

ORDINANCE NO. 1831

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FONTANA APPROVING SPECIFIC PLAN AMENDMENT NO. 19-007, TO ADD “REGISTERED VEHICLE STORAGE,” AND ACCOMPANYING SPECIAL USE REGULATIONS, “LOGISTICS AND DISTRIBUTION FACILITY,” AND “TRUCK/TRAILER STORAGE” AS ALLOWABLE USES IN THE SPEEDWAY INDUSTRIAL DISTRICT AND REMOVE THE LOT SIZE REQUIREMENTS FOR REGISTERED VEHICLE STORAGE IN THE SOUTHWEST INDUSTRIAL PARK SPECIFIC PLAN.

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

Section 1. The applicant submitted a request for Specific Plan Amendment No. 19-007, to add “registered vehicle storage,” and accompanying special use regulations, “logistics and distribution facility,” and “truck/trailer storage” as allowable uses in the Speedway Industrial District in the Southwest Industrial Park Specific Plan (SWIP). The City included a request to remove the 300-foot lot width and lot depth requirement as well as the 2 acre minimum requirement for Registered Vehicle Storage in all districts of SWIP where the use is permitted.

Section 2. On May 19, 2020, the Planning Commission received public testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto on Specific Plan Amendment No. 19-007 along with accompanying applications; and

Section 3. On May 19, 2020, the Planning Commission voted 5-0 to approve Resolution No. PC 2020-028 and recommended approval to City Council of Specific Plan Amendment No. 19-007 along with accompanying applications that include: Development Agreement No. 19-003, Tentative Parcel Map No. 20130, Conditional Use Permit Nos. 19-022 & 19-023, and Administrative Site Plan No. 19-039 and after carefully considered all information pertaining to the proposed project, including the staff report, findings, and all of the information, evidence, and testimony presented at its public hearings on May 19, 2020; and

Section 4. On June 9, 2020, the City Council held a duly noticed public hearing on Specific Plan Amendment No. 19-007 along with the entitlements referenced herein, received testimony, and the supporting documents in evidence, the City Council found that the Specific Plan Amendment is in conformance with the goals and policies of the General Plan to provide a community that is balanced between residential, commercial, and industrial that is developed to high standards and provides diverse economic and social opportunities for our citizens and those who wish to invest here; and

Section 5. Based on the foregoing, the City of Fontana City Council adopts the Addendum to the Southwest Industrial Park Specific Plan Environmental Impact Report (SCH No. 2009091089) pursuant to Section 15164 of the California Environmental Quality Act (CEQA) and Section No. 8.06 of the 2019 Local Guidelines for Implementing CEQA.

Ordinance No. 1831

Section 6. Specific Plan Amendment No. 19-007 is hereby approved and “registered vehicle storage,” and accompanying special use regulations, “logistics and distribution facility,” and “truck/trailer storage” are included as allowable uses in the Speedway Industrial District in the Southwest Industrial Park Specific Plan (SWIP), as shown on Exhibit “A” and Exhibit “B”, and the lot size requirements for all districts of SWIP are removed, as shown on Exhibit “C”, and attached hereto and by this reference incorporated; and

Section 7. 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 circulated in the City of Fontana, and henceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 23rd day of June 2020.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:



622D5F9CCDFD240C

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 9th day of June 2020, and was finally passed and adopted not less than five days thereafter on the 23rd day of June 2020, by the following vote to wit:

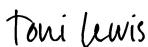
AYES: Mayor Warren, Mayor Pro Tem Armendarez, Council Members Roberts, Sandoval, and Cothran

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:



EBDCDFDA17754E5

City Clerk of the City of Fontana

DocuSigned by:

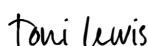


9B476DAD90D46B

Mayor of the City of Fontana

ATTEST:

DocuSigned by:



EBDCDFDA17754E5

City Clerk

Exhibit "A"**Table 12-2 Allowable Land uses and Permit Requirements****Southwest Industrial Park Specific Plan***Speedway Industrial District***Table 12-2 Allowable Land Uses and Permit Requirements (continued)**

