

RESOLUTION NO. PC 2026-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING, PURSUANT TO A DETERMINATION THAT THE PROJECT HAS BEEN REVIEWED UNDER A PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE WALNUT VILLAGE SPECIFIC PLAN (SCH NO. 202305027), TENTATIVE TRACT MAP NO. 25-0008 (TTM NO. 20863) TO ESTABLISH A CONDOMINIUM MAP FOR A 108 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT AND APPROVING DESIGN REVIEW NO. 25-0037 FOR SITE AND ARCHITECTURAL REVIEW OF 108 TOWNHOME UNITS AND ASSOCIATED SITE IMPROVEMENTS ON APPROXIMATELY 6.7 ACRES LOCATED NEAR THE NORTHWEST CORNER OF BASELINE AVENUE AND PALMETTO AVENUE AND IDENTIFIED AS ASSESSOR PARCEL NUMBERS 0240-161-29, -33, -37), AND -36.

WHEREAS, Assessor Parcel Numbers (“APNs”) 0240-161-29, -33, -36, and -37 (“Project Site”) were annexed from San Bernardino County into the City of Fontana on October 16, 1980; and

WHEREAS, on December 4, 2025, the City of Fontana (City”) received an application from MC RE Holdings, LLC (“Applicant”), for a Tentative Tract Map No. 25-0008 (“TTM No. 20863”) for a condominium map for residential development, and a Design Review (“DRP No. 25-0037”) for development of 108 townhome units with associated site improvements at the Project Site (“The Project”); and

WHEREAS, the Project Site has a General Plan Land Use designation of Multi-Family Residential (R-MF) and is located within the Gateway East District of the Walnut Village Specific Plan zoning district, which allows for such projects; and

WHEREAS, pursuant to the California Environmental Quality Act (Pub Res. Code Section 2100) (“CEQA”) Guidelines and the State CEQA Guidelines (14 Cal Code Regs. Section 1500), 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 Walnut Village Specific Plan; and

WHEREAS, on July 23, 2024, the city certified the Final Environmental Impact Report (“FEIR”) (SCH No. 202305027) for the Walnut Village 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 the 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 the California Environmental Quality Act (CEQA) Section 15162 through 15164, none of the criteria requiring a subsequent environmental document

have been met and further environmental analysis is not required and a Notice of Determination has been prepared; and

WHEREAS, copies of the FEIR were available during the public review period at City Hall and on the City's website; and

WHEREAS, on August 4, 2026, a duly noticed public hearing on Tentative Tract Map No. 20863 (TTM No. 25-0008), and DRP No. 25-0037, 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, 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 San Bernardino Sun newspaper on July 25, 2026, and a notice of the public hearing was simultaneously displayed at City Hall and at the Project Site; 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 Tentative Tract Map No. 25-0008 (TTM No. 20863), and **Exhibit "B"** for DRP No. 25-0037; 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 August 4, 2026; 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 has reviewed and considered the Walnut Village Specific Plan FEIR 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 hereby determines that the previously adopted Environmental Impact Report (SCH No. 202305027) has adequately identified that impacts associated with this Project, and no previously reviewed impact areas have changed pursuant to CEQA Sections 15162 through 15164. The Planning Commission further finds no further review is required in compliance with the State CEQA Guidelines and Section 8.10 of the City of Fontana's 2019 Local Guidelines for Implementing CEQA.

Section 3. Findings on the Necessity for a Subsequent or Supplemental Environmental Impact Report. Based on the substantial evidence set forth in the record, including but not limited to, the FEIR and all related information presented to the Planning Commission, the Planning Commission finds that the preparation of a subsequent or supplemental EIR is not required for the Project because the Project:

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

Section 4. Notice of Determination. The Planning Commission hereby determines that the Project was analyzed under the previously certified EIR for the Walnut Village Specific Plan Project Final Environmental Impact Report (SCH No. 202305027) that was prepared pursuant to State CEQA Guidelines Section 15162 and 15164 along with the City of Fontana 2019 Local Guidelines for Implementing CEQA, and that no additional environmental review is required. The Planning Commission directs staff to file a Notice of Determination with the San Bernardino County Clerk and the Office of Planning and Research within five (5) working days of approval of the Project.

