

RESOLUTION NO. 2025-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FONTANA, CALIFORNIA ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND APPROVING GENERAL PLAN AMENDMENT NO. 24-0004 (PART NO. 1 OF GENERAL PLAN AMENDMENT CYCLE NO. 1 OF 2025) TO REVISE EXHIBIT NO. 15.8 IN CHAPTER 15 OF THE GENERAL PLAN, AMENDING THE LAND USE DESIGNATION FROM MULTI-FAMILY MEDIUM/HIGH TO MULTI-FAMILY RESIDENTIAL FOR ASSESSOR PARCEL NUMBERS 0228-051-01, -14, -15, -16, -17, -19, -20, AND -21; 0228-052-01, -25, -26, AND -27, 0228-061-02 THROUGH -14, -16, -17, -18, -20 THROUGH -25, AND 0228-311-05 TOTALING APPROXIMATELY 31.0 ACRES; APPROVING TENTATIVE TRACT MAP NO. 24-0009 (TTM NO. 20712) TO SUBDIVIDE 35 PARCELS INTO A CONDOMINIUM MAP; APPROVING CONDITIONAL USE PERMIT NO 24-0023 TO ESTABLISH A PLANNED UNIT DEVELOPMENT; APPROVING DESIGN REVIEW NO. 24-0031 FOR THE CONSTRUCTION OF A 393 MULTI-FAMILY UNIT CONDOMINIUM DEVELOPMENT, WITH ON-SITE AND OFF-SITE IMPROVEMENTS ON APPROXIMATELY 31.0 GROSS ACRES; AND DIRECT STAFF TO FILE THE NOTICE OF DETERMINATION

WHEREAS, on October 8, 1981, Assessor Parcel Numbers (“APNs”) 0228-051-01, -14, -15, -16, -17, -19, -20, and -21; 0228-052-01, -25, -26, and -27, 0228-061-02 through -14, -16, -17, -18, -20 through -25, and 0228-311-05 were annexed from San Bernardino County into the City of Fontana (“Project Site”); 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 the City of Fontana Housing Element was adopted by the City Council on February 8, 2022; and

WHEREAS, on September 11, 2024, the City of Fontana (“City”) received an application from Diversified Pacific Communities (“Applicant”) for the Project Site, requesting a General Plan Amendment (GPA No. 24-0004) Plan to change the land use designation from Multi-Family Medium/High (R-MFMH) to Multi-Family Residential (R-MF), Zoning District Code Map Amendment (ZCA No. 24-0004) to change the Zoning District Map from Multiple-Family Medium/High (R-4) to Multi-family residential (R-3) as shown in **Exhibit “A”**, Tentative Tract Map (Tentative Tract Map No. 24-0009 (TTM No. 20712) to subdivide multiple parcels for a condominium map, Conditional Use Permit (CUP No. 24-0023) to establish a planned unit development (PUD) within an R-3 zone, and Design Review (DRP No. 24-0031) to review the architecture and

site design for the development of 393 multi-family condominium units; and

WHEREAS, the amendment to the General Plan Land Use Designation will contribute to a balanced and diverse neighborhood and associated amenities and services, as well as contribute to an infrastructure that will support a qualified workforce; and

WHEREAS, GPA No. 24-0004 is considered a “Project” as defined by the California Environmental Quality Act (CEQA); and

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, §15000 et seq.) (“CEQA”), a Mitigated Negative Declaration (“MND”) analyzing all potential impacts of the Project was prepared for the City’s consideration as lead agency under State CEQA Guidelines section 15063; and

WHEREAS, the MND indicated that all potential environmental impacts from the project would be less than significant with the incorporation of the identified mitigation measures in the Mitigation Monitoring and Reporting Program (“MMRP”); and

WHEREAS, the Draft MND was prepared in accordance with CEQA and circulated for public review and comment between October 17, 2025 to November 18, 2025 by: (1) filing a Notice of Intent to Adopt a Mitigated Negative Declaration (“NOI”) with the State Clearinghouse; (2) filing a NOI with the San Bernardino County Clerk; (3) placing a NOI in the Sun, a newspaper of general circulation; (4) mailing a NOI to various interested persons, agencies and tribes; and (5) posting a NOI on the City’s website; and

WHEREAS, copies of the Draft MND were available during the public review period at City Hall and on the City’s website; and

WHEREAS, pursuant to Public Resources Code section 21081.6 and State CEQA Guidelines section 15074(d), the MMRP has been prepared and includes mitigation measures for biological resources and cultural resources; and

WHEREAS, the Project Site is comprised of 35 parcels located South Highland Avenue, north of Walnut Street, west of Almeria Avenue and at the terminus of Knox Avenue, approximately 31.0 adjusted gross acres; and

WHEREAS, GPA No. 24-0004, ZCA No. 24-0004, Tentative Tract Map No. 24-0009 (TTM No. 20712), CUP No. 24-0023, and DRP No. 24-0031 are supported by the goals and policies of the General Plan; and

WHEREAS, the Conditions of Approval are attached hereto as **Exhibit “B”** for Tentative Tract Map No. 24-0009 (TTM No. 20712), and **Exhibit “C”** for Conditional Use Permit No. 24-0023 and Design Review No. 24-0031; and

WHEREAS, on November 28, 2025, a notice of the public hearing was published in the Fontana Herald newspaper and simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, the owners of property within 660 feet of the Project Site were notified via public hearing notice mailer prior to the public hearing; and

