

RESOLUTION NO. PC 2025-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING AN ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT FOR THE VENTANA SPECIFIC PLAN (SCH NO. 2021100400), TENTATIVE PARCEL MAP NO. 24-0030 (TPM NO. 20949) TO SUBDIVIDE ONE (1) PARCEL OF APPROXIMATELY 9.6 ACRES INTO FOUR (4) PARCELS, AND DESIGN REVIEW NO. 24-0043 FOR THE SITE AND ARCHITECTURAL REVIEW OF A NEW 29,280 SQUARE FOOT FLEX BUILDING, A 26,470 SQUARE FOOT OFFICE BUILDING WITH A HELICOPTER LANDING PAD AND A 119,200 SQUARE FOOT TRI-LEVEL SELF STORAGE BUILDING TOTALING 174,950 SQUARE FEET WITH THE ASSOCIATED SITE IMPROVMENTS, ON APPROXIMATELY 9.6 GROSS ACRES LOCATED NORTH OF DUNCAN CANYON ROAD AND WEST OF JOHN PREVITI AVENUE (APN: 0226-075-60) .

WHEREAS, Assessor Parcel Number (“APN”) 0226-075-60 (“Project Site”), was annexed from San Bernardino County and incorporated into the City of Fontana on October 8, 1981; and

WHEREAS, on December 18, 2024, the City of Fontana (“City”) received an application from The Previti Group (“Applicant”), for a Tentative Parcel Map No. 24-0030 (TPM No. 20949) and a Design Review (DR) No. 24-0043, to subdivide one (1) parcel of approximately 9.6 acres into four (4) parcels and to construct three (3) new buildings, specifically a new 29,289 sq. ft. flex building, a 26,749 sq. ft. office building with a helicopter landing pad (“helipad”), and a 119,200 tri-level self-storage building, and associated site improvements, at the Project Site (“Project”); and

WHEREAS, the Project site has a General Plan Land Use designation of General Commercial (C-G) and is located within Planning Area 2 of the Ventana at Duncan Canyon Specific Plan, for which the City Council of the City of Fontana (“City Council”) approved an amended version on September 13, 2022 and which allows the development; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 2100 et seq.) (“CEQA”), and the State CEQA guidelines (14 Cal. Code Regs. §§ 15000 et seq.), the City, acting as the lead agency under CEQA, previously determined that an Environmental Impact Report (EIR) must be prepared to evaluate and disclose all potential significant environmental impacts associated with the Ventana Specific Plan; and

WHEREAS, on September 13, 2022, the City certified the Final Environmental Impact Report (“FEIR”) (SCH No. 2021100400) for the Ventana Specific Plan. The FEIR consists of the Draft EIR, comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions documented in an errata section. For purposes of this Resolution, the term “FEIR” refers to the Draft EIR as revised by the errata, along with all other sections comprising the Final EIR; and

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

WHEREAS, pursuant to CEQA Guidelines section 15164, a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred; and

WHEREAS, the City evaluated the proposed Project in light of the standards for subsequent environmental review outlined in Public Resources Code section 21166, State CEQA Guidelines section 15162 and the City of Fontana's 2019 Local Guidelines for Implementing CEQA and concluded that the proposed Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects that were previously disclosed in the FEIR and therefore, no subsequent EIR or mitigated negative declaration is required; and

WHEREAS, the proposed Project would nonetheless necessitate minor changes or additions to the FEIR, and thus, the City has prepared an Addendum to the FEIR pursuant to State CEQA Guidelines section 15164; and

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

WHEREAS, pursuant to Section 5.2.1 of the Ventana Specific Plan, other accessory uses as determined by the Director of Planning to be substantially compatible with principle permitted use are permissible; and

WHEREAS, the Director of Planning has determined the helipad use for the transportation of staff who work in the office building to be substantially compatible with the office use; and

WHEREAS, the helipad included on the office building as an accessory use to the office headquarters was not considered in the Ventana Specific Plan FEIR; and

