

## **RESOLUTION NO. 2025-079**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA ADOPTING THE ADDENDUM TO THE RANCHO FONTANA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT, AND APPROVING SPECIFIC PLAN AMENDMENT NO. 24-0001 TO AMEND THE PLANNING AREA DESIGNATION FROM PLANNING AREA 18 TO PLANNING AREA 18A, INCREASING THE ALLOWABLE RESIDENTIAL DENSITY FROM SIX DWELLING UNITS PER ACRE TO 12 DWELLING UNITS PER ACRE, AND TO INCLUDE DEVELOPMENT STANDARDS FOR THE PLANNING AREA; TENTATIVE TRACT MAP No. 20729 (TTM NO. 24-0010) TO SUBDIVIDE APPROXIMATELY 3.3 ACRES FOR CONDOMINIUM PURPOSES; AND DESIGN REVIEW NO. 24-0035 FOR THE DEVELOPMENT OF AN ATTACHED CONDOMINIUM DEVELOPMENT CONSISTING OF 54 DWELLING UNITS AND ASSOCIATED IMPROVEMENTS AT APN 1110-171-02.**

**WHEREAS**, on February 16, 1968, Assessor Parcel Number (“APN”) 1110-171-02 (“Subject Property”) was annexed from San Bernardino County into the City of Fontana; and

**WHEREAS**, the most recent edition of the City of Fontana General Plan was adopted by the Fontana City Council (“City Council”) on November 13, 2018; and

**WHEREAS**, on October 3, 2024, the City of Fontana (“City”) received an application from NewBridge Homes (“Applicant”), encompassing a Specific Plan Amendment (“SPA No. 24-0001”), Tentative Tract Map (“TTM No. 24-0010 (TTM No. 20729)”) and Design Review (“DRP No. 24-0035”) to amend the Rancho Fontana Specific Plan to increase the residential density for the project site, subdivide the site for condominium purposes, and seeking the design review approval for the design of a 54-unit attached condominium development and the associated improvements on 3.3 acres at the Subject Property. The project together is known as Master Case Number 24-0065 (“MCN 24-0065”); and

**WHEREAS**, the City previously prepared and certified the Final Environmental Impact Report (FEIR) for the Rancho Fontana Specific Plan project on December 7, 1982, consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR and subsequently approved the Rancho Fontana Specific Plan. For the purposes of this Resolution, the “FEIR” shall refer to the Draft EIR, as revised by the Final EIR’s errata section together with the other sections of the Final EIR; and

**WHEREAS**, on December 7, 1982, the City Council of the City of Fontana (“City Council”) approved the Rancho Fontana Specific Plan and the Rancho Fontana Specific Plan Environmental Impact Report; and

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

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

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

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

**WHEREAS**, MCN 24-0065 are supported by the goals and policies of the General Plan; and

**WHEREAS**, the Conditions of Approval have been prepared and are attached hereto as Exhibit "B" for TTM No. 24-0010 (TTM No. 20729) and Exhibit "C" for DRP No. 24-0035; and

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

**WHEREAS**, the owners of property within 660 feet of the Subject Property were notified via public hearing notice mailer prior to the Public Hearing for Planning Commission and City Council; and a notice of the public hearing was published in the Fontana Herald newspaper on June 20, 2025, for Planning Commission and July 11, 2025, for City Council, and at the project site; and

**WHEREAS**, on July 1, 2025, the Fontana Planning Commission ("Planning Commission") held a noticed public hearing on MCN 24-0065 and received public testimony and evidence presented by the Applicant, City staff, and other interested parties at the Public Hearing held on the project Addendum to the Rancho Fontana Specific Plan FEIR, MMRP, and MCN No. 24-0065 and recommended approval with a vote of 5-0 to the City Council by Resolution No. 2025-022; and