Section 5. Tentative Tract Map Findings. The Planning Commission hereby makes the following findings for TTM No. 25-0008 (TTM No. 20863) pursuant to Section 30-293 of the Fontana Zoning and Development code, and in accordance with Section No. 26-55(e) "Processing of application", of the Fontana Municipal Code:

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

Findings of Fact: Tentative Tract Map No. 25-0008 (TTM No. 20863) is consistent with the

General Plan Land Use designation for the Project Site, which is Multi-Family Residential (R-MF). The tentative tract map proposes to form a condominium map to facilitate the construction of 108 townhome-units. The project complies General Plan Goal 2 (General Plan 15.34) which calls for creating “connected neighborhoods”. The project also promotes Goal 7 which calls for the development of high-quality development by providing a range of different attractive and comfortable housing types, an interconnected, walkable neighborhood, and integrating the project into the existing street grid.

The project is located in the Gateway East district of the Walnut Village Specific Plan, which allows multi-family development with a density range of 12-24 dwelling units per acre, which is permitted under the land use designation and within the Walnut Village Specific Plan. The proposed project has a residential density of 16 dwelling units per acre.

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

Findings of Fact: The site design for TTM No. 25-0008 (TTM No. 20863) is consistent with the General Plan. The Project includes all on-site and off-site improvements to meet the goals and objectives of the General Plan. Specifically, it is consistent with General Plan Goal 2 (General Plan 15.34) that calls for creating “connected neighborhoods”. Improvements include public sewer, public storm drain, streets, gutters, sidewalks, drainage and grading to provide safe and well-designed development. Additionally, the project promotes Goal 7 of the General Plan, which calls for the development of high-quality residential projects by providing a range of attractive and comfortable housing types, interconnected and walkable neighborhoods, and integrating the project into the existing street grid. The Project complies with all applicable development and design standards for the Gateway East District of the Walnut Village Specific Plan.

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

Findings of Fact: The Project Site of approximately 6.7 gross acres is adequate in size to accommodate the residential development. There are two existing single-family dwellings on the site, which will be demolished in connection with the Project. The Project Site is relatively flat, which is conducive for the Project. The Project has vehicle and pedestrian access points on Baseline Avenue and Palmetto Avenue as well as emergency vehicle access on Melon Avenue, which is suitable for the type and residential density proposed.

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

Findings of Fact: The design of the condominium map and the proposed improvements comply with the City of Fontana's Municipal code requirements, conditions of approval (referenced herein), and will not have any impact on the environment or substantial or avoidable injury to fish, wildlife, or their habitat. The Project Site is in an area that has been previously disturbed by human activity and is surrounded by development and would not support sensitive wildlife.

The previously adopted FEIR (SCH No. 202305027) for the Walnut Village Specific Plan adequately identified the impacts associated with the Project. Based on the information contained in the FEIR, the Project would not have a significant effect on the environment. The use is consistent with the Land Use Designation and the Gateway East district of the Walnut Village Specific Plan. The design of the subdivision map will not cause substantial environmental damage or will not substantially and avoidably injure fish or wildlife or their habitat.

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

Findings of Fact: The design of TTM No. 25-0008 (TTM No. 20863) will not cause public health problems. The development will comply with the Zoning and Development Code and General Plan. Improvements include connection to the public sewer and public storm drain systems, construction of new sidewalks to connect to existing sidewalks, and drainage and grading improvements to ensure a safe and well-designed Project. These enhancements will promote the public health, safety, and welfare of the surrounding community and are designed so that the Project will not create conditions that could cause serious public health problems. Therefore, this Project will promote public health, safety, and welfare of the surrounding community and will not cause public health problems.

Finding No. 6: The design of the subdivision or the type of improvement 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 TTM No. 25-0008 (TTM No. 20863) and associated public improvements will not conflict with access easements acquired by the public. Access to and from the Project Site will be provided by driveways on Baseline Avenue or Palmetto Avenue as well as by emergency vehicle access on Melon Avenue.

Section 6. Design Review Findings. The Planning Commission hereby makes the following findings for DRP No. 25-0037 in accordance with Section No. 30-120, "Findings for approval" of the Fontana Zoning and Development Code:

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

Findings of Fact: The project complies with all applicable standards of the General Plan and Zoning and Development Code and the Walnut Village Specific Plan. The Project includes the development of 108 townhome units on 6.7 acres. The Project will be appropriate and compatible with the surrounding residential land uses. The variations to the building face, roof lines and building height will make the Project architecturally pleasing and consistent with the surrounding area.