WHEREAS, the Federal Aviation Administration (FAA) regulates the use of the airspace for approach and departure to the helipad and has completed an airspace analysis of the helipad and issued a letter of "No Objection" on November 20, 2024, to approve the use of the designated airspace for the proposed helipad project; and

WHEREAS, the California Department of Transportation (Cal Trans) is required to review the proposed helipad and issue a letter of "Environmental Certification"; and

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

WHEREAS, Conditions of Approval have been prepared and are attached hereto as **Exhibit “A”** for Tentative Parcel Map No. 24-0030 (TPM No. 20949) and **Exhibit “B”** for Design Review No. 24-0043; and

WHEREAS, all notices required by statute and the Fontana Municipal Code (FMC) have been given as required; 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 a notice of the public hearing was published in the San Bernardino Sun newspaper on April 25, 2025, and simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, on May 6, 2025, a duly noticed public hearing on Tentative Parcel Map No. 24-0030 (TPM No. 20949) and Design Review No. 24-0043, was held by the City of Fontana Planning Commission (“Planning Commission”) to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and

WHEREAS, the Planning Commission carefully considered all information pertaining to the Project, including the staff report, findings, and all of the information, evidence and testimony presented at its public hearing on May 6, 2025; 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. Compliance with California Environmental Quality Act. As the decision-making body for the Project, the Planning Commission has reviewed and considered the Ventana Specific Plan FEIR and Addendum and Mitigation Monitoring and Reporting Program, any oral or written comments received, and the administrative record prior to making any decision on the Proposed Project. The Planning Commission finds that the Addendum and Ventana Specific Plan FEIR contain a complete and accurate reporting of all the environmental impacts associated with the Proposed Project. The Planning Commission further finds that the Addendum has been completed in compliance with the State CEQA Guidelines and Section 8.06 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA.

Section 3. Findings on the Necessity for Subsequent or Supplemental Environmental Impact Report. Based on the substantial evidence set forth in the record, including but not limited to, the Ventana Specific Plan FEIR, the Addendum, and all related information presented to the Planning Commission, the Commission finds that pursuant to State CEQA sections 15162 and 15164 and Section 8.06 of the City of Fontana’s 2019 Local Guidelines for Implementing CEQA, an Addendum to the Ventana Specific Plan FEIR is the appropriate document for the Project.

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

- A. Will not result in substantial changes that would require major revisions of the Ventana Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- B. Will not result in substantial changes with respect to the circumstances under which the Proposed Project are developed that would require major revisions of the Ventana Specific Plan FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- C. Does not present new information of substantial importance that was not known and could not have known with the exercise of reasonable diligence at the time the Ventana Specific Plan FEIR documents were certified showing any of the following:
 - (i) The Proposed Project would have one or more significant effects not discussed in the EIR;
 - (ii) That significant effects previously examined would be substantially more severe than shown in the EIR;
 - (iii) That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, but the lead agency declined to adopt such measures; and
 - (iv) That mitigation measures or alternatives considerably difference from those analyzed would substantially reduce one or more significant effects on the environment, but which the leady agency declined to adopt.

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

Section 5. Adoption of the Addendum to the Ventana Specific Plan FEIR. The Planning Commission hereby adopts the Addendum to the EIR for the Ventana Specific Plan Environmental Impact Report (SCH: 2021100400) and Mitigation, Monitoring, and Reporting Program (MMRP) that have been prepared pursuant to State CEQA Guidelines Sections 15162 and 15164 along with the City of Fontana's 2019 Local Guidelines for Implementing CEQA. The Commission further directs staff to file a Notice of Determination with the County Clerk's Office and the Office of Land Use and Climate Innovation within five (5) working days of adoption of this Resolution.