**WHEREAS**, on July 22, 2025, the City Council conducted a noticed public hearing on the project Addendum to the Rancho Fontana Specific Plan FEIR, MMRP, and MCN No. 24-0065 and received testimony from all parties and documentation from

the Planning Commission's public hearing on July 1, 2025; and

**WHEREAS**, based on the information presented to and evidence received by the City Council at the public hearing held on July 22, 2025, for the project, Addendum to the Rancho Fontana Specific Plan FEIR, MMRP, and MCN No. 24-0065, the City council found that the project is in conformance with the goals and policies of the General Plan; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fontana, California as follows:

**Section 1. Recitals.** The above recitals are true and correct and incorporated herein by reference.

**Section 2. Compliance with California Environmental Quality Act.** The City Council has reviewed and considered the Rancho Fontana Specific Plan FEIR and Addendum, any oral or written comments received, and the administrative record prior to making any recommendation on the Proposed Project. The City Council finds that the Addendum and Rancho Fontana Specific Plan FEIR contain a complete and accurate reporting of all of the environmental impacts associated with the Proposed Project. The City Council further finds that the Addendum have been completed in compliance with the State CEQA Guidelines and Section 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

**Section 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report.** Based on the substantial evidence set forth in the record, including but not limited to, the Rancho Fontana Specific Plan FEIR, the Addendum, and all related information presented to the City Council, the Council finds that the Proposed Project necessitates only minor modifications to the Rancho Fontana Specific Plan FEIR. Therefore, pursuant to State CEQA section 15164 and Section 8.06 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA, an Addendum to the Rancho Fontana Specific Plan FEIR is the appropriate document for the project.

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

A. Will not result in substantial changes that would require major revisions of the Rancho Fontana Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified

significant effects; and

B. Will not result in substantial changes with respect to the circumstances under which the proposed project are developed that would require major revisions of the Rancho Fontana Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

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

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

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

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

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

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

**Section 5. Adoption of the Addendum to the Rancho Fontana Specific Plan FEIR.** The City Council hereby adopts the Addendum to the EIR for the Rancho Fontana Specific Plan Program Environmental Impact Report (SCH No. 1981100211) and Mitigation, Monitoring, and Reporting Program (MMRP) that have been prepared pursuant State CEQA Guidelines Sections 15162 and 15164 along with the City of Fontana's 2019 Local Guidelines for Implementing CEQA

**Section 6. Specific Plan Findings.** The City Council hereby makes the following findings for Specific Plan Amendment No. 24-0001 in accordance with Section 30-67 “Purpose” of the Fontana Zoning and Development Code:

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

Findings of Fact: The Applicant is proposing to amend the Rancho Fontana Specific Plan to create an additional land use designation. The project site is currently located in planning area 18, which allows “low medium density residential” and a maximum residential density of six dwelling units per acre. The Applicant is proposing to create an additional planning area (18A) to allow for “high density residential”, which allows for a maximum residential density of 12 dwelling units per acre. Planning Area 18A includes development standards specific to the higher density residential, such as setbacks and parking standards. The amendment to the specific plan will allow for the development of the only remaining vacant area in the specific plan and will diversify the densities and residential product types in the specific plan. The amendment to the Rancho Fontana Specific Plan will not be detrimental to any of the surrounding land uses. The amendment is considered appropriate, having been evaluated within the context of generally accept planning principles, compatibility with surrounding land uses, and consistency with the General Plan.

**Section 7. Tentative Tract Map Findings.** The City Council hereby makes the following findings for TTM No. 24-0010 (TTM No. 20729) in accordance with Section No. 26-218(d) of the FMC:

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

Findings of Fact: Tentative Tract Map No. 24-0010 (TTM No. 20729) is consistent with the existing General Plan Land Use Designation for the project site. The lot size meets the lot standards of the existing and proposed designation in the Rancho Fontana Specific Plan. The tentative tract map is a request to subdivide approximately 3.3 acres (APN: 1110-171-02) for condominium purposes for the construction of a 54-unit attached condominium development with associated improvements, which is a land use permitted in the proposed specific plan designation.