The project has attractive architecture and landscaping. The architectural features include Spanish and Cottage architectural styles. Key features of the Spanish style buildings are a light neutral color scheme, window shutters, decorative clay pipes, arch details, and concrete S-tile. Cottage style buildings feature a neutral color scheme, window shutters, horizontal siding, and decorative window trim. Landscaping is provided throughout the Project and complies with all applicable standards. Though not required, the Applicant has included two recreation areas that consist of a children's playground, seating, pedestrian path, and a shade structure. The Project is as safe in design as is otherwise required by the Walnut Village Specific Plan and the Fontana Municipal Code.

Finding No. 2. The proposal meets or exceeds the criteria contained in Chapter 30 and will result in an appropriate, safe, and desirable development promoting the public health, safety, and welfare of the community.

Findings of Fact: The Project will incorporate site improvements which include new landscaping, parking, lighting, fencing, curb, gutter, and sidewalks. The Project consists of the construction of 108 townhome units on approximately 6.7 gross acres. The development will be built pursuant to all applicable building, zoning and fire codes, in addition to the Conditions of Approval attached hereto as Exhibit A and B referenced herein.

The project includes improvements along Baseline Avenue, Palmetto Avenue and Melon Avenue. The Project has high quality architectural design, appropriate screening from the public right-of-way and will be an appropriate and desirable development. Therefore, the Project promotes public health, safety, and welfare of the occupants and surrounding community. The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments.

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

Findings of Fact: The residential Project has been designed to enhance and complement the surrounding neighborhood. The Project proposes two architectural themes for the units: Spanish and Cottage. The result is a high-quality architectural design appropriate and desirable for the surrounding neighborhood. The development will enhance the character of the surrounding neighborhood

through appropriate attention to aesthetics and design.

Architectural relief utilized for the buildings will feature stucco coated exterior, decorative metal accents, decorative lighting, varied roof lines, window shutters and window trim. The use of accent colors and materials add architectural variety to each building. The site improvements have been reviewed by the City of Fontana Fire, Building and Safety, and Engineering Departments and found to meet or exceed the requirements for all applicable building code, zoning, and fire code standards, as well as the Walnut Village Specific Plan.

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

Findings of Fact: The development complies with the FMC and the Walnut Village specific Plan. Improvements including sidewalks, fencing, drainage, and grading, which will provide a safe and well-designed neighborhood.

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

Section 7. Approvals. Based on the foregoing, the Planning Commission hereby approves TTM No. 25-0008 (TTM No. 20863), and DRP No. 25-0037 subject to the Findings and Conditions of Approval attached hereto as “**Exhibit A**” for Tentative Tract Map No. 25-0008 (TTM No. 20863) and “**Exhibit B**” for Design Review No. 25-0037 and incorporated herein by this reference.

Section 8. 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 9. Certification. The Secretary of the Planning Commission shall certify the adoption of this Resolution.

Section 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 11. 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 4th day of August 2026.

Resolution No. PC 2026_____

City of Fontana

Joseph Armendarez, Chair

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 the 4th day of August 2026, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Torrie Lozano, Secretary

Exhibit "A"



**CITY OF FONTANA
CONDITIONS OF
APPROVAL**

PROJECT: Master Case No. 25-0088

DATE: August 4, 2026

Tentative Tract Map No. 25-0008(TTM No. 20863)

LOCATION: Adjacent to the parcel located at the northwest corner of Baseline Avenue and Palmetto Avenue (APNs: 0250-161-29, -33, -36, and -37).

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 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 Conditions of Approval imposed on this project have been fulfilled.
2. This Tentative Tract Map (TTM No. 20863) shall become null and void two (2) years from the date of approval as specified in Section 30-297 of the Zoning and Development Code unless it has been extended as provided for in Section 26-58 of the Fontana Municipal Code.
3. 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.

4. Tentative Tract Map No. 25-00003 (TTM No. 20863) shall comply with all applicable development standards of Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development, and the Subdivision Map Act.
5. The applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays.
6. Historic Archaeological Resources
 - a. Upon discovery of any tribal cultural or archaeological resources, the Applicant shall immediately cease construction activities in the proximate area of the discovery until the resource has been evaluated and appropriate measures have been determined. All tribal cultural and archaeological resources unearthed during construction activities shall be evaluated by a qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, the Applicant shall coordinate consultation with interested tribes (those identified through correspondence with area tribes) and the landowner to determine the treatment and curation of the resources. In most cases, the interested tribes will request preservation in place or recovery of the resource for educational purposes. Work may continue on other parts of the project while evaluation of the resources takes place.
 - b. Preservation in place shall be the preferred manner of treatment; however, the final determination of treatment and curation of any tribal cultural or archaeological