Section 6. Tentative Parcel Map Findings. The Planning Commission hereby

ATTACHMENT NO. 3

makes the following findings for TPM No. 24-0030 in accordance with Section 26-218(d) "Processing of application" of the Fontana Zoning and Development Code:

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

Findings of Fact: Tentative Parcel Map No. 24-0030 (TPM No. 20949) is consistent with the General Plan Land Use designation of the Project Site which is General Commercial (C-G) and is located in Planning Area 2 of the Ventana at Duncan Canyon Specific Plan. The proposed lot sizes meet the minimum 2-acre lot standard of PA 2 of the Ventana Duncan Canyon Specific Plan. The Tentative Parcel Map is a request to subdivide one (1) existing 9.6-acre parcel into four (4) parcels for construction of three (3) new buildings.

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 Project has been designed to be consistent with the General Plan including on and off-site improvements. The subdivision design conforms to the requirements of Chapter 15 (Land Use, Zoning, and Urban Design Element) and Chapter 9 (Community Mobility and Circulation Element) and Chapter 16 (Stewardship and Implementation Element) of the General Plan by providing the space for high quality site designs that can accommodate a variety of land uses as well as connect the new and existing master-planned residential communities. Additionally, the subdivision is consistent with Chapter 26 (Subdivisions) of the FMC. The subdivision design meets the minimum 2-acre lot size requirement of Planning Area 2 of the Ventana at Duncan Canyon Specific Plan. By the construction of the on-site and off-site improvements such as curb, gutter, sidewalks, and underground utilities, this will further meet the guidelines set for by the FMC. The Project has been reviewed by the Planning Department, Engineering Department and Fire Protection, and it was determined that the conditions of approval will ensure compliance with city code and regulations.

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

Findings of Fact: The Project Site, of approximately 9.6 gross acres, is adequate in size to accommodate the three new buildings totaling 174,950 square feet. The existing topography is relatively level and is conducive to development of the project and public improvements are planned to enable access and services to the project. Therefore, the site is suitable for this type of development. The lot size is consistent with nearby commercial development.

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

Findings of Fact: The design of Tentative Parcel Map No. 24-0030 (TPM No. 20949) and the associated improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish and wildlife or their habitat. There will be no significant effect on the environment with mitigation as identified in the project EIR.

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 Parcel Map No. 24-0030 (TPM No. 20949) will not cause public health problems. The development complies with the Zoning and Develop Code, General Plan and Ventana Specific Plan. Improvements include connection to the public sewer, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project promotes the public health, safety and welfare of the surrounding community.

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

Findings of Fact: The design of Tentative Parcel Map 24-0030 (TPM No. 20949) and public improvements will not conflict with access easements acquired by the public. The lots are accessed from John Previti Avenue, which is a publicly maintained street. Currently, there are no other public access easements through or within the Project site.

Section 7. Design Review Findings. The Planning Commission hereby makes the following findings for DR No. 24-0043 in accordance with Section 30-120 “Finding 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 specific plan.

Findings of Facts: The Project is for the development of three new buildings totaling approximately 174, 590 square feet on 9.6 adjusted acre lot. The Ventana Specific Plan architectural guidelines encourages the influence of Tuscan architecture. Features for the project include a smooth stucco exterior combined with decorative block, decorative brick veneer, decorative iron features, and concrete terracotta roof tiles. The variations to the building face, varying roof lines and building’s height from 27 to 36 feet high, will make the project

architecturally pleasing and be consistent with the surrounding area. The site and building design comply with the criteria contained in the design review section of the Fontana Zoning and Development Code and Ventana Specific Plan with a Tuscan theme. Additionally, Planning Area 2 will incorporate design details from the previously approved multi-family project in Planning Area 1 which is directly across from this proposed project. As required, the project has high quality architecture and appropriate screening comprised of screen walls and landscaping that will make for an appropriate and desirable development.

The development will support uses that are permitted within the Ventana Specific Plan, including the accessory helipad use to provide for transportation of staff who work in the office building and which the Director of Planning has identified as an accessory permitted use substantially compatible with principal permitted uses, as provided for in the Ventana Specific Plan.

The Project will support the goals and policies of Chapter 15 (Land Use Zoning and Urban Design) of the General Plan by preserving and enhancing residential neighborhoods. This Project will provide an attractive space for future commercial businesses to occupy that will support the local residential community.