WHEREAS, on November 18, 2025, a duly noticed public hearing on GPA No. 24-0004, ZCA No. 24-0004, Tentative Tract Map No. 24-0009 (TTM No. 20712), CUP No. 24-0023, and DRP No. 24-0031, was held by the Fontana Planning Commission ("Planning Commission") to consider testimony and evidence presented by the Applicant, City staff, and other interested parties. Following the hearing, the Planning Commission recommended approval of the project to the Fontana City Council ("City Council") with a vote of 4-0 by Resolution PC No. 2025-044; and

WHEREAS, on December 9, 2025, the City Council conducted a noticed public hearing on GPA No. 24-0004, ZCA No. 24-0004, Tentative Tract Map No. 24-0009 (TTM No. 20712), CUP No. 24-0023, and DRP No. 24-0031 and received testimony from all parties and documentation from the Planning Commission's public hearing on November 18, 2025; and

WHEREAS, based on the information presented to and evidence received by the City Council at the public hearing held on December 9, 2025, for GPA No. 24-0004, ZCA No. 24-0004, Tentative Tract Map No. 24-0009 (TTM No. 20712), CUP No. 24-0023, and DRP No. 24-0031, MND, and MMRP, the City Council found the project to be in conformance with the goals and policies of the General Plan; and

WHEREAS, all of the notices required by statute and the Fontana Municipal Code ("FMC") have been given as required; 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, the City Council **RESOLVES** as follows:

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

Section 2. CEQA. The City Council has reviewed and considered the Initial Study ("IS"), MND, and MMRP, any oral or written comments received, and the administrative record prior to making any decision on the proposed project. The City Council finds that the IS/MND and MMRP contain a complete and accurate reporting of all the environmental impacts associated with the project. The City Council finds that the MND and MMRP have been completed in compliance with the State CEQA Guidelines and Section 6.21 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

a. The City Council has reviewed and considered the information contained in the Final MND and the administrative record, including all written and oral evidence presented to it, and the City Council finds based on its independent review and analysis: (i) that the Final MND was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence in the administrative record supporting a fair argument that the Project may have a significant effect on the environment. The City Council finds that the Final MND contains a complete, objective, and accurate reporting of the environmental impacts associated with the project and reflects the independent judgment and analysis of the city. As well the City Council finds that no new significant environmental impacts have been identified in the Final MND and any changes to the Final MND in response to comments or otherwise do not constitute substantial revisions requiring recirculation under State CEQA Guidelines section 15073.5.

b. The City Council has also reviewed and considered the MMRP for the project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that such MMRP is designed to ensure compliance with the mitigation measures during project implementation.

c. **Adoption of MND.** Pursuant to Public Resources Code section 21080, subdivision (c)(2), the City Council adopts the Final IS/MND prepared for the project.

d. **Approval of MMRP.** Pursuant to Public Resources Code section 21081.6, the City Council approves the MMRP, which was prepared for the project and make it a condition of project approval and is attached hereto.

e. **Notice of Determination.** The City Council directs staff to file a Notice of Determination with the San Bernardino County Clerk and the Office of Planning and Research within five (5) working days of approval of the project.

Section 3. General Plan Amendment Findings. The City Council hereby makes the following findings for GPA No. 24-0004 in accordance with Section 30-31 “Purpose” of the Fontana Zoning and Development Code:

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

Findings of Fact: An amendment to the General Plan Land Use Designation would revise Exhibit No. 15.8, changing the land use designation from Multi-Family Medium/High (R-MFMH) to Multi-Family Residential (R-MF) to accommodate for the development of 393 multi-family residential condominium units. This development will help address the growing residential demand in the city and the surrounding area.

The General Plan amendment is consistent with the goals and policies of the Housing Element in the General Plan. More specifically, the project aligns with the following goals of the Housing Element:

- Provide adequate housing to meet the needs of all residents in the City of Fontana.
- Provide a high standard of quality in existing affordable housing.
- Goal 1/Policy No. 1.1, by providing a “Establish a range of rental and for sale housing opportunities in the city.”
- Goal 1/Policy No. 1.3, “Promote the development and access to housing affordable to all income levels in Fontana.”

Section 4. Tentative Tract Map Findings. The City Council hereby makes the following findings for Tentative Tract Map No. 24-0009 (TTM No. 20712) in accordance with Section No. 26-55(e) “Processing of application,” of the Fontana Municipal Code:

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

Findings of Fact: Tentative Tract Map No. 24-0009 (TTM No. 20712) and the abandonment of portion of Knox Avenue are consistent with the General Plan Land Use Designation for the Project Site, which changes the land use designation from R-MFMH to R-MF. The tentative tract map will establish a condominium map for the Project Site and facilitate the abandonment necessary to accommodate the construction of a 393 multi-family unit development, which is permitted under the amended land use designation in the General Plan. The project has been designed to be compatible with the surrounding uses and incorporates architectural relief, enhanced landscaping, street improvements, and lighting, to enhance the character of the surrounding neighborhood. The Project Site is not within a specific plan.

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. 24-0009 (TTM No. 20712) and the abandonment of portion of Knox Avenue 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 General Plan. The project includes all on-site and off-site improvements to meet all the General Plan

goals and objectives; as well as all of the proposed R-3 zoning requirements. Improvements consist of public sewer, public storm drain, streets, gutter, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. The project plans have been reviewed by the Planning Department, the Engineering Department, Building and Safety, and Fire Prevention Department and these departments have developed conditions of approval to ensure compliance with the FMC and other regulations. The Project Site is not within a specific plan.