resource shall be made through consultation among the Applicant, landowner and the interested tribes. In the even that no interested tribe is identified, any tribal or archaeological resources shall be preserved in place. If preservation in place is not feasible, treatment of resource may include archaeological data recovery excavation to recover the resource, followed by laboratory processing and analysis. All tribal cultural resources shall be returned to the respective interested tribe(s). All historic archaeological resources not of Native American origin shall be curated at a public, non-profit institution with a demonstrated research interest in the resources, provided that such institution agrees to accept the resource. If no institution accepts the archaeological resource, it shall be offered to the respective interested tribe, local school or a 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. Applicant shall take reasonable care to avoid any unnecessary disturbance of physical modification to, or separation of human remains and associated funerary objects. 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. A qualified archaeologist shall be responsible for ensuring that all other personnel are appropriately trained and qualified.

7. 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:
 - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - ii. Temporarily enclose localized and stationary noise sources.

8. All Conditions of Approval contained herein shall be incorporated into all applicable final

construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.

9. As determined by the City, the Applicant shall be responsible for submitting all the necessary documents in accordance with the City's requirements for the formation or annexation into a CFD, obtaining approval of the CFD boundary map. The first public hearing for the formation of the CFD for the project shall be conducted prior to map recordation.

SAN BERNARDINO COUNTY FIRE DEPARTMENT

10. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department 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.
11. Fire Fee. The required fire fees shall be paid to the Fire Department.
12. Fire Condition Letter Expiration. Fire Condition Letters shall expire on the date determined by the Planning Division or Building and Safety.
13. Inspection by Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
14. Building Plans. Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
15. Combustible Protection. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
16. Combustible Vegetation. Combustible vegetation shall be removed as follows:
 - A. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less.
 - B. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum of one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586
17. Private Road Maintenance. The applicant shall construct and maintain all such roads. In addition, the applicant shall provide the Fire Department with a signed maintenance agreement as detailed in the General Requirement conditions for ongoing road

maintenance and snow removal (where applicable). This shall include all primary and secondary access routes that are not otherwise maintained by a public agency.

18. Access – 30% slope. Where the natural grade between the access road and building is more than thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.
19. Access. The development shall have a minimum of three points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
 - A. Single Story Road Access Width. 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.
 - B. Multi-Story Road Access Width. 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.
20. Street Parking. Parking of vehicles shall not be allowed to obstruct fire apparatus access at any time. The following criteria shall be used to determine whether parking is allowed on fire access roadways:
 - A. Parking is not permitted on roadways that are less than thirty-two (32) feet in width.
 - B. In addition, parking that is perpendicular or diagonal to the edge of the roadway shall not obstruct the required minimum width of twenty-six (26) feet for fire access.
21. Access Road Grade. Fire access roadways shall not exceed a maximum of twelve (12%) percent grade at any point. Fire access roadways or driveways may be increased to fourteen (14%) percent grade for a distance not to exceed five hundred (500) feet. Fire access roadways providing access to no more than two (2) one or two-family dwellings may be increased to a maximum of sixteen (16%) percent grade not to exceed five hundred (500) feet. Grades across the width of a fire access roadways shall not exceed five (5%) percent. In order to accommodate proper angles of approach and departure, gradient shall not exceed five (5%) percent change along any ten (10) foot section.
22. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
23. Access – 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.

24. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
25. Secondary Access Paved. Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
26. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
27. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the street corner nearest to the project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
28. Fire Flow Test. Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.
29. Water System. Prior to any land disturbance, the water 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 California Fire Code. The Fire Flow for this project shall be: 1,625 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 14,514 sq. ft. structure.
30. F30 Water System Residential. A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicular travel-ways) from the driveway on the address side of the proposed single-family structure.
31. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.
32. Water System Upgrade. The existing fire flow/hydrant system is insufficient or not existing. The applicant shall upgrade the existing fire hydrant(s) with required fire flow that complies with standards or contact the Fire Department regarding application processing for alternate fire protection measures.
33. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall

be installed as specified by the Fire Department. In areas where snow removal occurs, or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