<i>Land Use</i>	<i>Permit Requirement</i>
<i>"P" = Use Permitted by Right "C" = Conditional Use Permit Required "M" = Minor Use Permit Required</i>	
Motor Vehicle	
Car Wash/ Detailing	M
Motor Vehicle Rental, Sales, and Leases	C
Service Stations (3)	C
Specialty or Antique Automotive Sales	C
Truck Sales	C
Truck Stops (3)	C
Vehicle Auctions	P
Registered Vehicle Storage	C
Distribution, Wholesaling, and Warehousing Uses	
<i>Logistics and Distribution Facilities</i>	P
Warehousing Facilities	P
Transportation, Communications, and Infrastructure Uses	
Antennas	M
Broadcasting Offices or Studios	P
Parking Facilities <i>Structures</i> (3)	P
Truck, Truck Trailer Storage	C
Other Uses	
Drive-Through Uses (3)	M
Outdoor Display & Sales	M
Public Facilities	P
Temporary Uses	Municipal Code Chapter 30, Division 14 (Temporary Use).

Exhibit "B"**Special Use Regulations for "Registered Vehicle Storage"****Southwest Industrial Park Specific Plan***Speedway Industrial District***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, cement or an equivalent material. The surface material shall be striped as required and shall be maintained in good condition at all times.
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 be behind any required landscape setback area. Additional wall height and/or berming may be added as needed to satisfy screening requirements. Wrought iron fencing with a minimum height of eight (8) feet shall be used at locations fronting the I-10 freeway. Dense, hostile landscaping (trees, shrubs, groundcover and vines) shall be added in the landscape setback area between the I-10 freeway and the wrought iron fencing to adequately screen storage areas to the satisfaction of the Director of Community Development.
3. A line-of-sight analysis clearly demonstrating that all registered vehicles 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 may 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

Ordinance No. 1831

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 (26') in width shall be provided as required by the Fire District.
6. 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. A guard station can be located within the primary building on-site when it is adjacent to the primary access to the premises.
7. A residence for a caretaker may be permitted and incorporated into the project subject to the approval of a Conditional Use Permit application.
8. 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.
9. Fire hydrants shall be required to the satisfaction of the Fire District.
10. 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.
11. Provide adequate space dimensions to accommodate the movement of large vehicles on the site. Turning templates for truck/trailer combos shall be provided in order to demonstrate adequate circulation.
12. 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.)

Exhibit "C"**Special Use Regulations: Remove Lot Size Minimums**

This change applies to the following sections in the Southwest Industrial Park Specific Plan:

1. Slover Central Manufacturing District – Section 9.4 G.12
2. Slover East Industrial District – Section 10.4 G. 12
3. Slover West Industrial District – Section 11.4 G.12

Original Language:

To provide adequate space dimensions to accommodate the movement of 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.

New Language:

Provide adequate space dimensions to accommodate the movement of large vehicles on the site. Turning templates for truck/trailer combos shall be provided in order to demonstrate adequate circulation.

TO: HERALD NEWS
EMAIL: LEGALS@FONTANAHERALDNEWS.COM
FROM: FONTANA CITY CLERK'S DEPARTMENT
DATE: JUNE 10, 2020

PUBLICATION OF SUMMARY OF PROPOSED ORDINANCE NO. 1831 and 1832

PUBLISH ONE TIME ONLY ON OR BEFORE JUNE 19, 2020 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF PROPOSED ORDINANCE NO. 1831 and 1832

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **June 9, 2020** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, considered adoption of the following ordinance:

1. Read by title only and waive further reading of and introduce **Ordinance No. 1831**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 19-007, to add "Registered Vehicle Storage," and accompanying special use regulations, "Logistics and Distribution Facility," and "Truck/Trailer Storage: as allowable uses in the Speedway Industrial District and remove the lot size requirements for registered vehicle storage in the Southwest Industrial Park Specific Plan and that the reading of the title constitutes the first reading thereof; and,
2. Read by title only and waive further reading of and introduce **Ordinance No. 1832**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 19-003, which outlines infrastructure improvements (public sewer line) including a city reimbursement of up to \$300,000 towards the infrastructure improvements 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: JUNE 23, 2020

PUBLICATION OF SUMMARY OF ADOPTED ORDINANCE NO. 1831 and 1832

PUBLISH ONE TIME ONLY ON OR BEFORE JULY 3, 2020 ONE AFFIDAVIT PUBLICATION REQUESTED.