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

Findings of Fact: The Project consists of the development of three (3) new buildings totaling 174,590 square feet on approximately 9.6 adjusted gross acres. The new buildings will be constructed pursuant to all applicable building, zoning, and fire codes, in addition to the Conditions of Approval attached hereto as Exhibits A and B and referenced herein. Architectural features such as glazing, heavy use of veneer, and a variety of colors add structural and visual interest to the buildings. Additionally, variations to the building face and roof lines are architecturally pleasing and consistent with the existing development in the surrounding area. Street lighting and on-site lighting have been incorporated to create an attractive atmosphere along adjacent parcels. Therefore, the Project promotes public health, safety, and welfare of the occupants and surrounding community. The site improvements have been evaluated by the City of Fontana Fire, Building and Safety, and Engineering Departments. During the review process, changes were made to the plans to ensure that the project is well-designed.

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.

Findings of Fact: The Project is aesthetically and architecturally pleasing and compatible with the surrounding area. The Project Site is physically suitable in size and shape to support the new buildings which will be built in accordance with the zoning and fire codes, that will make for a safe, attractive, and well-designed Project.

Architectural relief utilized for the buildings consists of decorative window treatments, decorative lighting, varied roof lines, decorative “pop-outs”, and other features appropriate to the style. The use of a variety of colors and materials such as stucco finish and stone veneer further adds architectural diversity to each building. The Project enhances the surrounding neighborhood by incorporating architectural style that complements the surrounding area. Additionally, landscaping will utilize plants to complement the architecture of the buildings and the development as a whole.

The project has been reviewed by the Engineering, Building and Safety and Fire Departments for safety. With regard to the helipad, the FAA has issued a “No Objection” letter on November 20, 2024 stating that the helipad will not adversely affect the safe and efficient use of airspace by aircraft and additionally, the State of California regulates the operation of heliports through the review and issuance of Heliport permits, and the helipad will require approval from the California Department of Transportation (“CalTrans”) prior to construction.

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

Findings of Fact: The development has appropriate improvements, not only for the Project Site but for the surrounding area. Project features include sidewalks, drainage, grading, perimeter walls, and fencing to provide a safe and well-designed neighborhood. The Project has been reviewed by the Planning, Engineering, Building and Safety Departments, as well as the Fontana Fire Prevention for site circulation, access, and safety and found to meet or exceed the requirements for all applicable building code, zoning, and fire code standards.

Section 8. Approvals. Based on the foregoing, the Planning Commission hereby approves Tentative Parcel Map No. 24-0030 (TPM No. 20949), and Design Review No. 24-0043 subject to the Conditions of Approval, attached hereto as “**Exhibit A**” and “**Exhibit B**” and incorporated herein by this reference as though fully set forth herein.

Section 9. 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 10. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 11. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 12. 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 application 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 6th day of May 2025.

City of Fontana

Idilio Sanchez, Chair

ATTEST:

I, Joseph Armendarez, 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 the 6th day May, 2025, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Joseph Armendarez, Secretary



Exhibit "A"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Master Case No. 24-0090
Tentative Parcel Map No. 24-0030

DATE: May 6, 2025

LOCATION: (APN: 0226-075-60)

PLANNING DEPARTMENT:

1. The rights and privileges granted by this project shall not become effective, nor shall the applicant commence the use for which this project is granted, until both of the following have occurred:
 - a. All Requirements of the Fontana City's Municipal Code shall be complied with.
 - b. All Conditions of Approval imposed on this project have been fulfilled.
2. The applicant shall defend, indemnify, and hold harmless the City of Fontana or its agents, officers, and employees from any claim, action or proceeding against the City of Fontana or its agents, officers, or employees to attack, set aside, void, or annul an approval of the Planning Commission and/or City Council concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. 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. 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 its own separate legal counsel to defend the interests of the City. The applicant shall be responsible for reimbursing 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.