34. Fire Sprinkler NFPA 13D. An automatic life safety fire sprinkler system complying with NFPA Pamphlet #13D and Fire Department standards is required. The applicant shall hire a licensed fire sprinkler contractor or be an approved owner/builder. The fire sprinkler contractor/installer shall submit plans with hydraulic calculations and manufacture specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. Minimum water supply shall be in accordance with current fire department standards. The applicant or contractor shall contact their local water purveyor to obtain specifications on installing a residential fire sprinkler system within the jurisdiction of the water purveyor. The applicant shall attach a letter from the water purveyor indicating the types of systems allowed in that jurisdiction.
35. 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 one hundred (100) feet or more from the roadway, the street address shall be displayed at the property entrances with numbers that are a minimum of four (4) inches in height and one half (½) inch stroke.
36. Illuminated Site Diagram. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. Plans for the illuminated site diagram shall be submitted on the construction plans.
37. Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).
38. Spark Arrestor. An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with the California Fire Code.
39. Proposal Changes. Any changes to this proposal shall require a new Fire Department condition letter.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT DIVISION

40. 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.
41. 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.

42. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

43. The Applicant shall submit engineered Rough Grading Plans and obtain full approval. Rough Grading Plans shall conform to the California Building Code, the California Residential Code, Fontana Municipal Code, and Fontana Standard Plans and Specifications.
44. The Applicant shall submit engineered Precise Grading Plans and obtain full approval. Precise Grading Plans shall conform to the California Building Code, the California Residential Code, Fontana Municipal Code, and Fontana Standard Plans and Specifications. Rough Grading Pad Certification is required to be submitted to the Engineering Department prior to precise grading permit issuance.
45. 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.
46. 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

47. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
48. The Engineer of Record shall submit a Final Grade Certification to the City Project Engineer for each building that a Certificate of Occupancy is being requested.

PRIOR TO ISSUANCE OF ANY OTHER CONSTRUCTION PERMITS

49. The Applicant shall record Tract Map 20863, lot line adjustments, right-of-way dedications, easements, and a reciprocal access agreement as required for the development.
50. 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, landscape, and any required traffic control and/or detour plans. For a full list of traffic requirements, refer to the Traffic Division's conditions of approval. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

51. 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 first occupancy.
52. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
53. 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.
54. Slurry seal roads effected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflicts with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
55. The 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.
56. 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.
57. 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.
58. 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 DEPARTMENT – TRAFFIC DIVISION

59. 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 Palmetto Avenue which may allow for full access (i.e., left- and right-turning inbound and outbound) movements.

- B. The Project may have a single ingress/egress point along Baseline Avenue that shall be designed, constructed, and signed to restrict ingress to right-turn inbound movements only and to restrict egress to right-turn outbound movements only.
 - C. Ingress and egress restrictions on Baseline Avenue shall be reinforced with a raised median island.
 - D. Where emergency vehicle access to the public Right-of-Way is required or provided, such access points shall be designed and constructed to permit emergency vehicle ingress/egress only. Regular ingress/egress shall not be permitted at emergency vehicle access points.
60. 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.
61. 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.
62. Stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
63. 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.
64. 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.
65. 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.
66. 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 CONSTRUCTION PERMITS

67. The Applicant shall submit and obtain full approval of street improvement plans, subject to the approval of the City Engineer, for all roadway improvements adjacent to the

Project site.

- A. The Applicant shall design a raised median along Baseline Avenue across the full length of the Project's frontage and extending a minimum of 100 feet east of the easterly Project boundary.
68. The Applicant shall submit and obtain full approval of signing and striping 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

69. The Applicant shall construct the approved roadway improvements adjacent to the Project site.
- A. The Applicant shall construct a raised median along Baseline Avenue across the full length of the Project's frontage and extending a minimum of 100 feet east of the easterly Project boundary.
70. The Applicant shall install the approved signing and striping plans as part of the street improvements.

END OF CONDITIONS OF APPROVAL

Exhibit “B”



**CITY OF FONTANA
CONDITIONS OF
APPROVAL**

PROJECT: Master Case No. 25-0088
Design Review No. 25-0037

DATE: August 4, 2026

LOCATION: Adjacent to the parcel located at the northwest corner of Baseline Avenue and Palmetto Avenue (APNs: 0250-161-29, -33, -36, and -37).

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 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 and 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.
4. 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.