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

Findings of Fact: The site design for Tentative Tract Map No. 24-0010 (TTM No. 20729) is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community

Mobility and Circulation Elements of the City of Fontana General Plan, and Chapter No. 26 of the FMC. The lot size and street configuration also conform to the standards of the proposed land use designation in the Rancho Fontana Specific Plan. The project includes all on-site and off-site improvements to meet all the General Plan goals and objectives as well as all the zoning and Rancho Fontana Specific Plan requirements. Improvements consist of curb, gutter and sidewalks on Orlando Drive and Lime Avenue, drainage, and grading to provide a safe and well-designed project for the area.

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

Findings of Fact: The project site, which consists of approximately 3.3 adjusted gross acres, is adequate in size to accommodate the development of a 54-unit attached condominium development with associated improvements. The existing topography is conducive for the project, and development of the site will not require setback variances. Therefore, the site is suitable for this type of development.

**Finding No. 4: The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.**

Findings of Fact: The design of Tentative Tract Map No. 20729 (TTM No. 20729) is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. There will be no significant effect on the environment with mitigation as a result of project implementation. An Addendum to the Rancho Fontana Specific Plan Environmental Impact Report has been prepared and made a part of the environmental documentation and Conditions of Approval for this project.

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

Findings of Fact: The design of Tentative Tract Map No. 24-0010 (TTM No. 20729) will not cause public health problems. The development complies with the general plan and specific plan land use requirements. Improvements include connection to public sewer, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project promotes the public health, safety, and welfare of the surrounding community.

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

Findings of Fact: The design of Tentative Tract Map No. 24-0010 (TTM No. 20729) and public improvements will not conflict with access easements acquired by the public. The site is accessed from Orlando Drive and Lime Avenue, which are publicly



maintained streets. Currently, there are no other public access easements through or within the project site.

**Section 8. Design Review Findings.** The City Council hereby makes the following findings for Design Review No. 24-0035 in accordance with Section No. 30-120. “Findings for approval” of the Fontana Zoning and Development Code:

**Finding No. 1: The proposal is consistent with the general plan, Zoning and Development Code, and any specific plan or area plan.**

Findings of Fact: The project proposes a site and architectural design for the 54-unit condominium development. The project will be an appropriate and desirable development for the area. The areas surrounding the project site are developed with detached single-family dwellings. While the proposed condominiums are attached, the development will function similarly to the adjacent single-family neighborhoods with sufficient private open space, common open space and parking. The condominium buildings are similar in height to the two-story dwellings in the vicinity and will be similar in scale.

The proposed development is located in the Residential Planned Community (R-PC) general plan land use designation. The designation is used for master-planned communities with specific plans and is considered as a “legacy” land use category linked to the zoning and density approved in specific plans. The project site is located in the Rancho Fontana Specific Plan and with the requested associated specific plan amendment, the project will meet or exceed the criteria contained in the specific plan and Zoning and Development Code.

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

Findings of Fact: The project consists of the development of a 54-unit attached condominium project. The development will be built pursuant to all applicable building, zoning and fire codes, in addition to the Conditions of Approval attached hereto as Exhibit B and C and referenced herein. Architectural features such as a light neutral color palette, decorative clay pipe, metal accents and smooth stucco will accentuate the Spanish architectural style. Additionally, variations to the building face and roof lines are architecturally pleasing. The project includes improvements along Orlando Drive and Lime Avenue.

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

Finding of Fact: The project is aesthetically and architecturally pleasing and compatible with the surrounding area. The project site is approximately 3.3 acres

adjusted gross acres and is physically suitable in size and shape to support an attached condominium development. Applicable building, zoning, and fire codes will make for a safe, attractive, and well-designed project. The project will create visual interest with architectural features of the Spanish style, such as smooth stucco, a light neutral color palette, decorative clay pipes, metal accents, and shutters. The character of the surrounding neighborhood reflects both one- and two- story single-family dwellings. The project is compatible with the surrounding uses and provides a development that is designed with features (architectural relief, landscaping, street improvements, and lighting) to enhance the character of the surrounding area.