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

Findings of Fact: The Project Site for the multi-family residential development is approximately 31.0 gross acres, which is adequate in size to accommodate the development. The Project Site is vacant and relatively flat. The existing topography is conducive for the project, and its development did not require setback variances. Additionally, the Project will have access to two different public streets that will support the type and density proposed. All street improvements will be constructed pursuant to applicable building, zoning, and fire code standards.

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

Findings of Fact: The design of Tentative Tract Map No. 24-0009 (TTM No. 20712) is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat. The area surrounding the Project Site has been developed with residential uses.

An IS, MND, and MMRP was prepared for this project in accordance with CEQA and the 2019 Local Guidelines for Implementing CEQA. The IS determined that the project would not have a significant effect on the environment as a result of the project implementation and the MND, and MMRP. The use is consistent with the site's Land Use Designation and the Zoning and Development Code. Furthermore, the design of the condominium map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

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

Findings of Fact: The design of Tentative Tract Map No. 24-0009 (TTM No. 20712) will not cause public health problems. The development complies with the Zoning and Development Code and General Plan. Improvements include connection to the public sewer, connection to the public storm drain, modification to the existing sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

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

Findings of Fact: The design of Tentative Tract Map No. 24-0009 (TPM No. 20712) and public improvements will not conflict with access easements acquired by the public. Access to and from the Project Site would be provided from driveways on South Highland Avenue and Walnut Street.

Section 5. Conditional Use Permit Findings. The City Council hereby makes the following findings for the Conditional Use Permit No. 24-0023 in accordance with Section 30-150 “Finding for Approval” for conditional use permit of the Fontana Zoning and Development Code:

Finding No. 1: The proposed project is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning and Development Code, Municipal Code, general plan, any applicable specific plan, or area plan, and City regulations/standards.

Findings of Fact: The Project Site is currently designated as Multi-Family Medium/High Residential (R-MFMH). The proposed project includes a General Plan Amendment to redesignate the site to Multi-Family Residential (R-MF), a Zoning Code Amendment to rezone the property from Multi-Family Medium/High Residential (R-4) to Multi-Family Residential (R-3), and establishment of a new Planned Unit Development (PUD). These actions are being processed concurrently so that the site will be appropriately designated and zoned to support the 393-unit development. Because the PUD will be located within the R-3 zone, it is allowed with approval of a Conditional Use Permit, which is also being processed as part of this entitlement package.

The Project supports the goals and policies of the General Plan. Goal 7 of Chapter 16 Stewardship and Implementation promotes a diversified housing stock that accommodates a range of incomes, household types, and age groups. This project will be

providing three different types of housing styles to offer housing variety to Fontana residents. The proposed Project will comply and is consistent with the applicable building codes, zoning codes, and fire codes and other appropriate standards and will make a safe, attractive, and well-designed project meet all adopted development standards and guidelines.

Finding No. 2. The site is physically suited for the type, density and intensity of the proposed use including access, utilities, and the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.

Findings of Fact: The buildings for the 393-unit multi-family development is physically suited for the type, density and intensity with the surrounding area. The adjacent properties are existing single-family residential houses. The project will consist of two-story buildings. The Project's scale, mass and bulk will be consistent to the surrounding area. There will be no adverse effect on the neighboring sites or their permitted uses. The density proposed as part of this project is consistent with the Zoning and Development Code. There are several single-family residential developments directly adjacent to the project, and there are similar multi-family developments in the near vicinity. The project and use will be compatible with the surrounding area.

Finding No. 3. Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.

Findings of Fact: The site is proposed to be developed in compliance with all applicable building and fire codes standards, access requirements, and in accordance with all the Conditions of Approval. The project is surrounded by single-family development. The project consists of two-story buildings and single-family developments; this project will not inconvenience surrounding properties. The project will include a new sidewalk along South Highland Avenue, which will improve the safe walking routes in the area. The new safe walking sidewalk will improve the public's health and safety. The project site is currently vacant. The new development will introduce an aesthetically pleasing gated community, enhancing the surrounding area. The ornamental landscape and new lighting will improve the overall area. The proposed project will comply with the Zoning and Development Code. Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the area.

Section 6. Planned Unit Development Findings. The City Council hereby makes the following findings for a Planning Unit Development (CUP No. 24-0023) in accordance with Section 30-331 “Finding for Approval” for planned unit development of the Fontana Zoning and Development Code:

Finding No. 1: The proposed project conforms to the General Plan and is consistent with the purposes and requirements of this division.

Findings of Fact: The Project Site is currently designated as Multi-Family Medium/High Residential (R-MFMH). The proposed project includes a General Plan Amendment to redesignate the site to Multi-Family Residential (R-MF), a Zoning Code Amendment to rezone the property from Multi-Family Medium/High Residential (R-4) to Multi-Family Residential (R-3), and establishment of a new Planned Unit Development (PUD). These actions are being processed concurrently so that the site will be appropriately designated and zoned to support the 393-unit development. Because the PUD will be located within the R-3 zone, it is allowed with approval of a Conditional Use Permit, which is also being processed as part of this entitlement package. The Project supports the General Plan goals and policies such as Goal 7 of Chapter 16 Stewardship and Implementation encourages a diversified housing stock that serves Fontana residents across the range of incomes, household types, and age groups. This project will be providing three different types of housing styles to offer housing variety to Fontana residents.