5. 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. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the structure until corrections are approved in writing by all appropriate staff.
7. The Director of Planning, or his/her designee, shall have the authority to approve minor architectural changes, including but not limited to window treatments, color combinations, façade treatments, and architectural relief. Any questions on the interpretation of this provision, or changes not clearly within the scope of this authorization shall be submitted to the Planning Commission for consideration as a revision to the Design Review
8. Any foam treatment used for architecture treatments and/or projections located on the first floor (under 14 feet) shall be encased in concrete or similar durable material a minimum of ½ inch thick, or as otherwise determined by the Director of Planning.
9. If solar panel systems are installed on the roof of any residential structure, the installation shall be on top or above the approved roof tile. If a solar panel system is flush-mounted to the roof, matching roof tiles shall be replaced immediately upon removal of the solar panels.
10. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Zoning and Development Code.
11. The Applicant shall post a publicly visible sign on the project site with the telephone number and 24-hour point of contact for dust, noise, and construction complaints. The 24-hour point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust, or respond to construction complaints after hours, on weekends and on holidays. Construction shall be limited to 7:00am to 6:00pm on weekdays, 8:00am to 5:00pm on Saturdays, and no construction on Sundays and Holidays.

12. After the fifteen (15) day appeal period, the Applicant shall remove the notice of Filing sign from the project site. The Applicant may request a refund of the \$300 sign deposit. The request shall be submitted to the Planning Department.

13. Historic Archaeological Resources

A. Upon discovery of any tribal cultural or archaeological resources, the Applicant shall immediately cease construction activities in the proximate area of the discovery until the resource has been evaluated and appropriate measures have been determined. All tribal cultural and archaeological resources unearthed during construction activities shall be evaluated by a qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, the Applicant shall coordinate consultation with interested tribes (those identified through correspondence with area tribes) and the landowner to determine the treatment and curation of the resources. In most cases, the interested tribes will request preservation in place or recovery of the resource for educational purposes. Work may continue on other parts of the project while evaluation of the resources takes place.

B. Preservation in place shall be the preferred manner of treatment; however, the final determination of treatment and curation of any tribal cultural or archaeological resource shall be made through consultation among the Applicant, landowner and the interested tribes. In the even that no interested tribe is identified, any tribal or archaeological resources shall be preserved in place. If preservation in place is not feasible, treatment of resource may include archaeological data recovery excavation to recover the resource, followed by laboratory processing and analysis. All tribal cultural resources shall be returned to the respective interested tribe(s). All historic archaeological resources not of Native American origin shall be curated at a public, non-profit institution with a demonstrated research interest in the resources, provided that such institution agrees to accept the resource. If no institution accepts the archaeological resource, it shall be offered to the respective interested tribe, local school or a 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. Applicant shall take reasonable care to avoid any unnecessary disturbance of physical modification to, or separation of human remains and associated funerary objects. 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. A qualified archaeologist shall be responsible for ensuring that all other personnel are appropriately trained and qualified.

14. The construction contractor will use the following source controls at all times:

A. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is

approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(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:
 - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - ii. Temporarily enclose localized and stationary noise sources.

- 15. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Municipal Code.
- 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. Color combinations and color schemes for commercial 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.
- 19. All garage doors shall be metal, sectional roll-up and have windows.
- 20. The following electrical outlets and garage door opener shall be provided in all garages:
 - A. One automatic garage door opener shall be installed for the double garage door.
 - B. At least one duplex receptacle shall be installed within the garage.
- 21. Wall-mounted decorative lighting fixtures shall be provided at the front porch area as and on each side of the garage door. Wall-mounted decorative lighting fixtures shall be a minimum height of 18 inches.
- 22. All new block walls visible from public view shall be constructed of decorative block and capped with a prefabricated block cap. New block walls not visible from public view may be constructed of CMU block with a masonry cap.

23. No solid masonry wall shall exceed nine-foot in height as measured from top of ground (finish grade) when used in combination with a retaining wall unless otherwise specified for this project.
24. Recreational amenities shall be constructed of materials and equipment similar to those used in public parks, or as approved by the Director of Planning. Refer to the City of Fontana Park Design Standards, accessible at the City's website under the Planning Department under Landscape Services.
25. All proposed playgrounds at a minimum must conform to the California Code of Regulations; Title 22 Social Security, Division 4 Environmental Health, Chapter 22 Safety Regulations for Playgrounds. In addition to the above, all materials and methods must meet the following standards: Consumer Product Safety Commission "Handbook for Public Playground Safety" current version, ASTM F1487 "Standard Consumer Safety Performance Specification for Playground Equipment for Public Use" current version, ASTM F-1292, "Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment" current version, and CFR Part 1191 "Americans with Disabilities Act Disability Accessibility Guidelines for Buildings and Facilities Section 15.6 Play Areas". Playground must include a shade structure, or a standalone shade structure must be provided per the City's Park Design Standards.
26. All fire back flows (DDC/DACA) shall be painted green or earth tone color.
27. Placement, location and screening of utilities of any kind which cannot be installed underground and must be placed above ground for function and safety reasons require approval by the Director of Planning.
28. Any utility easements shall be landscaped and shall be maintained as provided in the easement document.
29. As determined by the City, the Applicant shall be responsible for submitting all the necessary documents in accordance with the City's requirements for the formation or annexation into a CFD, obtaining approval of the CFD boundary map. The first public hearing for the formation of the CFD for the project shall be conducted prior to map recordation.