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

Finding of Fact: The development has appropriate improvements, not only for the project site but the surrounding area. Project features include sidewalks, drainage, grading, perimeter and privacy walls, and fencing to provide a safe and well-designed neighborhood. The project has been reviewed by the Planning, Engineering, Building and Safety Departments, as well as Fontana Fire Prevention for site circulation, access, and safety and it was determined the project exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

**Section 9. Specific Plan Amendment Approval.** Based on the findings in Section 6, the City Council hereby approves SPA No. 24-001 is hereby approved, with the approved amendments as shown on Exhibit “A”, attached hereto and by this reference incorporated herein.

**Section 10. Tentative Tract Map Approval.** Based on the findings in Section 7, the City Council hereby approves TTM No. 24-0010, subject to the Conditions of Approval attached here to as Exhibit “B” and incorporated herein by this reference as fully set forth herein.

**Section 11. Design Review Approval.** Based on the findings in Section 8, the City Council hereby approves DRP No. 24-0035, subject to the Conditions of Approval attached hereto as Exhibit “C” and incorporated by this reference as fully set forth herein.

**Section 12. Resolution Regarding Custodian of Record.** The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code Section No. 21081.6.

**Section 13. Certification.** The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 14. Effective Date.** This Resolution shall become effective immediately upon its adoption.



**Section 15. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

**APPROVED AND ADOPTED** this 22<sup>nd</sup> day of July 2025.

**READ AND APPROVED AS TO LEGAL FORM:**

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City Attorney

I, Germaine Key, City Clerk of the City of Fontana and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing resolution is the actual resolution duly and regularly adopted by the City of Fontana at a regular meeting thereof, held on the 22<sup>nd</sup> day of July 2025, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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City Clerk of the City of Fontana

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Mayor of the City of Fontana

**ATTEST:**

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City Clerk

**EXHIBIT “A”**

RANCHO FONTANA SPECIFIC PLAN  
LAND USE DEVELOPMENT PLAN (EXISTING)  
PLANNING UNIT AREAS



RANCHO FONTANA SPECIFIC PLAN  
LAND USE DEVELOPMENT PLAN (PROPOSED)  
PLANNING UNIT AREAS





## Development Plan Statistical Summary

Planning Unit	Land Use Designation	Gross Acreage	Max Density (DU/AC)	Existing (Approved) Units	Proposed Units	TOTAL # OF UNITS
1	Low Density Residential	15.30	6.0	89	0	89
2	Low Density Residential	5.00	6.0	23	0	23
3	Low Density Residential	30.00	4.5	134	0	134
4	Low Density Residential	9.50	6.0	49	0	49
5	Low Density Residential	10.00	6.0	56	0	56
6	Low Density Residential	20.50	6.0	122	0	122
7	School/Park	10.00	N/A	0	0	0
8	Low Density Residential	18.20	4.5	82	0	82
9	Low Density Residential	20.00	4.5	90	0	90
10	Low Density Residential	22.50	4.5	101	0	101
11	Park	10.00	N/A	0	0	0
12	Low Density Residential	20.00	6.0	114	0	114
13	Low Density Residential	5.00	6.0	29	0	29
14	Low Density Residential	15.00	6.0	83	0	83
15	Low Density Residential	20.00	6.0	111	0	111
16	Low Density Residential	4.50	6.0	27	0	27
17	Low Density Residential	10.00	6.0	55	0	55
18	Low Density Residential	<b>14.67</b>	6.0	<b>88</b>	0	<b>88</b>
<b>18A</b>	<b>High Density Residential</b>	<b>4.53</b>	<b>12.0</b>	<b>0</b>	<b>54</b>	<b>54</b>
19	Low Density Residential	30.50	4.5	132	0	132
20	Low Density Residential	10.00	4.5	41	0	41
21	Low Density Residential	15.00	6.0	83	0	83
22	Low Density Residential	9.80	6.0	41	0	41
23	Low Density Residential	20.00	4.5	90	0	90
24	Low Density Residential	19.50	6.0	92	0	92
25	Low Density Residential	20.50	4.5	92	0	92
26	Low Density Residential	20.00	4.5	90	0	90
27	School/Park	10.00	N/A	0	0	0
28	Low Density Residential	10.00	4.5	45	0	45
29	Low Density Residential	20.00	4.5	87	0	87
30	Low Density Residential	20.00	4.5	77	0	77
31	Low Density Residential	20.00	4.5	86	0	86
32	Low Density Residential	20.00	N/A	<b>102</b>	0	<b>102</b>
33	Low Density Residential	10.00	4.5	49	0	49
		<b>520.0</b>		<b>2,360</b>	<b>54</b>	<b>2,414</b>
<b>SP TOTALS</b>		<b>Existing Approved Units</b>		<b>Proposed Units</b>	<b>TOTAL</b>	
Total		2,360		54	2,414	
Remaining Undesignated					31	
Max Permitted per EIR					2,445	