3. Tentative Parcel Map No. 20949 (TPM No. 24-0030) shall comply with all applicable development standards of, Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development, Ventana at Duncan Canyon Specific Plan, and the Subdivision Map Act.
4. The applicant/developer shall underground all utilities pursuant to Section 27-50 through 27-54 of the City of Fontana Municipal Code, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning. A note to this effect shall be placed on the map prior to recordation of the final map.
5. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
6. Tentative Parcel Map No. 20949 (TPM No. 24-0030) 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.
7. 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.

ENGINEERING DEPARTMENT:

8. The City acknowledges that Ventana Planning Area 2 may be developed to an interim condition. The Developer shall submit all interim and final engineering plans and studies to the satisfaction of the City Engineer.

9. Off-site improvements within the frontage of Tentative Parcel Map 20949 on John Previti and Citrus Avenues, including but not limited to, sidewalks, medians, driveways, streetlights, sewer, storm drain etc.; shall be completed prior to issuance of certificate of occupancy for the first building.
10. The mid-block raised crosswalk with associated signing and striping and Rectangular Rapid Flashing Beacons shall be installed prior to the issuance of certificate of occupancy for the first building.
11. The median on John Previti Avenue shall be constructed from Duncan Canyon Road to Citrus Avenue. Length and location of median turn pockets shall be determined during final engineering to the satisfaction of the City Engineer.
12. Driveways and median turn pockets shall be constructed only if access is needed for occupancy of a building. If there is no need for access, curb, gutter, and sidewalk shall remain in place and median shall be constructed full-width with no openings.
13. 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. Parcel 1 may have a single ingress/egress point along Citrus Ave that shall be designed, constructed, and signed to allow all movements.
 - b. Parcel 2 may have a single ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to allow all movements.
 - c. Parcel 2 may have a second ingress/egress point along John Previti Ave that shall be designed, constructed, and signed for Emergency Vehicle Access only. This second ingress/egress point may be determined to be appropriate to instead be designed, constructed, and signed to be a general-purpose access point restricted to right-in and right-out movements only, pending final design and determination of the City Engineer.
 - d. Parcel 3 may have a single ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to allow all movements.
 - e. Parcel 3 may have a second ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to be restricted to right-in and right-out movements only.
 - f. Parcel 4 may be restricted to having no ingress/egress points along John Previti Ave unless the number of ingress/egress points for Parcel 3 is either limited to a single location or the second ingress/egress point for Parcel 3 is positioned such that it is shared with Parcel 4. Should Parcel 4 have an ingress/egress point along John Previti Ave, it may be restricted to right-in and right-out movements only.
 - g. The final configuration, location, quantity, and access restrictions at each of the proposed ingress/egress points along John Previti Ave serving Parcels 3 and 4 will be pending final design and determination of the City Engineer.

14. The project shall provide and maintain vehicular and pedestrian interparcel access between Parcel 3 and Parcel 4.
15. 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.
16. 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.
17. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
18. All gated ingress locations shall provide a visual indication to drivers prior to entering the gated driveway whether the gate is closed or open. This may be excluded if sufficient turn-around space is provided for the design vehicle or if the gate is manned with personnel who would permit an errant driver to enter the gate to turn around and depart. At no time shall the project cause vehicles entering the site to need to reverse into a travel lane in the public right-of-way in order to depart or turn-around.
19. 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 designed in accordance with master sanitary sewer plan or as approved by the City Engineer.
20. 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.
21. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to acceptance of the public improvements.

PRIOR TO ISSUANCE OF GRADING PERMIT

22. 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.
23. 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

24. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
25. 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. Alternative maintenance programs may be considered for approval by the City Engineer.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

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

PRIOR TO ISSUANCE OF FIRST CERTIFICATE OF OCCUPANCY

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

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

BUILDING & SAFETY DIVISION:

36. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as possible:
 - 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.
37. This site is located in the fire area designated VHFHSZ, all structures must be constructed with ignition resistant or noncombustible materials in accordance with most current edition of the Fire Code and California Building Code including all local ordinances and standards.
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 verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
40. 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 the construction by the Building Official on a case by case basis for extenuating circumstances.
41. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
42. The applicant shall have the tract or parcel map recorded prior to issuance of any building permits.
43. The applicant shall comply with the following grading requirements:

Resolution PC No. 2025-

- 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 Floor Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structured being utilized, shall be submitted to and approved by Building & Safety.
 - i. 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.
 - j. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 - ii. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and
 - iv. Any proposed and/or required walls or fencing.
44. The applicant is required to obtain permits for the removal and/or demolition of structures if applicable.
45. 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

46. 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

47. 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 present 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.

48. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.



Exhibit "B"

CITY OF FONTANA

CONDITIONS OF APPROVAL

CASE: Master Case No. 24-0090
Design Review Project No. 24-0043

DATE: May 6, 2025

LOCATION: (APN: 0226-075-60)

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
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. Color combinations and color 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.
7. A Register of Professional Archaeologists (RPA)-qualified archeologist experienced with Native American artifact identification and approved by the City of Fontana shall be present to monitor the first two (2) days of site preparation/ grubbing; the first two (2) days of mass grading; and the first two (2) days of utility trenching. Such monitoring activities may be reduced or terminated depending on the findings and recommendations of the archeologist. In the event that prehistoric or historic cultural resources be uncovered during these activities, representatives of the tribal entity(s) whom consider the project site to be within their traditional use area shall be contacted and invited to the site to review the find, and monitoring shall be continued at the discretion of archeologist.
8. Pursuant to the Migratory Bird Treaty Act (MBTA) and California Department of Fish & Game (CDFG) Code, removal of any trees, shrubs, or any other potential nesting habitat shall first conduct a pre-construction survey for active bird nests outside the avian nesting season. The nesting season generally extends from early February through August but can vary slightly from year to year based upon seasonal weather conditions. The report shall be provided to the Community Development Department.
9. The current development fees must be paid prior to issuance of building/construction permits.
10. The Director of Planning, or his/her designee, shall have the authority for minor

Resolution PC No. 2025-

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.

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. Graffiti and unauthorized markings on any wall, sign, or structure must be removed within twenty-four (24) hours.
13. All landscaping must be adequately maintained at all times.
14. 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 in writing accompanied with a W-9 tax form. The request shall be submitted to the Planning Department.
15. 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.
16. 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:
 - f. Temporarily enclose localized and stationary noise sources.
 - g. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
17. Historic Archaeological Resources

Resolution PC No. 2025-

- 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.
18. The applicant shall comply with all the mitigation measures identified in the Mitigation Monitoring and Reporting Program (MMRP).
 19. The applicant/developer shall install a split-rail fence along the street frontage of future phased lots.
 20. The applicant/developer shall install a full height freestanding block wall along the freeway side of the project site of any developed areas. The block wall shall be constructed per the approved fence and wall plan.
 21. The applicant/developer shall stabilize any future pad phases to the satisfaction of the Director of Planning.
 22. The applicant/developer shall comply with the Director's memo regarding the accessory use of the helicopter landing pad.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

23. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.

24. 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.

ENGINEERING DEPARTMENT:

25. The City acknowledges that Ventana Planning Area 2 may be developed to an interim condition. The Developer shall submit all interim and final engineering plans and studies to the satisfaction of the City Engineer.
26. Off-site improvements within the frontage of Tentative Parcel Map 20949 on John Previti and Citrus Avenues, including but not limited to, sidewalks, medians, driveways, streetlights, sewer, storm drain etc.; shall be completed prior to issuance of certificate of occupancy for the first building.
27. The mid-block raised crosswalk with associated signing and striping and Rectangular Rapid Flashing Beacons shall be installed prior to the issuance of certificate of occupancy for the first building.
28. The median on John Previti Avenue shall be constructed from Duncan Canyon Road to Citrus Avenue. Length and location of median turn pockets shall be determined during final engineering to the satisfaction of the City Engineer.
29. Driveways and median turn pockets shall be constructed only if access is needed for occupancy of a building. If there is no need for access, curb, gutter, and sidewalk shall remain in place and median shall be constructed full-width with no openings.
30. 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. Parcel 1 may have a single ingress/egress point along Citrus Ave that shall be designed, constructed, and signed to allow all movements.
 - b. Parcel 2 may have a single ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to allow all movements.
 - c. Parcel 2 may have a second ingress/egress point along John Previti Ave that shall be designed, constructed, and signed for Emergency Vehicle Access only. This second ingress/egress point may be determined to be appropriate to instead be designed, constructed, and signed to be a general-purpose access point restricted to right-in and right-out movements only, pending final design and determination of the City Engineer.
 - d. Parcel 3 may have a single ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to allow all movements.
 - e. Parcel 3 may have a second ingress/egress point along John Previti Ave that shall be designed, constructed, and signed to be restricted to right-in and right-out movements only.