PRIOR TO ISSUANCE OF BUILDING/GRADING PERMIT

30. 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.
31. 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.
32. 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

33. Development fees and Planning Department final inspection fees shall be paid prior to Certificate of Occupancy.
34. Prior to final Certificate of Occupancy, the developer shall provide the City with certificate of compliance and a playground inspection report from a certified playground inspector

BUILDING AND SAFETY DEPARTMENT

35. 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.
36. The applicant shall install an automatic fire suppression system, which is required in all new construction per FMC Chapter 11 Article II. Design and type of system shall be based upon the requirements of the Building Code, Fire Code and the requirements of the Fontana Fire Prevention District.
37. The applicant shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter 5 Article XIV.
38. The applicant shall verify that all perimeter/boundary walls are designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case by case basis for extenuating circumstances.
39. The applicant shall 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.

40. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.

41. The applicant shall comply with the following grading requirements:

- A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
- B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
- C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
- D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
- E. No water course or natural drainage shall be obstructed.
- F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
- G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
- H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety. The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.
- I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.); and
 - ii. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - iii. All proposed drainage structures; and
 - iv. Any proposed and/or required walls or fencing.

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

43. 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

44. 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
45. 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. (If applicable)

SAN BERNARDINO COUNTY FIRE DEPARTMENT

47. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department 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.
48. Fire Fee. The required fire fees shall be paid to the Fire Department.
49. Fire Condition Letter Expiration. Fire Condition Letters shall expire on the date determined by the Planning Division or Building and Safety.
50. Inspection by Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
51. Building Plans. Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
52. Combustible Protection. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
53. Combustible Vegetation. Combustible vegetation shall be removed as follows:
- A. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less.
 - B. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum of one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586
54. Private Road Maintenance. The applicant shall construct and maintain all such roads. In

addition, the applicant shall provide the Fire Department with a signed maintenance agreement as detailed in the General Requirement conditions for ongoing road maintenance and snow removal (where applicable). This shall include all primary and secondary access routes that are not otherwise maintained by a public agency.

55. Access – 30% slope. Where the natural grade between the access road and building is more than thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.
56. Access. The development shall have a minimum of three points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
 - A. Single Story Road Access Width. 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.
 - B. Multi-Story Road Access Width. 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.
57. Street Parking. Parking of vehicles shall not be allowed to obstruct fire apparatus access at any time. The following criteria shall be used to determine whether parking is allowed on fire access roadways:
 - A. Parking is not permitted on roadways that are less than thirty-two (32) feet in width.
 - B. In addition, parking that is perpendicular or diagonal to the edge of the roadway shall not obstruct the required minimum width of twenty-six (26) feet for fire access.
58. Access Road Grade. Fire access roadways shall not exceed a maximum of twelve (12%) percent grade at any point. Fire access roadways or driveways may be increased to fourteen (14%) percent grade for a distance not to exceed five hundred (500) feet. Fire access roadways providing access to no more than two (2) one or two-family dwellings may be increased to a maximum of sixteen (16%) percent grade not to exceed five hundred (500) feet. Grades across the width of a fire access roadways shall not exceed five (5%) percent. In order to accommodate proper angles of approach and departure, gradient shall not exceed five (5%) percent change along any ten (10) foot section.
59. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
60. Access – 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.

61. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
62. Secondary Access Paved. Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
63. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
64. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the street corner nearest to the project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
65. Fire Flow Test. Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.
66. Water System. Prior to any land disturbance, the water 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 California Fire Code. The Fire Flow for this project shall be: 1,625 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 14,514 sq. ft. structure.
67. F30 Water System Residential. A water system approved by the Fire Department is required. The system shall be operational prior to any combustibles being stored on the site. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicular travel-ways) from the driveway on the address side of the proposed single-family structure.
68. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.
69. Water System Upgrade. The existing fire flow/hydrant system is insufficient or not existing. The applicant shall upgrade the existing fire hydrant(s) with required fire flow that complies with standards or contact the Fire Department regarding application processing for alternate fire protection measures.
70. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall

be installed as specified by the Fire Department. In areas where snow removal occurs, or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.

