

**RESOLUTION NO. PC 2024-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING, PURSUANT TO AN ADOPTED MITIGATED NEGATIVE DECLARATION, DESIGN REVIEW NO 21-043-R2 TO MODIFY THE ELEVATIONS FOR A PREVIOUSLY APPROVED DEVELOPMENT FOR A 68 UNIT DETACHED RESIDENTIAL CONDOMINIUM PROJECT ON APPROXIMATELY 4.6 GROSS ACRES AT 6697 CITRUS AVENUE, ASSESSOR PARCEL NUMBER 0240-011-17, AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION**

**WHEREAS**, 6697 Citrus Avenue, more specifically, Assessor Parcel Number (“APN”) 0240-011-17 (“Project Site”), was annexed from San Bernardino County and incorporated into the City of Fontana on September 22, 1981; and

**WHEREAS**, on October 25, 2022, the City of Fontana (“City”) approved an application from PRL Enterprises for a General Plan Amendment (GPA No. 21-008), Zoning Code Amendment (ZCA No. 21-010), Tentative Tract Map (TTM No. 21-007) and Design Review (DR. No. 21-043) for the construction of a 68 unit condominium development at the Project Site; and

**WHEREAS**, on January 4, 2024, the City received an application from D.R. Horton (“Applicant”) for Design Review No. 21-043-R2, a request for approval to modify the architectural elevations for a 68 unit attached multi-family condominium development (“Project”) at the Project Site; and

**WHEREAS**, the Project Site is located within the Multi-Family Residential (R-MF) General Plan Land Use designation and is also located within the Multiple Housing District (R-3), which allows for such projects; 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, circulated for public comment, and presented to the City of Fontana Planning Commission (“Planning Commission”); and

**WHEREAS**, on October 25, 2022, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) (“CEQA”), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City Council approved DRP No. 21-043 and adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) with Resolution PC Number 2022-129.

**WHEREAS**, the modified Conditions of Approval are attached hereto as **Exhibit “A”** for Design Review (DRP) No. 21-043-R2 and incorporated herein; and

**WHEREAS**, the City wishes to protect and preserve the quality of the life throughout the City through effective land use and planning; 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 were notified via public hearing notice mailer prior to the public hearing; and

**WHEREAS**, a notice of the public hearing was published in the Fontana *Herald* newspaper on July 5, 2024 and simultaneously displayed at City Hall and at the Project Site; and

**WHEREAS**, on July 16, 2024, a duly noticed public hearing on Design Review No.21-043-R2, was held by the Planning Commission to consider testimony and evidence presented by the Applicant, City Staff, and other interested parties; and

**WHEREAS**, on July 16, 2024, the Planning Commission carefully considered all information, evidence, and testimony presented at its public hearing on Design Review No.21-043-R2; and

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

**NOW, THEREFORE**, the Planning Commission RESOLVES as follows:

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

**Section 2.**    CEQA. The Planning Commission hereby determines that 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 and adopted on October 25, 2022 with the approval of the DRP No. 21-043 and staff has determined that, pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162-15164, none of the criteria requiring a subsequent environmental document have been met and that further environmental analysis is not required, and directs Staff to file a Notice of Determination.

**Section 3.**    Design Review Findings. The Planning Commission hereby makes the following findings for Design Review No. 21-043-R2 in accordance with Section 30-140 “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.**

Finding of Fact:        The Project is a request for modifications to a previously approved architectural application. The Applicant is requesting to modify the elevations for the development of 68 unit attached multi-family

residential condominium development, which is consistent with the Multi-Family Residential (R-MF) General Plan designation for the Project Site. The R-MF land use category is described by the General Plan as a land use category that includes multi-family developments, from duplexes and townhouses to condos and rental apartments, at densities up to 24 du per acre with required amenities.

The Project is located within the R-3 zoning district. The 68 unit condominium development will meet all zoning and development standards set for in the Fontana Municipal Code, including the required density range. The 68-units are within fourteen (14) two-story buildings on a 4.6 acre site, which calculates to an average density of 14.8 units per acre. This density is within the twelve (12) to twenty-four (24) units per acre range required by the R-3 zoning district. The Project is not within a specific plan.

**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.**

Finding of Fact:      The development and all improvements including sidewalks, landscaping, lighting, drainage and grading, complies with all requirements in the Fontana Municipal Code and all building, zoning, and fire codes to provide a safe and well-designed Project. Additionally, the development meets all setbacks, height, landscaping, design, architecture, parking, access, and safety requirements.

The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments. During the Project review process, changes were made to the plans to ensure that the Project is well designed. Street lighting and on-site lighting have been included to provide ample visibility at night. Landscaping has been incorporated to create an attractive atmosphere along adjacent parcels.

**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 designed to enhance and complement the surrounding neighborhood. The request modifies the architectural theme for the Project from Craftsman to Spanish style. The result is a high-quality architectural design appropriate and desirable for the surrounding

neighborhood. The development enhances the character of the surrounding neighborhood through the aesthetics and design.

Architectural relief utilized for the buildings consists of concrete roof tiles, stucco finish, decorative clay pipes, wrought iron pot shelf, iron metal window ornaments, dark window framing and recessed window details. Additionally, landscaping utilizes plants to complement the architecture of the buildings and the development. The Project has been reviewed by the Engineering, Building and Safety, and Fire Departments for safety and changes were made to the plans to ensure that the Project is well designed.

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

Finding of Fact: The development complies with the City of Fontana Zoning and Development Code. Improvements including sidewalks, drainage, and grading will provide a safe and well-designed neighborhood.