Finding No. 2. The uses within the project are compatible.

Findings of Fact: The Project creates a PUD for the proposed 393-unit multi-family development within an R-3 zone which is permitted with a conditional use permit. The density proposed is consistent with the Zoning and Development Code. There are several single-family residential developments directly adjacent to the project, and there are similar multi-family developments in the near vicinity. The project will be compatible with the surrounding area. All of the uses within this PUD are residential, therefore compatible.

Finding No. 3. New buildings or structures related to the project are compatible with the scale, mass, bulk, and orientation of buildings and structures in the surrounding vicinity.

Findings of Fact: The proposed buildings for the 393-unit multi-family development are compatible in scale, mass, bulk, and orientation with structures in the surrounding vicinity. The adjacent properties are

existing single-family residential houses. The project consists of two-story buildings, with a scale, mass and bulk that is consistent with the surrounding area. There will be no adverse effect on the neighboring sites or their permitted uses. There are existing residential uses surrounding the Project Site.

Finding No. 4. The project is consistent with any adopted design guidelines applicable to the project area.

Findings of Fact: The Project is a 393 multi-family unit development located on 31.0 gross acres. The amendments to the General Plan and Zoning District Map Amendment will allow for development of the Project. The Planned Unit Development (PUD) will comply with the development regulations set out in Section 30-326 of the FMC. The Project will comply and is consistent with the applicable building codes, zoning codes, and fire codes and other appropriate standards and will make a safe, attractive, and well-designed project meet all adopted development standards and guidelines.

Finding No. 5. The overall project reflects high level development and design quality that will enhance and benefit the city as a whole.

Findings of Fact: The Project will be a gated community consisting of 393-units. The project will feature three distinct of housing styles with a variety of color and architectural styles that include Spanish, Cottage, and Farmhouse. The project will also include a 1,659 square foot recreational building that will serve as the pool amenity area. There will be amenity spaces throughout the site, as well as an ornamental paseo for residents to enjoy. The Project has been designed to reflect high level development and design quality by providing choices for architectural styles and homes that reflect quality development.

Finding No. 6. The proposed project will be served by adequate water, sewer, public utilities and services, and will have adequate vehicular and pedestrian access to ensure that it will not be detrimental to the public health, safety, or welfare.

Findings of Fact: The Project Site has adequate utilities and services available to meet the needs of the proposed development. Ingress and egress into the gated Project Site will have two access points: Knox Avenue from South Highland Avenue and from Walnut Street. The project has been reviewed by the Planning Department, Engineering Department, Building and Safety Department and County Fire Prevention for site circulation, access, and safety, and it was determined that the project is safe and will not be

detrimental to the public health, safety, or welfare. The Project has been designed to be compatible with the surrounding uses while also providing a development that has been designed with architectural features to enhance the character of the surrounding neighborhood. The project will not be detrimental to the public health, safety, and welfare.

Section 7. Design Review Findings. The City Council hereby makes the following findings for a DRP No. 24-0031 in accordance with Section 30-120 “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: The proposal is consistent with the General Plan, Zoning and Development Code and any applicable Specific Plan.

Findings of Fact: The proposal is to change the land use designation of the General Plan for the Project Site from Multi-Family Medium/High Residential (R-MFMH) to Multi-Family Residential and change the zoning from Multi-Family Medium/High Residential (R-4) to Multi-Family Residential (R-3) to allow for the construction of the multi-family residential development. The Zoning District Map Amendment for the Project Site incorporates the entire project area into the R-3 Zoning District. The residential development provides for a consistent blend of well-designed residential development in the immediate vicinity because it provides consistency with the residential uses’ south, east, and west of the project site.

Finding No. 2: This proposal meets or exceeds the criteria contained in Chapter 30 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 will result in the construction of 393 multi-family residential units (condominium), with three distinct types to choose from: Cluster units (103 detached), Townhome units (177 attached), and Motor Court units (113 detached). The site design for the multi-family residential development have been designed with two gated entries. Access to and from the Project Site will be provided from driveways on Knox Avenue off of South Highland Avenue, and from Walnut Street. There is an existing public sidewalk along Walnut Street that will remain as is, however, the development will include a new public sidewalk along South Highland and on the west side of Knox Avenue. All new improvements such as driveways, streets, sidewalks, drive aisles, and setbacks will comply with Chapter 30 of the Municipal Code and with all applicable building, and fire codes and will promote the public health, safety, and welfare of the surrounding community.

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

Findings of Fact: The Project has been designed with the use of brick veneer, a combination of siding and stucco exterior, shutters, decorative lighting, and accent colors that will add structural and visual interest to the building. Additionally, variations to the building's face and roof lines will be architecturally pleasing. Landscaping will be ornamental in nature and features trees, shrubs, and drought-tolerant accent plants in addition to a variety of ground covers. There will be sidewalks and enhanced paseos within the project site that will promote safe walkability. The Project will be compatible with the residential developments to the south, east and west of the Project Site and will provide a quality, aesthetically pleasing development for the surrounding neighborhood.

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

Findings of Fact: The development complies with the Zoning and Development Code standards and General Plan. The improvements include sewer and storm drain systems, site circulation, parking, landscaping, parks, curbs and gutters, lighting, driveways, sidewalks and decorative paving. Currently the Project Site is vacant and this new development will provide an aesthetically pleasing gated community with new safe routes to walk. The gated community will also have safe walking sidewalks for the future residents to use to access the entire community. With the use of lighting and ornamental landscape designs, the site will encourage future residents to walk and use the amenities. The Project Site will be gated and will have access off Walnut Street and Knox Avenue. The project will provide a newly paved street for Knox Avenue, and a new sidewalk for South Highland Avenue improving the overall community. The site improvements will result in a safe, and well-designed community.

