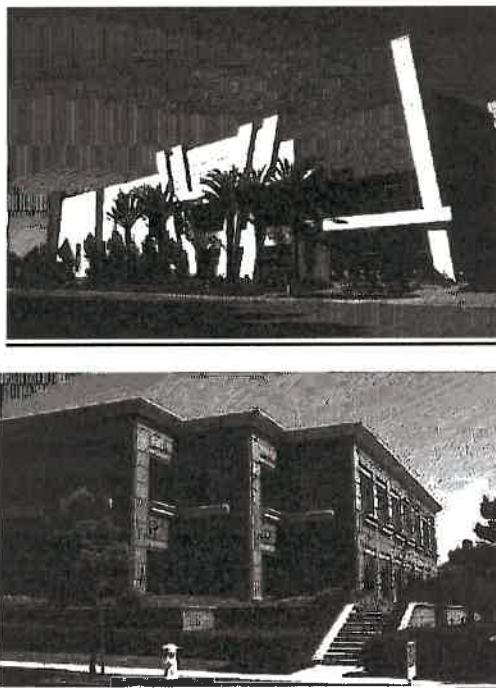
Figure 9



(b) Building facades.

- (i) Building facades shall incorporate architectural elements such as windows, pillars, and wall plane breaks to minimize blank walls, to create visual interest, and to reduce the opportunity for graffiti.
- (ii) All building elevations, whether front, side, or rear shall be architecturally detailed.
- (iii) Architectural accents (e.g., cornices, tiles, trim around windows, grooves in building faces, accent band details, bulkheads, etc.) shall be used to create variation along building facades. See Figure 10.

Figure 10



- (iv) Roofs shall be designed as an integral component of building form, mass, and facade. Building form shall be enhanced by sloped or offset roof planes, eave heights, and rooflines. See Figure 11.

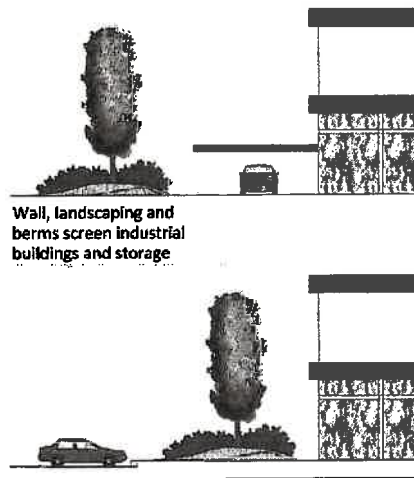
Figure 11



(c) Colors and materials.

- (i) Colors and materials for all structures on-site should consist of earth tones. Use of different colors and materials or textures is strongly encouraged.

- (ii) Building materials shall be durable and able to withstand long-term exposure to the elements.
 - (iii) Large expanses of smooth material (e.g., concrete) shall be broken up with expansion joints, reveals, or changes in texture and color.
- (6) Landscaping.
 - (a) Landscaping shall be in scale with adjacent structures, streets, and public spaces, and be sized appropriately when fully grown.
 - (b) Landscaped areas should incorporate a three-tiered planting system:
 - (i) Ground cover and flowering plants;
 - (ii) Shrubs and vines; and,
 - (iii) Trees.
 - (c) Development on corner lots shall be enhanced with a combination of specimen trees, accent plantings, upgraded perimeter wall surfaces, hardscape treatments and landscape lighting adjacent to the street intersection.
 - (d) Drought-tolerant and low-maintenance trees, vines, and groundcovers shall be used on-site. Drip irrigation systems shall be installed to ensure the highest possible level of water conservation.
 - (e) Setbacks adjacent to sensitive uses shall include dense landscaping to provide visual screening and noise attenuation.
 - (f) Landscaped berms along site edges shall be used to screen parking, loading and service areas and to serve as a sound reduction measure. See Figure 12.

Figure 12

(g) Surface parking lots shall be well-landscaped to reduce heat island effect and visually reduce the expanse of paved area.

(h) Pervious paving materials are strongly encouraged for sidewalks, pathways, and parking lots or other paved surfaces on-site.

(i) An automatic irrigation system using current equipment and technology shall be provided for planted areas.

(j) Run-off retention and on-site water filtration/stormwater treatment features and bioswales should be a part of the overall landscape design, and can also serve as buffering methods for adjacent businesses. See Figure 13.

Figure 13

(k) Trees shall be selected and placed to provide canopy and shade for walkways, pedestrian open spaces, and parking areas.

(l) Tree and shrub planting shall be in large masses.

(m) Plant material selected shall be suited to the specific soil and micro climatic conditions.

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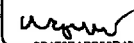
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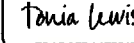
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kkasinger@fontana.org

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jraymundo@fontana.org

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Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

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..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

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:	<ul style="list-style-type: none"> •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.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- 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.

TO: HERALD NEWS

EMAIL: LEGALS@FONTANAHERALDNEWS.COM

FROM: FONTANA CITY CLERK'S DEPARTMENT

DATE: MARCH 30, 2017

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. 1763 AND 1764

PUBLISH ONE TIME ONLY ON OR BEFORE APRIL 7, 2017 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCES NOS. 1763 AND 1764

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on March 28, 2017 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of the following ordinances pertaining to Westgate Specific Plan:

1. Waive further reading of and introduce **Ordinance No. 1763** approving Zoning Code Amendment (ZCA) No. 16-011, an amendment to Chapter 30 (Zoning and Development Code), Article IX (Overlay Districts) to establish the Business Park & Warehousing Distribution Overlay District – Valley Boulevard and to establish the boundary for the overlay for the Zoning District Map located south of Valley Boulevard, north of the I-10 freeway, east of Cherry Avenue and west of Catawba Avenue; and that the reading of the title constitutes the first reading thereof
2. Waive further reading of and introduce **Ordinance No. 1764** approving Specific Plan Amendment (SPA) No. 17-001, an amendment to modify the text and land use map of the Southwest Industrial Park (SWIP) Specific Plan, Chapter 6 (Freeway Industrial/Commercial District) and Chapter 12 (Speedway Industrial District); and that the reading of the title 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

TO: HERALD NEWS

EMAIL: LEGALS@FONTANAHERALDNEWS.COM

FROM: FONTANA CITY CLERK'S DEPARTMENT

DATE: APRIL 12, 2017

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCE NO. 1763 AND 1764

PUBLISH ONE TIME ONLY ON OR BEFORE APRIL 21, 2017 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCES NOS. 1763 AND 1764

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on April 11, 2017 in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted the following ordinances:

1. **Ordinance No. 1763** approving Zoning Code Amendment (ZCA) No. 16-011, an amendment to Chapter 30 (Zoning and Development Code), Article IX (Overlay Districts) to establish the Business Park & Warehousing Distribution Overlay District – Valley Boulevard and to establish the boundary for the overlay for the Zoning District Map located south of Valley Boulevard, north of the I-10 freeway, east of Cherry Avenue and west of Catawba Avenue;
2. **Ordinance No. 1764** approving Specific Plan Amendment (SPA) No. 17-001, an amendment to modify the text and land use map of the Southwest Industrial Park (SWIP) Specific Plan, Chapter 6 (Freeway Industrial/Commercial District) and Chapter 12 (Speedway Industrial District).

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