(Rancho Fontana Specific Plan Amendment #10 (SPA #24-0010))

Amend Section 4.3.1.2 Residential as follows:

The residential portion of the plan proposes a total of 2445 total dwelling units, to be constructed in a variety of densities and product types. Table 1 (Land Use Summary) provides a breakdown of the assigned gross densities, acres and dwelling unit yield for each planning unit. Residential land uses are broken down into four density categories. Each residential planning unit has an assigned density which corresponds with one of the four density categories. This assigned density and the resultant dwelling unit yield based on these densities generates the maximum yield within each planning unit. Cumulatively, the maximum assigned densities for each planning unit yield an average of 4.5 dwelling units per acre over the entire plan area. This average yield is consistent with the General Plan designation for the project area.

The concept of the plan is to allow flexibility during plan implementation. This is provided in several ways. First, the assigned densities are maximum yields for each planning unit without an amendment to the Rancho Fontana Specific Plan, and may in fact be built out at lower yields depending on market conditions. Second, the plan allows for a range of residential product types in any residential planning unit, again responding to market conditions as long as the maximum assigned yield is not exceeded without an amendment to the Rancho Fontana Specific Plan reallocating units to a specific planning unit. Third, intensification of development may also occur in response to physical design constraints; however, the assigned density and dwelling unit cannot be exceeded without an amendment to the Rancho Fontana Specific Plan reallocating units to a specific planning unit. For example, the precise planning of Planning Unit 12 may indicate that physical constraints restrict the developable portion of the Unit to 60 percent of its gross area. The dwelling unit yield for Unit 12 must then be intensified on 60 percent of the Planning Unit area which will probably result in the utilization of a different housing product type to achieve the maximum yield than that which could be used if 100 percent of the area were developable. Thus, the plan allows flexibility during precise plan implementation while still providing a maximum plan yield for infrastructure planning purposes.

The concept of the plan in terms of residential allocation is to intensify development within the village loop area of the plan. Intensifying development within and along the village loop reinforces the area within the loop as the focal area or core of the village with the village loop street acting to tie the activity centers within this area together. The three highest density categories occur within the loop and the planning units outside the loop are almost exclusively the lowest density category.

Amend Section 6.3.5 as follows:

All areas designated for residential use may not exceed the maximum dwelling unit yield as indicated in the statistical analysis summary without the approval by the City of Fontana of a density transfer. In no case shall the dwelling unit count exceed the total number depicted



in the statistical analysis summary without the approval by the City of Fontana of a density transfer, but may be developed below those densities without an amendment to the Rancho Fontana Specific Plan.

Add back Section 6.3.11: High Density Residential as follows:

High density residential shall be defined as areas in which the gross density is twelve (12) dwelling units per acre.

Amend Section 6.3.18: Density as follows:

- a) Computation for acreage for determining densities designated for residential use shall be based on gross acreage.
- b) The total number of dwelling units in any residential planning unit as shown on the statistical analysis summary in Section 6.2 of this Specific Plan shall not be exceeded without the approval by the City of Fontana of a density transfer. Development of any individual planning unit to a lower density may occur without an amendment to the Rancho Fontana Specific Plan.

