

RESOLUTION NO. PC 2026-\_\_\_\_\_

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 21-000042-R1 FOR MODIFICATIONS TO PREVIOUSLY APPROVED SITE AND ARCHITECTURAL PLANS FOR A 46-UNIT ROW-HOUSE DEVELOPMENT AND ASSOCIATED SITE IMPROVEMENTS ON 2.384 GROSS ACRES LOCATED AT 8162 CALABASH AVENUE, IDENTIFIED AS ASSESSOR PARCEL NUMBER 0230-011-36, PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION 15332.**

**WHEREAS**, 8162 Calabash Avenue, identified as Assessor Parcel Number 0230-011-36, (“Project Site”), was annexed from San Bernardino County into the City of Fontana on June 16, 2005; and

**WHEREAS**, on June 11, 2025, the City of Fontana (“City”) received an application from MV M16 LLC. (“Applicant”), for a Design Review (DRP No. 21-000042-R1) for modifications to previously approved site and architectural plans for a new 46-unit row house development with associated site improvements, at the Project Site (“Project”); and

**WHEREAS**, the Project Site has a General Plan Land Use designation of Walkable Mixed Use Downtown Corridor (WMXU-1), and is located within the Route 66 Gateway District of the Form Based Code which allows for such projects; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA), the project is Categorically Exempt pursuant to Section 15332 (Class 32, Infill Development) and Section No. 3.22 of the 2019 Local Guidelines for Implementing the California Environmental Quality Act; and

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

**WHEREAS**, the Conditions of Approval are attached hereto as “Exhibit A” for Design Review No. 21-000042-R1; and

**WHEREAS**, all of the 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, a notice of the public hearing was published in The Sun newspaper on April 24, 2026, and a notice of the public hearing was simultaneously displayed at City Hall and at the Project Site; and

**WHEREAS**, on May 5, 2026, a duly noticed public hearing on Design Review No. 21-00042-R1, was held by the Fontana Planning Commission (“Planning Commission”) to consider testimony and evidence presented by the Applicant, City staff and other interested parties; and

**WHEREAS**, on May 5, 2026, the Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on Design Review No. 21-000042-R1; 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 the project is categorically exempt pursuant to Section No. 15332 (Infill Development) of the California Environmental Quality Act and Section No. 3.22 (Categorical Exemption) of the 2019 Local Guidelines for Implementing the California Environmental Quality Act (CEQA). This project site is considered In-Fill Development and meets the CEQA requirements of Infill as: (1) The project is consistent with the Walkable Mixed Use Downtown Corridor (WMXU-1) General Plan land use designation, and the Route 66 Gateway District of the Form Based Code regulations; (2) The project site is less than five (5) acres at approximately 2.384 adjusted gross acres; (3) The project site is not within any known sensitive or threatened habitat area; (4) The project site will not have any significant effect related to traffic, noise, air quality, or water quality; and (5) There are adequate public utilities services for the development of the proposed residential development. Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply to the Project. The Planning Commission further directs Staff to file a Notice of Exemption pursuant to this Finding.

**Section 3. Design Review Findings.** The Planning Commission hereby makes the following findings for DR No. 21-000042-R1 in accordance with Section 30-120 "Findings for approval" of the Fontana Zoning and Development Code:

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

Finding of Fact:       The Project is for the development of a 46-unit row house development and modifications to the original approval for architecture, building footprints and amenities. This project is consistent with the General Plan designation for the Project Site, which is Walkable Mixed Use Downtown Corridor (WMXU-1). The project is consistent with Chapter 15 (Land Use, Zoning, and Urban Design Element) of the General Plan because it provides multi-family housing that will preserve and enhance residential neighborhoods and promote interconnected neighborhoods. 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 apartments will meet all the zoning and development standards set forth in the Zoning and Development Code. The Project Site is not located in 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 Project Site is 2.384 acres in size and is adequate in size, shape, topography, accessibility, and other physical characteristics to accommodate the use. The Project consists of the development of a 46-unit row house development and associated site improvements. The Project improvements include sidewalks, drainage, and grading, to ensure a safe and well-designed development. The development has been reviewed by Planning, Fire Prevention, Building and Safety, and Engineering Departments for site, circulation, access, and safety and it has been determined that the Project meets the standards of the Zoning and Development Code and provides a safe design for public use and access.

**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 46-unit row house residential Project has been thoughtfully designed to enhance and complement the surrounding neighborhood. Its architectural theme is characterized as Spanish with a color scheme and materials that draw inspiration from the Spanish architectural elements. This combination results in a high-quality design that is both suitable and appealing for the area. The development aims to enrich the neighborhood's character through a strong focus on aesthetics and design.

Architectural relief for the buildings will feature a light toned color, varied roof line, popouts, metal ornaments, arched door entries, recessed windows, decorative lighting and other features appropriate to the style. The Project enhances the surrounding area. The Project Site is suitable in size and shape to support the new row house buildings which will be built in accordance with the FMC and will result in a safe, attractive, and well-designed Project.