71. Fire Sprinkler NFPA 13D. An automatic life safety fire sprinkler system complying with NFPA Pamphlet #13D and Fire Department standards is required. The applicant shall hire a licensed fire sprinkler contractor or be an approved owner/builder. The fire sprinkler contractor/installer shall submit plans with hydraulic calculations and manufacture specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. Minimum water supply shall be in accordance with current fire department standards. The applicant or contractor shall contact their local water purveyor to obtain specifications on installing a residential fire sprinkler system within the jurisdiction of the water purveyor. The applicant shall attach a letter from the water purveyor indicating the types of systems allowed in that jurisdiction.
72. 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 one hundred (100) feet or more from the roadway, the street address shall be displayed at the property entrances with numbers that are a minimum of four (4) inches in height and one half (½) inch stroke.
73. Illuminated Site Diagram. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. Plans for the illuminated site diagram shall be submitted on the construction plans.
74. Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox ®).
75. Spark Arrestor. An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with the California Fire Code.
76. Proposal Changes. Any changes to this proposal shall require a new Fire Department condition letter.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT DIVISION

77. 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.

78. 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.
79. The Applicant shall maintain all improvements and utilities within the public right-of-way, including street sweeping, prior to issuance of final certificate of occupancy by the City.

PRIOR TO ISSUANCE OF GRADING PERMIT

80. The Applicant shall submit engineered Rough Grading Plans and obtain full approval. Rough Grading Plans shall conform to the California Building Code, the California Residential Code, Fontana Municipal Code, and Fontana Standard Plans and Specifications.
81. The Applicant shall submit engineered Precise Grading Plans and obtain full approval. Precise Grading Plans shall conform to the California Building Code, the California Residential Code, Fontana Municipal Code, and Fontana Standard Plans and Specifications. Rough Grading Pad Certification is required to be submitted to the Engineering Department prior to precise grading permit issuance.
82. 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.
83. 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

84. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
85. The Engineer of Record shall submit a Final Grade Certification to the City Project Engineer for each building that a Certificate of Occupancy is being requested.

PRIOR TO ISSUANCE OF ANY OTHER CONSTRUCTION PERMITS

86. The Applicant shall record Tract Map 20863, lot line adjustments, right-of-way dedications, easements, and a reciprocal access agreement as required for the development.
87. 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, landscape, and any required traffic control and/or detour plans. For a full list of traffic requirements, refer to the Traffic Division's conditions of approval. All plans shall conform to City Standards and Specifications, and as approved by the City Engineer.

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

88. 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 first occupancy.
89. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
90. 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.
91. 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.
92. 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.
93. 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.
94. 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.
95. 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 DEPARTMENT – TRAFFIC DIVISION

96. 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 Palmetto Avenue which may allow for full access (i.e., left- and right-turning inbound and outbound) movements.
 - B. The Project may have a single ingress/egress point along Baseline Avenue that shall be designed, constructed, and signed to restrict ingress to right-turn inbound movements only and to restrict egress to right-turn outbound movements only.
 - C. Ingress and egress restrictions on Baseline Avenue shall be reinforced with a raised median island.
 - D. Where emergency vehicle access to the public Right-of-Way is required or provided, such access points shall be designed and constructed to permit emergency vehicle ingress/egress only. Regular ingress/egress shall not be permitted at emergency vehicle access points.
97. 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.
98. 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.
99. Stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
100. 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.
101. 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.
102. 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.
103. 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 CONSTRUCTION PERMITS

104. The Applicant shall submit and obtain full approval of street improvement plans, subject to the approval of the City Engineer, for all roadway improvements adjacent to the Project site.
 - A. The Applicant shall design a raised median along Baseline Avenue across the full length of the Project's frontage and extending a minimum of 100 feet east of the easterly Project boundary.
105. The Applicant shall submit and obtain full approval of signing and striping 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

106. The Applicant shall construct the approved roadway improvements adjacent to the Project site.
 - A. The Applicant shall construct a raised median along Baseline Avenue across the full length of the Project's frontage and extending a minimum of 100 feet east of the easterly Project boundary.
107. The Applicant shall install the approved signing and striping plans as part of the street improvements.

END OF CONDITIONS OF APPROVAL