Section 8. **General Plan Amendment Approval.** Based on the findings in Section 3, the City Council hereby approves GPA No. 24-0004 to change General Plan land use designation for the Project Site in Exhibit No. 15.8 from Multi-Family Medium/High Residential (R-MFMH) to Multi-Family Residential, as reflected in Exhibit "A" attached hereto and incorporated herein by reference as fully set forth herein.

Section 9. **Tentative Tract Map Approval.** Based on the findings in Section 4 the City Council hereby approves Tentative Tract Map No. 24-0009 (TTM No. 20712)

subject to the Conditions of Approval, which are attached hereto as Exhibit “B” and incorporated herein by reference as though fully set forth herein.

Section 10. Conditional Use Permit Approval. Based on the findings in Section 5 the City Council hereby approves CUP No. 24-0023 subject to the Conditions of Approval, which are attached hereto as Exhibit “C” and incorporated herein by reference as though fully set forth herein.

Section 11. Planned Unit Development Approval. Based on the findings in Section 6 the City Council hereby approves Planned Unit Development (CUP No. 24-0023).

Section 12. Design Review Approval. Based on the findings in Section 7 the City Council hereby approves Design Review No. 24-0031 subject to the Conditions of Approval, which are attached hereto as Exhibit “C” and incorporated herein by reference as though fully set forth herein.

Section 13. General Plan Conformity for Partial Abandonment of Knox Avenue. Pursuant to Government Code Section 65402, the Planning Commission has reviewed the proposed partial abandonment of Knox Avenue in relation to the goals, policies, and land use designations of the City’s General Plan and finds that the proposed vacation is in conformity with the City’s General Plan.

Section 14. Resolution Regarding Custodian of Record. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code section 21081.6.

Section 15. Certification. The City Clerk of the City Council shall certify to the adoption of this Resolution.

Section 16. Effective Date. This Resolution becomes effective immediately upon its adoption.

Section 17. Severability. If any provision of this Resolution or the application of any 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 9th day of December 2025.

READ AND APPROVED AS TO LEGAL FORM:

City Attorney

I, Germaine Key, City Clerk of the City of Fontana, California, 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 this 9th day of December 2025, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk of the City of Fontana