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

Finding of Fact: The development has been determined to be appropriate and will result in a safe, well-designed development. Project features include sidewalks, drainage, grading, perimeter walls, and fencing which will contribute to a safe and well-designed neighborhood.

**Section 4. Approvals.** Based upon the foregoing, the Planning Commission hereby approves Design Review No. 21-000042-R1, subject to the Conditions of Approval attached hereto as "**Exhibit A**" and incorporated herein by this reference. The approval of DRP No.

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21-000042-R1 shall supersede and replace DRP No. 21-000042. DRP No. 21-000042-R1 shall constitute the sole and controlling design review approval for the project.

**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 5<sup>th</sup> day of May 2026.

**City of Fontana**

\_\_\_\_\_  
Joseph Armendarez, Chairperson

**ATTEST:**

I, Torrie Lozano, 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 5<sup>th</sup> day of May, 2026, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Torrie Lozano, Secretary

**EXHIBIT "A"**



**CITY OF FONTANA**

**CONDITIONS OF APPROVAL**

**CASE:** Master Case No. (MCN) 21-000106-R1  
Design Review (DR) No. 21-000042-R1

May 5, 2026

**LOCATION:** The project site is located at 8162 Calabash Avenue (APN:0230-011-36)

**PLANNING DEPARTMENT:**

**General Conditions:**

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 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.
  - C. 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 final inspection and acceptance of the work.
2. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
3. 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.

4. 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.
5. 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.
6. 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 ½ inch thick, or as determined by the Director of Planning.
7. 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.
8. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Municipal Code.

9. 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.
10. 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.
11. Historic Archaeological Resources
  - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
  - B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
  - C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.
12. The construction contractor 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(b)(7) of the Fontana City 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.
13. The current Development fees must be paid prior to issuance of Certificate of Occupancy.
14. Graffiti and unauthorized markings on any wall, sign, or structure must be removed within twenty-four (24) hours.
15. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
16. Applicant shall pay all applicable service fees pursuant to the Fontana Municipal Code.
17. All signs shall be reviewed under a separate Design Review Sign application. This includes, but is not limited to, building signs, monument signs, pylon signs, etc.
18. All temporary signs (banners, wind flags, etc.) shall not be placed on the property unless the proper permits are obtained.
19. Color combinations and color schemes for residential buildings approved under a Design Review Permit application 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.

20. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
21. The following electrical outlets and garage door opener will be provided in all garages:
  - a. Install one automatic garage door opener for the double garage door.
  - b. Install at least one duplex receptacle within garage.
22. Wall-mounted decorative lighting fixtures shall be provided at the front porch area as well as on each side of the garage door. Wall-mounted decorative lighting fixtures shall be a minimum of 18 inches in height.
23. All new block walls that can be seen by public view shall be constructed with a decorative block and capped with a prefabricated block cap. New block walls that cannot be seen by public view could be constructed of CMU block with a masonry cap.
24. No solid masonry wall shall be higher than nine-foot from top of ground (finish grade) when used in combination with a retaining wall unless otherwise stated for this project.
25. The applicant/developer/property owner shall employ a certified professional manager or management company to provide maintenance, security, and other services. The professional manager or management company shall be California Association of Community Managers (CACM) certified or equivalent.
26. The development shall maintain an active Homeowner's Association ("HOA") at all times. The City shall be the third party to the HOA's Covenants Conditions and Restrictions solely for the purpose of enforcing property and maintenance standards.
27. 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.
28. If attached or clustered units are on an alley or short dead-end street, ensure all address or unit numbers are clearly visible from an arterial street on a wall, monument, plaque, or similar structure.
29. All street signs must meet the standards for a public street as regulated by the Engineering Department.
30. The project shall meet the minimum and maximum setback requirements of Section 30-368 of the Form Based Code.

PRIOR TO ISSUANCE OF BUILDING/GRADING PERMIT

31. 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.
32. The applicant/developer/property owner shall provide clustered and/or individual mailbox(es) for the delivery of mail to future residents of the development. The location shall be convenient for the residents and not block the line-of-sight for pedestrians or vehicle traffic.
33. The mailboxes 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 Post Office currently approves freestanding mailboxes that are F-series and wall-mounted boxes that are 4C series. The developer is responsible for contacting the Post Office for the type and location of the mailboxes within their development. Any replacements of the mailboxes subsequent to the original installation shall be the responsibility of the developer, each individual homeowner and/or the homeowners association, and the Post Office.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

34. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
35. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Planning.
36. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide.

**BUILDING AND SAFETY:**

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

- I. City of Fontana Ordinance.
  - J. Disabled access for the site and building must be in accordance to the State of CA and ADA regulations.
38. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
  39. The applicant shall comply with the requirements of the South Coast Air Quality Management District (909-396-2000). SCAQMD requirements shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
  40. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
  41. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.
  42. The applicant shall verify that all lot lines, easement lines, etc. will be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
  43. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
  44. The applicant shall comply with the following grading requirements:
    - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
    - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
    - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
    - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
    - E. No water course or natural drainage shall be obstructed.
    - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.

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

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

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

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

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.