Amend Section 6.5.1.5: Off Street Parking as follows:

- a) Parking for High-Density Residential uses shall require a minimum of two (2) and one-half (.5) spaces for each dwelling unit. All required parking spaces shall be located off-street. Parking for all other uses shall be as required by City of Fontana Zoning Ordinance.

Add and Amend Section 6.5.3.6: Setback from Street as follows:

- a) The following minimum setbacks shall apply to maintain structures abutting streets.  
Said setbacks shall be measured from the ultimate right-of-way line.
  - i. 

<u>Street Designation</u>	<u>Min. Setback from ROW</u>
Major	25 ft. <b>15 ft.</b>
Primary	20 ft. <b>15 ft.</b>
Collector	15 ft.
Local	15 ft.
- b) Projection into Setbacks along Public Rights-of-Way. A setback along public rights-of-way may be reduced by up to 50 percent where a deceleration lane or bus bay would result in an encroachment into the required setback area, provided:
  - (1) The reduced setback area shall be no more than the length of the required deceleration lane or bus bay, as determined by the City Engineer.
  - (2) Does not include any reduction of the landscaped area requirement or landscape screening requirement for any parking areas.

**EXHIBIT “B”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. 24-0065 **DATE:** July 22, 2025  
Tentative Tract Map 24-0010 (TTM No. 20729)

**LOCATION:** South of Baseline Avenue, east of Orlando Drive and west of Lime Avenue  
(APN: 1110-171-02)

**PLANNING DEPARTMENT:**

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
  - A. All requirements of the Fontana City’s Municipal Code shall be complied with.
  - B. All Conditions of Approval imposed on this project have been fulfilled.
2. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicants proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

The City of Fontana and the applicant acknowledge that the City would not have

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

3. Tentative Tract Map No. 24-0010 (TTM No. 20729) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Rancho Fontana Specific Plan, Chapter 30 (Zoning and Development), Fontana Municipal Code (FMC) and the Subdivision Map Act.
4. The applicant/developer shall underground all utilities pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
5. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
6. The developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 1981100211) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
7. Tentative Tract Map No. 24-0010 (TTM No. 20729) shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
8. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 of the Municipal Code.
9. The applicant shall post a publicly visible sign on the Subject Property with the telephone number and 24-hour point of contact for dust, noise and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.

10. Historic Archaeological Resources

- A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
- B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

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

- A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.
- B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

- D. Have only necessary equipment onsite.
- E. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
  - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - ii. Temporarily enclose localized and stationary noise sources.
  - iii. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

### **ENGINEERING DEPARTMENT**

- 12. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with the master sanitary sewer plan or as approved by the City Engineer. The onsite sewer system is a private facility, and will not be maintained by the City.
- 13. The Applicant shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
- 14. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy and release of security by the City.
- 15. The Applicant shall construct a Bus Bay. The Applicant shall coordinate with Omnitrans to install or relocate a Bus Stop Shelter along Baseline Avenue, as required by the City Engineer.
- 16. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress location including consideration for walls, landscaping, grading, and vegetation.
- 17. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
- 18. Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered.
- 19. The project shall create a northbound left-turn and a northbound right-turn lane for the northbound Orlando Dr approach to Baseline Ave. This shall include any and all signing, striping, street improvement, or signal modification work that may be

necessary to achieve this.

20. The Applicant shall prepare signing and striping plans for Orlando Drive to include the installation of parking restrictions between Baseline Avenue and the project driveway.
21. The project applicant shall provide a payment as part of the project mitigation fees to ensure that the signal timing at the intersection of Orlando Dr and Baseline Ave is monitored and optimized after project opening to ensure queues on the northbound approach are minimized.
22. The development shall maintain an active Homeowners' Association ("HOA") at all times. The City shall be a third part to the HOA in the event the development cannot maintain said HOA.

#### PRIOR TO ISSUANCE OF GRADING PERMIT

23. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
24. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

#### PRIOR TO MAP RECORDATION

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

#### PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

26. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
27. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

#### PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

28. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
29. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans. The Applicant/Developer shall provide a copy of the new streetlight electric bill.



30. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
31. The Surveyor of Record shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
32. The Surveyor of Record shall set survey monuments as required by the map and corner records must be recorded with the County. The Surveyor of Record shall notify the City in writing that monuments have been set in accordance with the recorded subdivision map and he/she has been paid in full for doing so.
33. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
34. All storm drains shall be video inspected by applicant/contractor. Storm drain video shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
35. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practices transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

#### **BUILDING AND SAFETY DEPARTMENT**

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

J. Disabled access for the site and building must be in accordance with the State of CA and ADA regulations

37. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
38. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
39. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
40. Except as specifically shown in the approved project plans, the applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. Except as specifically shown in the approved project plans, in any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
41. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
42. The applicant shall have the tract map recorded prior to the issuance of any building permits.
43. The applicant shall comply with the following grading requirements:
  - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
  - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
  - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
  - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.

E. No water course or natural drainage shall be obstructed.

F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.

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

H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

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

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

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

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

#### PRIOR TO ISSUANCE OF BUILDING PERMITS

45. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for the project:

- A. Precise grading plans shall be approved
- B. Rough grading completed

Resolution No. 2025-079

C. Compaction certification

D. Pad elevation certification

E. Rough grade inspection signed off by a City Building Inspector

**END OF CONDITIONS**

**EXHIBIT “C”**



**CITY OF FONTANA  
CONDITIONS OF APPROVAL**

**PROJECT:** Master Case No. 24-0065  
Design Review No. 24-0035

**DATE:** July 22, 2025

**LOCATION:** South of Baseline Avenue, east of Orlando Drive and west of Lime Avenue  
(APNs: 1110-171-02)

**PLANNING DEPARTMENT:**

1. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
2. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
  - A. All requirements of the Fontana City's Municipal Code shall be complied with.
  - B. All Conditions of Approval imposed on this project have been fulfilled.
3. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicants proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense. In the event of any such third-party action or proceeding the city shall have the right to retain legal counsel. The applicant shall be responsible for and reimburse the city for such legal fees and costs, in their entirety, including actual attorney fees, which may be incurred by the city in defense of such action or proceeding. This indemnification shall also include but not be limited to, damages, fees and or costs awarded against the city, if any, and cost of suit attorney's fees, and other costs awarded against the

city liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the city and/or any parties bringing such forth.

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

4. This project shall comply with all applicable provisions, regulations, and development standards of the Rancho Fontana Specific Plan and Chapter 30 (Zoning and Development).
5. All Conditions of Approval and Mitigation Monitoring and Reporting Program (MMRP) contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
6. The developer shall comply with the mitigation measures identified in the CEQA Addendum Mitigation (SCH No. 1981100211) Monitoring and Reporting Program (MMRP) as approved by the Planning Commission.
7. The applicant/developer shall underground all utilities pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
8. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
9. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City Manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Section No. 30-30 of the Municipal Code.
10. The applicant shall post a publicly visible sign on the Subject Property with the telephone number and 24-hour point of contact for dust, noise and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a



week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.

11. Historic Archaeological Resources

- A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
- B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

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

- A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.
- B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
- C. The construction contractor will ensure that all construction equipment, fixed or

mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

- D. Have only necessary equipment onsite.
- E. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
  - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - ii. Temporarily enclose localized and stationary noise sources.
  - iii. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
- 13. Color combinations and color schemes for buildings approved under a design review application shall not be modified or changed without prior approval of the original approving body by a revision to the original application. Minor hue color changes may be approved by the Director of Planning. The Director of Planning may refer minor hue color changes to the original approving body for consideration under a revision to the original application.
- 14. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
- 15. Public sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
- 16. All parking stalls shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping.
- 17. All roof-mounted equipment and ground mounted equipment shall be screened from view from adjacent properties and streets to the satisfaction of the Director of Planning.
- 18. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
- 19. The development shall maintain an active Homeowners' Association ("HOA") at all times. The City shall be a third part to the HOA in the event the development cannot maintain said HOA.