The Project Site improvements have been reviewed by the Fire, Building and Safety, and Engineering Departments. During the Project review process, changes were made to the plans to ensure that the Project is a well-designed project. Street lighting and on-site lighting have been included to provide ample visibility at night. Landscaping has been incorporated to create an attractive atmosphere along adjacent parcels.

**Section 4.** Approval. Based upon the foregoing, the Planning Commission approves Design Review No. 21-043-R2, subject to the modified Conditions of Approval attached hereto as **Exhibit “A”** and incorporated herein by this reference.

**Section 5.** 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 6.** Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

**Section 7.** Effective Date. This Resolution shall become effective immediately upon its adoption.

**Section 8.** 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.

**PASSED, APPROVED AND ADOPTED** by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 16<sup>th</sup> day of July, 2024.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Ricardo Quintana, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on this 16th day of July, 2024, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Ricardo Quintana, Secretary

## EXHIBIT A



### CITY OF FONTANA CONDITIONS OF APPROVAL

**PROJECT:** Master Case No. 21-120-R2  
Design Review Project No. 21-043-R2

**DATE:** July 16, 2024

**LOCATION:** The project site is located near the corner of Highland Avenue and Citrus Avenue at 6697 Citrus Avenue (APN: 0240-011-17) on approximately 4.6 acres.

#### **PLANNING DEPARTMENT:**

1. This approval is to amend the previously approved entitlement for a 68-unit residential project. The modification includes changes to the architecture and amenity areas as approved by the Planning Commission on November , 2024. The previous Conditions of Approval for Design Review No. 21-046 are hereby repealed and substituted for the conditions herein.
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 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
  - B. All other Conditions of Approval imposed by this project have been fulfilled.
3. 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 Division inspection, has commenced within this period.

4. 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.

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.

5. 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 Sections No. 30-23 of the Municipal Code.
6. 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 structure until corrections are approved in writing by all appropriate staff.

7. The Director of Planning, or his/her designee, shall have the authority for minor architectural changes focusing on items such as window treatments, color combinations, façade treatments, and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Design Review.
8. Any foam treatment used for architecture treatments 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.
9. 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.
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 and is well-lit. The mail box shall 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, each individual homeowner and/or the homeowners association, and the Post Office.
11. 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.
12. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign from the project site. The applicant may request a refund of the \$300 sign deposit. The request shall be submitted to the Planning Department.
13. 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.

14. The construction contractor will 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(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:
  - 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.

15. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
16. 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.
17. All future monument signs shall be reviewed under a separate Design Review Sign application.
18. All built in gas barbeques shall be installed with safety locks to the satisfaction of the Director of Planning.
19. The current Development fees must be paid prior to issuance of building/construction permits.
20. Graffiti and unauthorized markings on any wall, sign, or structure must be removed within twenty-four (24) hours.
21. All landscaping must be adequately maintained at all times.
22. All masonry block walls shall be a minimum of six (6) ft. tall with a prefabricated cap when fronting the public right of way.
23. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
24. All unit garage doors shall include vertical or horizontal windows.
25. Adequate visual screening shall be provided adjacent to the interior lots of the project site and shall be provided by the developer. Screening shall be provided by a combination of trees, block wall or screening methods to the satisfaction of the Director of Planning.
26. The number of outdoor benches shall match the same amount as approved for DRP21-43.

*Prior To Building Permit Issuance*

27. 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.

28. 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 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
29. The applicant shall post the most recent City of Fontana General Plan map, size 24-inches by 36-inches, in all offices selling new homes in the subdivision, whether on-site or remote. The project site/tract boundary shall be clearly delineated on the General Plan map. Additionally, a 24-inch by 36-inch map showing the school district boundaries (for all districts in the City) shall be displayed. The General Plan information and school district boundaries may be included on the same map. The maps shall be clearly and prominently displayed and be visible to all persons entering the sales office.
30. The applicant and/or property owner shall file a petition with the Fontana City Council requesting police enforcement of the California Vehicle Code and the Fontana Municipal Code on the private streets of the development while the development is under a single ownership, or prior to Certificate of Occupancy of any dwelling unit.
31. If a digital video surveillance system is available at the premise, it is recommended to be an internet-based system and shall be maintained in proper working order at all times. The surveillance video/visual media shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours.
32. 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.
33. 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.
34. The applicant/developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program as approved by the City Council on October 25, 2022.

**BUILDING AND SAFETY DIVISION:**

35. Shall comply 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
36. 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.
37. 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.
38. 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.
39. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
40. 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 – public street, 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 slag or 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:
1. 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
  2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
  3. All proposed drainage structures; and
  4. Any proposed and/or required walls or fencing.

41. 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***

42. The following items shall be completed and/or submitted to Building & Safety – as applicable – 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

**ENGINEERING:**

43. All Conditions of Approval issued to the project no. MCN22-000120-R2 shall apply.
44. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
45. 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.

46. 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.
47. 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.

*PRIOR TO ISSUANCE OF GRADING PERMIT*

48. 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.
49. 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*

50. 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*

51. The Applicant shall record all map's, easements, reciprocal access agreement as required for the development.
52. 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*

53. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
54. 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.

55. The Applicant/Engineer 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.
56. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
57. 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).
58. 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.
59. 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.
60. 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.

**SAN BERNARDINO COUNTY FIRE DEPARTMENT:**

61. *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.
62. *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.

63. *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.
64. *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.
65. *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.
66. *Water System Commercial.* Prior to map recordation, 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: 1500 GPM for a two hour duration at 20 psi residual operating pressure. Fire Flow is based on a 13,500 Square Foot structure.

67. *Hydrant Marking.* Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
68. *Water System Certification.* The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.



69. *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.
70. *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
71. *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.
72. *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.
73. *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 six (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
74. *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
75. *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
76. *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

77. *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
78. *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.

**END OF CONDITIONS OF APPROVAL**