45. The applicant is required to obtain permits for the removal and/or demolition of structures.

46. 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*

47. 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

48. If hazardous substances are used and/or stored, the applicant shall provide a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials, may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities,

classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

*Specific Conditions:*

49. When the Entitlement Review is approved submit complete construction drawings including structural calculations to Building and Safety for plan review in accordance with the current edition of the CA Building and Fire Codes including all local ordinances and standards.

**ENGINEERING DEPARTMENT:**

50. 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.
51. 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.
52. 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.
53. The project shall provide emergency overflow through the southern property line.
54. The Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
55. All Conditions of Approval issued to the project number TTM21-000005 (TTM No. 20498) shall still apply.

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

56. 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. The comments made in the Preliminary Water Quality Management Plan report shall be addressed in the Final Preliminary Water Quality Management Plan report.
57. 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. The comments made in the Preliminary Drainage Study shall be addressed in the Final Drainage Study.
58. The Applicant shall submit and gain approval of grading plans.

59. Plans shall provide for adequate sight distance for driveways, taking into account elevation changes, monuments, grading, vegetation, landscaping, and retaining walls per the AASHTO Green Book, current edition.
60. The Applicant shall process and comply with the application for Substantial Conformance review for the approval of Tentative Tract Map No. 20498 to revise the 44' half width of Calabash Ave to 34' half width right-of-way.

*PRIOR TO MAP RECORDATION*

61. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
62. 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.

*PRIOR TO ISSUANCE OF ANY OTHER CONSTRUCTION PERMITS*

63. The Applicant shall record all map's, right-of-way dedications, and easements as required for the development.
64. 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, streetlights, striping, signs, and any required traffic control and/or detour plans. For a full list of traffic requirements, refer to the Traffic Division's conditions of approval. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

*PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY*

65. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
66. 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.
67. 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.
68. 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.
69. 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.

70. 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.
71. 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.

**ENGINEERING TRAFFIC:**

72. Project ingress and egress locations and restrictions shall be as follows, with additional or lesser restrictions being necessitated subject to changes in the site plan and approval of the City Engineer:
  - A. The Project may have a single ingress/egress point along Calabash Avenue which may allow for full access (i.e., left- and right-turning inbound and outbound) movements.
73. 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.
74. At no time shall the design and gating of Project driveways require vehicles to reverse into a travel lane in the public Right-of-Way in order to depart or turn around. This requirement may be excluded if the gate is manned with personnel who may permit an errant driver to enter the site in order to turn around and depart.
75. Stopping sight distance shall be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
76. The site plan shall identify the on-site vehicular traffic flow patterns and circulation, on-site signing and striping, and any restricted, reserved, or other pre-designated parking areas.
77. The location of bicycle parking shall be depicted on the site plan. The number of bicycle parking spaces shall be determined in compliance with the City of Fontana Zoning and Development Code. Bicycle parking shall comply with the Association

of Pedestrian and Bicycle Professionals' (APBP) bicycle parking design guidance. In the event that the Fontana Zoning and Development Code and the APBP guidance differ, the Fontana Zoning and Development Code requirements shall prevail.

78. The site plan shall identify all pedestrian access ways and traffic crossings. Crossings shall be clearly marked, lighted, and identified throughout the interior of the project. Pedestrian walkways shall have sufficient pathway lighting.
79. The site plan shall identify the Americans With Disabilities Act (ADA) compliant path(s) of travel to/from the public right of way and from all ADA accessible parking spaces.

*PRIOR TO ISSUANCE OF GRADING/CONSTRUCTION PERMITS*

80. The Applicant shall provide street improvement plans, subject to the approval of the City Engineer, for all roadway improvements adjacent to the Project site.
81. The Applicant shall provide striping and signing plans, subject to the approval of the City Engineer, for all areas of roadway improvements included in the street improvement plans.

*PRIOR TO ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY*

82. The Applicant shall pay the applicable Development Impact Fees prior to the issuance of any occupancy permits at the established rate pursuant to Government Code Section 66007 and Senate Bill 330.
83. The Applicant shall construct the approved roadway improvements adjacent to the Project Site.
84. The Applicant shall install the approved signing and striping plans as part of the street improvements.

**FONTANA FIRE PREVENTION DISTRICT:**

85. *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.
86. *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.

87. *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 forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
88. *Water System Residential:* 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 B 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 six hundred (600) 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:  
  
2,250 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 28,150 Square Foot structure.
89. *Hydrant Marking:* Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
90. *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, square foot details of the largest building, total square foot of ALL floors in a multifloored building, square foot size of entire site, and description of what is being constructed/occupancy type. 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.
91. *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.
92. *Fire Sprinkler-NFPA #13D:* An automatic life safety fire sprinkler system complying with NFPA 13D and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans with hydraulic calculations and manufacturer specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-2.

93. *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.
94. *Residential Addressing:* The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (½) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1.
95. *San Bernardino County Fire Standards/Codes:* Items not directly called out on these Conditions of Approval, shall also adhere to currently adopted San Bernardino County Fire Standards, California Fire Code, & NFPA.

**END OF CONDITIONS OF APPROVAL**