- f. Parcel 4 may be restricted to having no ingress/egress points along John Previti Ave unless the number of ingress/egress points for Parcel 3 is either limited to a single location or the second ingress/egress point for Parcel 3 is positioned such that it is shared with Parcel 4. Should Parcel 4 have an ingress/egress point along John Previti Ave, it may be restricted to right-in and right-out movements only.
 - g. The final configuration, location, quantity, and access restrictions at each of the proposed ingress/egress points along John Previti Ave serving Parcels 3 and 4 will be pending final design and determination of the City Engineer.
31. The project shall provide and maintain vehicular and pedestrian interparcel access between Parcel 3 and Parcel 4.
32. 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.
33. 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.
34. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
35. All gated ingress locations shall provide a visual indication to drivers prior to entering the gated driveway whether the gate is closed or open. This may be excluded if sufficient turn-around space is provided for the design vehicle or if the gate is manned with personnel who would permit an errant driver to enter the gate to turn around and depart. At no time shall the project cause vehicles entering the site to need to reverse into a travel lane in the public right-of-way in order to depart or turn-around.
36. 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 designed in accordance with master sanitary sewer plan or as approved by the City Engineer.
37. 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.
38. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to acceptance of the public improvements.

PRIOR TO ISSUANCE OF GRADING PERMIT

39. 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.

40. 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

41. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
42. 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. Alternative maintenance programs may be considered for approval by the City Engineer.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

43. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
44. 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 FIRST CERTIFICATE OF OCCUPANCY

45. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
46. 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.
47. Slurry seal roads affected 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.
48. 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.
49. 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.
50. 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.

51. 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.

52. 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 Practice transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.

BUILDING & SAFETY DIVISION:

53. The applicant shall design the project to show compliance with the latest adopted edition of the following codes as possible:

- 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.

54. This site is located in the fire area designated VHFHSZ, all structures must be constructed with ignition resistant or noncombustible materials in accordance with most current edition of the Fire Code and California Building Code including all local ordinances and standards.

55. 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.

56. 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.

57. 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 the construction by the Building Official on a case by case basis for extenuating circumstances.

58. 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.
59. The applicant shall have the tract or parcel map recorded prior to issuance of any building permits.
60. 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 Floor 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.
 - i. The on-site drainage system shall, as a minimum, be designed to handle the runoff 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.
 - j. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and

Resolution PC No. 2025-

- ii. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and
 - iv. Any proposed and/or required walls or fencing.
61. The applicant is required to obtain permits for the removal and/or demolition of structures if applicable.
62. 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

63. 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
64. 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 present 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.
65. The applicant shall combine the existing parcels into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.

FIRE DEPARTMENT:

66. 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.
67. 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.

68. 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.

69. 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.

70. 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.

71. 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: 1750 GPM for Flex Building, 2125 GPM for Office Building, 3625 GPM for Storage Building for a four-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 29,280sqft, 26,240sqft 119,200sqft structures.

72. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.

73. 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.

74. 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.

75. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.
76. 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.
77. 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.
78. 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
79. 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
80. 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
81. Secondary Access. The development shall have a minimum of two points of vehicular access during each phase of construction for each parcel to accommodate fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

END OF CONDITIONS