#### **ENGINEERING DEPARTMENT**

- 20. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall

be in accordance with the master sanitary sewer plan or as approved by the City Engineer. The onsite sewer system is a private facility and will not be maintained by the City.

21. The Applicant shall obtain design and plan approval from all utility providers having jurisdiction over the on-site and off-site utilities. Completion of all undergrounding of on-site and off-site utilities is required by Section 27-52 of the City Municipal Code and in accordance with plans and specifications approved by the City Engineer.
22. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy and release of security by the City.
23. The Applicant shall construct a Bus Bay and install a Bus Stop Shelter along Baseline Avenue, as required by the City Engineer.
24. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress location including consideration for walls, landscaping, grading, and vegetation.
25. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
26. Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered.
27. The project shall create a northbound left-turn and a northbound right-turn lane for the northbound Orlando Dr approach to Baseline Ave. This shall include any and all signing, striping, street improvement, or signal modification work that may be necessary to achieve this.
28. The project shall prepare signing and striping plans along Orland Dr to include the installation of parking restrictions along Orlando Dr between Baseline Ave and the project driveway, and along Lime Ave between Baseline Ave and the project driveway.
29. The project applicant shall provide a payment as part of the project mitigation fees to ensure that the signal timing at the intersection of Orlando Dr and Baseline Ave is monitored and optimized after project opening to ensure queues on the northbound approach are minimized.

#### **PRIOR TO ISSUANCE OF GRADING PERMIT**

30. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.
31. The Applicant shall submit and gain approval of a final drainage study prepared in accordance with the County of San Bernardino Hydrology Manual and Fontana Master Plan of Drainage.

**PRIOR TO MAP RECORDATION**

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

**PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS**

33. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
34. The Applicant shall submit engineered improvement plans and obtain full approval. All required public improvements, including but not limited to streets, storm drainage systems, sewers, traffic signals, streetlights, striping, signs, landscape, and any required traffic control and/or detour plans. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

**PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY**

35. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
36. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans. The Applicant/Developer shall provide a copy of the streetlight electric bill.
37. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
38. The Surveyor of Record shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
39. The Surveyor of Record shall set survey monuments as required by the map and corner records must be recorded with the County. The Surveyor of Record shall notify the City in writing that monuments have been set in accordance with the recorded subdivision map and he/she has been paid in full for doing so.
40. All sewers shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Contractor performing the video inspection must have a NASSCO PACP, LACP, and MACP certification. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff with an accompanying full report. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
41. All storm drains shall be video inspected by applicant/contractor. Storm drain video

shall include main lines and laterals. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. Videos to be inspected and approved by City Inspector. If removal and replacement of any utility is required, a subsequent video of the repair will be required.

42. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practices transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

#### **BUILDING AND SAFETY DEPARTMENT**

43. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as applicable:
  - A. California Building Code
  - B. California Residential Code
  - C. California Electrical Code
  - D. California Mechanical Code
  - E. California Plumbing Code
  - F. California Energy Code
  - G. California Fire Code
  - H. California Green Building Standards Code
  - I. City of Fontana Ordinance
  - J. Disabled access for the site and building must be in accordance with the State of CA and ADA regulations
44. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
45. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
46. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
47. Except as specifically shown in the approved project plans, the applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. Except as specifically shown in the approved project plans, in any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-

case basis for extenuating circumstances.

48. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
49. The applicant shall have the tract map recorded prior to the issuance of any building permits.
50. The applicant shall comply with the following grading requirements:
  - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
  - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
  - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
  - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
  - E. No water course or natural drainage shall be obstructed.
  - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
  - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
  - H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

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



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

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

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

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

52. The following items (as applicable) shall be completed by the applicant and submitted to Building & Safety prior to the issuance of building permits for the project:

- A. Precise grading plans shall be approved
- B. Rough grading completed
- C. Compaction certification
- D. Pad elevation certification
- E. Rough grade inspection signed off by a City Building Inspector

**END OF CONDITIONS**