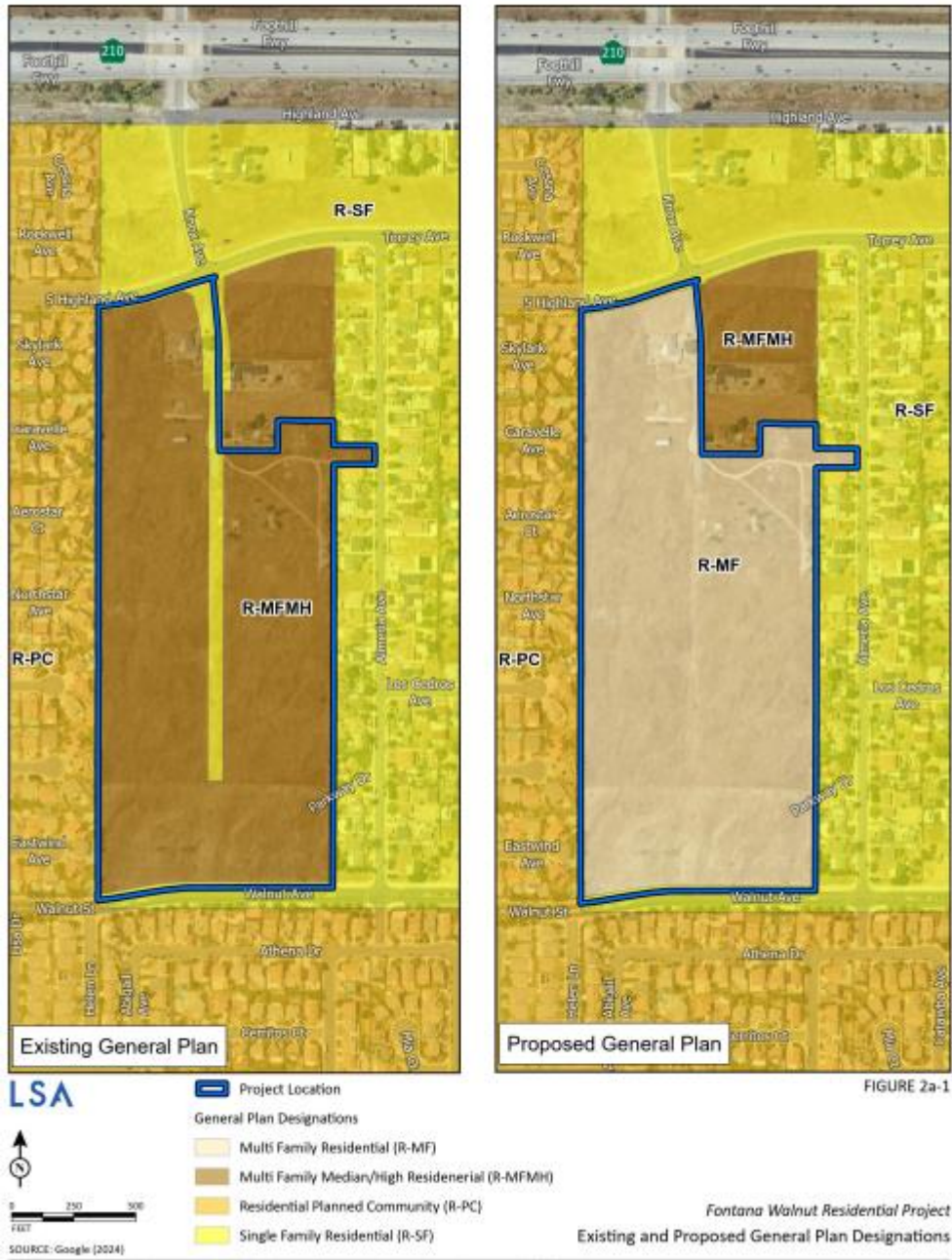
Mayor of the City of Fontana

ATTEST:

City Clerk

EXHIBIT “A”

EXISTING AND PROPOSED GENERAL PLAN LAND USE DESIGNATION FOR THE ENTIRE PROJECT SITE COMPROMISED OF THIRTY-FIVE PARCELS (APNS: 0228-051-01, -14, -15, -16, -17, -19, -20, AND -21; 0228-052-01, -25, -26, AND -27, 0228-061-02 THROUGH -14, -16, -17, -18, -20 THROUGH -25, AND 0228-311-05) FROM MULTI-FAMILY MEDIUM/HIGH RESIDENTIAL (R-MFMH) TO MULTI-FAMILY RESIDENTIAL (R-MF).



officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

5. In the event of any such third party action or proceeding, the City shall have the right to retain legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.
6. 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.
7. This Tentative Tract Map shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
8. 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 developer shall comply with the mitigation measures identified in the CEQA IS/MND (SCH No. 2025100627) identified in the Mitigation Monitoring and Reporting Program (MMRP)

EXHIBIT “C”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. (MCN) 24-0060 **DATE:** December 9, 2025
Conditional use Permit (CUP) 24-0023
Design Review (DRP) No. 24-0031

LOCATION: APNs 0228-051-01, -14, -15, -16, -17, -19, -20, and -21; 0228-052-01, -25, -26, and -27, 0228-061-02 through -14, -16, -17, -18, -20 through -25.

PLANNING DEPARTMENT:

1. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions, signed by the property owner or legal representative, shall be placed on the first sheet of final buildings plans prior to issuance of any building permits.
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. This project will comply with all applicable provisions, regulations and development standards of the Fontana City Code.
 - B. All of the improvements, construction, alteration and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's issuance of a Certificate of Occupancy or other document evidencing the City's final inspection and acceptance of the work; and,
 - C. All other Conditions of Approval imposed by this project have been fulfilled.
3. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding

the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the residential structure until corrections are approved in writing by all appropriate staff.

4. The project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
5. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

6. 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.
7. Color combinations and color schemes shall not be modified or changed without prior approval from 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 shall have the authority to refer minor hue color changes to the Planning Commission for consideration under a revision to the original application if deemed necessary. Appeals shall follow provisions of the Municipal Code.

8. The developer shall comply with the mitigation measures identified in the CEQA IS/MND (SCH No. 2025100627) identified in the Mitigation Monitoring and Reporting Program (MMRP).
9. The occupants of this facility shall comply with applicable provisions of local, state and federal laws and regulations with respect to noise, vibration, smoke, odors, fire and explosive hazards, including, but not limited to the City's adopted Hazardous Materials Management Plan and Industrial Wastewater/Discharge requirements.
10. The developer shall provide clustered and/or individual mail box(es) for the delivery of mail to future residents of the development in a convenient location that does not block the line of sight. The mail boxes shall be made of durable material and shall be installed in a manner that is resistant to vandalism and meets the requirements of the Post Office. The developer is responsible for contacting the Post Office for the type and location of the mail boxes within their development. Any replacements of the mail boxes subsequent to the original installation shall be the responsibility of the developer, the property management company, and/or the homeowners association, and the Post Office.
11. Foam treatment used for architecture features and/or projections located on the first floor (under 14 feet) shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Planning.
12. If solar panel systems are installed on the roof of any residential structure, the installation shall be on top or above the approved roof tile. If a solar panel system is flush-mounted to the roof, matching roof tiles shall be replaced immediately upon removal of the solar panels.
13. All new block walls shall be constructed with a decorative block and capped with a prefabricated block cap to match the existing walls on the adjacent properties.
14. Graffiti and unauthorized markings on any wall, sign, or structure must be removed within twenty-four (24) hours.
15. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
16. A locator map or directory should be posted at the site entrances. The directory should be located on the site so as to be easily and quickly identified and free from visual obstruction. The directory should be illuminated from dusk until dawn. The directory should have vandal resistant glazing to minimize criminal damage and the structure should be weather resistant.