SUMMARY OF ADOPTED ORDINANCE NO. 1831 and 1832

NOTICE IS HEREBY GIVEN that the City Council of the City of Fontana, at a Regular Meeting held on **June 23, 2020** in the City Council Chambers, 8353 Sierra Avenue, Fontana, California, adopted the following ordinance:

1. Second Reading/Adopt **Ordinance No. 1831**, an Ordinance of the City Council of the City of Fontana approving Specific Plan Amendment No. 19-007, to add "Registered Vehicle Storage," and accompanying special use regulations, "Logistics and Distribution Facility," and "Truck/Trailer Storage: as allowable uses in the Speedway Industrial District and remove the lot size requirements for registered vehicle storage in the Southwest Industrial Park Specific Plan.
2. Second Reading/Adopt **Ordinance No. 1832**, an Ordinance of the City Council of the City of Fontana approving Development Agreement No. 19-003, which outlines infrastructure improvements (public sewer line) including a city reimbursement of up to \$300,000 towards the infrastructure improvements.

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

Certificate Of Completion

Envelope Id: 640721C6B0C94707997BDCC14036052F

Status: Completed

Subject: Please DocuSign: Ord 1821

Source Envelope:

Document Pages: 6

Signatures: 4

Envelope Originator:

Certificate Pages: 5

Initials: 0

City Clerk

AutoNav: Enabled

Envelope Stamping: Enabled

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

8353 Sierra Avenue

Fontana, CA 92335

clerks@fontana.org

IP Address: 192.146.186.96

Record Tracking

Status: Original

Holder: City Clerk

Location: DocuSign

9/10/2020 4:59:27 PM

clerks@fontana.org

Signer Events

Ruben Duran

ruben.duran@bbklaw.com

Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:



622D5F9CCD6240C...

Signature Adoption: Pre-selected Style
Using IP Address: 74.116.243.2

Timestamp

Sent: 9/10/2020 4:59:31 PM

Viewed: 9/10/2020 5:01:32 PM

Signed: 9/10/2020 5:02:04 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Acquanetta Warren

awarren@fontana.org

Security Level: Email, Account Authentication (None)

DocuSigned by:



9B476DADB90D46B...

Signature Adoption: Pre-selected Style
Using IP Address: 108.184.102.134
Signed using mobile

Sent: 9/10/2020 5:02:05 PM

Viewed: 9/10/2020 7:36:53 PM

Signed: 9/10/2020 7:37:03 PM

Electronic Record and Signature Disclosure:

Accepted: 9/10/2020 7:36:53 PM

ID: d8455008-d31b-4eb4-ba1a-ff84ab74580e

Toni Lewis

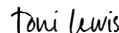
tlewis@fontana.org

City Clerk

City of Fontana

Security Level: Email, Account Authentication (None)

DocuSigned by:



EBCDCFDAA17754F5...

Signature Adoption: Pre-selected Style
Using IP Address: 76.218.56.24
Signed using mobile

Sent: 9/10/2020 7:37:05 PM

Viewed: 9/11/2020 7:49:25 AM

Signed: 9/11/2020 7:49:42 AM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

**CITY COUNCIL
ORDINANCE NO. 1831**

CC MEETING DATE: 06/23/2020

AMENDMENT NO. 13

Carbon Copy Events

Evelyne Ssenkoloto
essenkol@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Status

COPIED

Timestamp

Sent: 9/11/2020 7:49:43 AM

Jesse Raymundo
jraymundo@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

COPIED

Sent: 9/11/2020 7:49:43 AM

Kathy Kasinger
kkasinger@fontana.org

Records Coordinator

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

COPIED

Sent: 9/11/2020 7:49:43 AM

Viewed: 9/14/2020 8:14:14 AM

Susana Gallardo

sgallardo@fontana.org

Security Level: Email, Account Authentication
(None)

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

COPIED

Sent: 9/11/2020 7:49:44 AM

Witness Events

Signature

Timestamp

Notary Events

Signature

Timestamp

Envelope Summary Events

Status

Timestamps

Envelope Sent

Hashed/Encrypted

9/11/2020 7:49:44 AM

Certified Delivered

Security Checked

9/11/2020 7:49:44 AM

Signing Complete

Security Checked

9/11/2020 7:49:44 AM

Completed

Security Checked

9/11/2020 7:49:44 AM

Payment Events

Status

Timestamps

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.