17. Community address numbers and complex numbers should be visible. Building and unit numbers should be posted and visible. Address specifications are meant to ensure identification and location of buildings. Proper posting and maintenance minimizes confusion as to location and expedites public safety response.
18. Design Review No. 24-0031 shall become null and void two (2) years from the original date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.
19. 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 or grading plans prior to issuance of any building or grading permits.
20. The Applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00am to 6:00pm on weekdays, 8:00am to 5:00pm on Saturdays, and no construction on Sundays and Holidays.
21. 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.
22. Adhere to the city light standard of one foot candle minimum of light for all entrances, exits, pedestrian walkways, parking lots and activity areas. Reflect all light fixtures on the site plan. The type of illumination shall be either florescent, metal halide or white L.E.D.'s., and the luminaries shall be vandal resistant. All luminaries shall remain lit from dusk until dawn. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
23. Public sidewalks shall be provided for all new developments in accordance with the city's circulation element of the General Plan.
24. All signs shall be reviewed under a separate Design Review Sign application. This includes, but is not limited to, building signs, monument signs, pylon signs, etc.
25. All temporary signs (banners, wind flags, etc.) shall not be placed on the property unless the proper permits are obtained.
26. All built in BBQ's shall be electric with underground electrical lines and shall be installed with safety locks to the satisfaction of the Director of Planning.

27. All parking spaces shall be clearly marked by double striping pavement painting. Parking stall sizes shall be measured from the mid-point between the striping.
28. 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.
29. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
30. The existing block wall along the westerly boundary (Page L-5 of the landscape plan, No. 3 on the wall & fence plan legend) shall be at least six feet tall on the project side; any deviations are subject to approval by the Director of Planning. In the event that the wall height is less than six feet on the project site, the applicant/developer/property owner shall make best efforts to coordinate with the adjacent property owner to maintain screening of six feet on the project side.
31. The development shall comply with the Planned Unit Development (PUD) guidelines as part of this project.
32. The applicant/developer/property owner shall employ a certified professional manager or management company to provide maintenance, security, and other services. The professional manager or management company shall be California Association of Community Managers (CACM) certified or equivalent.
33. 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(b7) 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:
 1. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 2. Temporarily enclose localized and stationary noise sources.

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

34. 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.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

35. Prior to the issuance of a Certificate of Occupancy the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Planning.
36. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.

BUILDING & SAFETY DEPARTMENT

37. 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 to the State of CA and ADA regulations.
38. 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.
39. 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.
40. 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.
41. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.
42. 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.
43. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
44. 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:
 - A. 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
 - B. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - C. All proposed drainage structures; and
 - D. Any proposed and/or required walls or fencing.

45. In addition to approval from Building & Safety, the applicant is required to obtain approval from the County of San Bernardino, Department of Public Health and the California Regional Water Quality Control Board, Santa Ana Region for the Private Sewage Disposal System.

46. The applicant shall modify the existing private sewage system to accommodate the new use. Plans and/or supporting data will have to be submitted to and approved by Building & Safety regarding the new use and necessary modifications. Additionally, approval from the Regional Water Quality Control Board, Santa Ana Region, is required for the new use.

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

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

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

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

FIRE DEPARTMENT

50. Jurisdiction. The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.
51. Fire Access Road Width. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1.
52. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.

53. Street Signs. Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.
54. Fire Lanes. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2.
55. Water System Commercial. Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.
The Fire Flow for this project shall be: 1625 GPM for a three-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 13,401-15,601 Square Foot structure.
56. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
57. Water Improvement Plan: The applicant shall submit "Water Improvement Plans" to Fontana Fire Prevention. W.I.P. to include site plan, existing & proposed PUBLIC fire hydrant locations, building construction type and largest building square footage. Once approved by Fire Department, applicant will provide stamped/approved W.I.P to water purveyor for their construction needs. ON-SITE PRIVATE FIRE WATER SUPPLY SHALL BE INSPECTED AND IN WORKING CONDITION PRIOR TO PLACING COMBUSTIBLE MATERIALS ON THE JOBSITE. California Fire Code Chapter 5.
58. Combustible Protection. Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5.
59. Fire Sprinkler-NFPA #13D. An automatic life safety fire sprinkler system complying with NFPA 13D and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans with hydraulic calculations and manufacturer specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-2.
60. Fire Sprinkler-NFPA #13R. An automatic fire sprinkler system complying with NFPA 13R and Fire Department standards is required. A fire sprinkler contractor

shall submit three (3) sets of detailed plans with hydraulic calculations and manufacturer specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-3

61. Fire Alarm, Waterflow Monitoring. A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.
62. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.
63. Commercial Addressing. Commercial, industrial, and multi-family developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1 For Multi-Family Buildings.
64. Residential Addressing. The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half ($\frac{1}{2}$) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1 For Single Family Buildings
65. Illuminated Site Diagram. The applicant shall submit for review and approval a site diagram plan to the Fire Department. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. California Fire Code Chapter 5 & SBCoFD Standard B-1
66. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4

67. Security Gates. In commercial, industrial, and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. California Fire Code Chapter 5 & SBCoFD Standard A-3
68. Secondary Access. The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1
69. Spark Arrestor. An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with Fire Department requirements. California Fire Code Chapter 6.

ENGINEERING DEPARTMENT

70. The Project shall be served by the City's sanitary sewer system, all sewer facilities shall be constructed in accordance with the City Standards. Main trunk sewer line shall be in accordance with master sanitary sewer plan or as approved by the City Engineer.
71. 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. Existing Southern California Edison (SCE) aboveground utility poles located along the east side of Knox Avenue not along the project frontage, and those along the eastern project boundary that directly service existing single-family homes, shall not be required to be undergrounded.
72. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.
73. The project shall be in compliance with all Public Works Conditions of Approval and requirements for maintenance of any public sewer and storm drain on private streets.
74. Knox Ave north of the cul-de-sac to South Highland Ave shall include curb, gutter, sidewalk, and new ac pavement on the west side of the centerline and 12' of ac pavement on the east side of the centerline or as approved by the City Engineer.

PRIOR TO ISSUANCE OF GRADING PERMIT

75. 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.
76. 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

77. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
78. The Applicant shall submit a Community Facility District (CFD) maintenance map that meets Engineering requirements for size and format as required for the development showing the CFD boundary and maintenance requirements, obtain approval of the map and complete the first public hearing for formation of the CFD.

PRIOR TO ISSUANCE OF ANY OTHER CONSTRUCTION PERMITS

79. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
80. 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. For a full list of traffic requirements, refer to the Traffic Division's conditions of approval. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

81. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
82. 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.
83. 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.

84. 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.
85. 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.
86. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
87. 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.
88. 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.
89. 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.

PUBLIC WORKS DEPARTMENT

90. All roadways providing access shall maintain a minimum width of thirty-six feet (36') measured from curb to curb inside of the public sewer and storm drain easement.
91. On-street parking shall not be permitted along designated access routes.
92. The roadway shall be designed and constructed to support the weight of Public Works maintenance vehicles, up to twenty (20) tons.
93. Applicant shall install access gates at all designated entry points.
94. Gates shall be constructed of tubular steel fencing or an approved alternate.

95. Each gate shall provide a minimum clear width of twelve feet (12') for equipment entry.
96. Gates shall swing inward or, if sliding style, be equipped with rollers for smooth operation.
97. Applicant shall provide the Public Works Department with gate access codes/keys before final certificate of occupancy and the development is accepted by the City of Fontana
98. Once the development is accepted the development must notify the Public Works Department immediately if any changes occur for gate codes or access at (909) 350-6760.
99. Project to provide up to date signage for owner/HOA contact information to allow for Public Works to Access easement area.
100. A hammerhead-style turnaround shall be constructed at the end of each roadway with no outlet or cul-de-sac that extends one hundred fifty feet (150') or more in length, to accommodate Public Works maintenance equipment.

TRAFFIC DEPARTMENT

101. Project ingress and egress locations and restrictions shall be as follows, with additional or lesser restrictions being necessitated subject to changes in the site plan and approval of the City Engineer:
 - A. The Project may have a single ingress/egress point along Walnut Street which may allow for full access (i.e., left- and right-turning inbound and outbound) movements.
 - B. The Project may have a single ingress/egress point along Knox Avenue which may allow for full access (i.e., left- and right-turning inbound and outbound) movements.
 - C. Where emergency vehicle access to the public Right-of-Way is required or provided, such access points shall be designed and constructed to permit emergency vehicle ingress/egress only. Regular ingress/egress shall not be permitted at emergency vehicle access points.
102. Left-turn ingress and/or egress at all access locations may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered, subject to approval of the City Engineer.

103. All gated ingress locations which do not provide adequate space within the Project site for the design vehicle to turn around shall be designed so that the gate position as either opened or closed is visible to drivers in the public Right-of-Way. At no time shall the design and gating of Project driveways require vehicles to reverse into a travel lane in the public Right-of-Way in order to depart or turn around. This requirement may be excluded if the gate is manned with personnel who may permit an errant driver to enter the site in order to turn around and depart.
104. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
105. The site plan shall identify the on-site vehicular traffic flow patterns and circulation, on-site signing and striping, and any restricted, reserved, or other pre-designated parking areas.
106. The Applicant shall reconstruct the raised median along Walnut Street to provide a 150-foot left-turn lane west of the Walnut Street driveway and a 25-foot two-way left-turn lane east of the Walnut Street driveway.
107. The signal shall be operational at the time of the Project's first issuance of an occupancy permit. If prior to the first issuance of an occupancy permit, the applicant selects to provide, and is able to receive approval of, a supplemental analysis that indicates the signal being operational may be deferred to a later occupancy threshold while maintaining the appropriate Level of Service at the intersection, such a deferral may be granted subject to the approval of the City Engineer. The traffic signal shall be in operation no later than the issuance of the 150th occupancy permit for the project, calculated as the cumulative total of both single-family and multi-family dwelling unit occupancy permits, regardless of any supplemental analysis.
108. The project shall coordinate with the City Traffic Engineer to conduct a signal timing and coordination analysis for the intersection of Citrus Avenue and Highland Avenue.
 - A. The analysis shall include the collection of the appropriate data, analysis of signal timing and performance, and preparation of recommendations.
 - B. The effort will include the preparation of signal timing plans for implementation, subject to the approval of the City Engineer.
 - C. Where signals are encountered that are owned and/or operated by agencies other than the City of Fontana, the project shall coordinate with

those agencies and prepare the required material in order to implement any signal timing changes.

D. Where recommended changes will require equipment or infrastructure modifications or new installation, the Project shall be responsible for the design, construction, and implementation of such, subject to the approval of the City Engineer.

109. The Applicant shall provide a striping and signing plan for all roadway improvements, subject to the approval of the City Engineer as part of the approval of the street improvement plans.
110. The Applicant shall pay the applicable Development Impact Fees in the amount that is in effect at the time such fees are to be collected.
111. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals' bicycle parking guidance.
112. The site plan shall identify all pedestrian access ways and traffic crossings. Crossings shall be clearly marked, lighted, and identified throughout the interior of the project. Pedestrian walkways shall have sufficient pathway lighting.

END OF CONDITIONS OF APPROVAL