

RESOLUTION PC NO. 2024-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 23-023 FOR SITE AND ARCHITECTURAL APPROVAL OF A 214 UNIT DETACHED CONDOMINIUM PROJECT INCLUDING 1.1-ACRE AND .31-ACRE PARK SITES ON A 16.2 ACRE PROJECT SITE WITHIN THE GARDENS PLANNING AREA OF THE ARBORETUM SPECIFIC PLAN LOCATED AT APN 1118-401-01 AND -02, AND DETERMINE THAT THE PROJECT HAS BEEN REVIEWED UNDER A PREVIOUSLY CERTIFIED FINAL ENVIRONMENTAL IMPACT REPORT (STATE CLEARINGHOUSE NO. 2006071109), PURSUANT TO SECTION 15126 THROUGH 15164 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND DIRECTING STAFF TO FILE A NOTICE OF DETERMINATION.

WHEREAS, Assessor Parcel Numbers (“APN”) 1118-401-01 and -02 (“Project Site”) was annexed from San Bernadino County and into the City of Fontana on October 8, 1981; and

WHEREAS, on November 2, 2023, the City of Fontana (“City”) received an application from Stacey Sassaman on behalf of the North Fontana Investment Company, LLC, (“Applicant”), for a Design Review (DRP No. 23-023) for the development of a 214-unit detached condominium residential project; and

WHEREAS, the Project site has a General Plan Land Use designation of Residential Planned Community (R-PC), and is located within the Arboretum Specific Plan (Gardens) zoning district which allows for such projects; and

WHEREAS, the City previously prepared and certified the Final Environmental Impact Report (FEIR) for the Arboretum Specific Plan project on September 23, 2009, consisting of comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, and revisions and errata to the Draft EIR and subsequently approved the Arboretum Specific Plan. For the purposes of this Resolution, the “FEIR” shall refer to the Draft EIR, as revised by the Final EIR’s errata section together with the other sections of the Final EIR; and

WHEREAS, on September 23, 2009, the City Council approved the Arboretum Specific Plan and the Arboretum Specific Plan Environmental Impact Report; and

WHEREAS, on June 22, 2021, the City Council approved a specific plan amendment to allow for a density transfer from within the Gardens Village Planning Area as well as Tentative Tract Map No. 20362 to subdivide the subject site for condominium purposes; and

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

WHEREAS, based on that evaluation, staff concluded that the FEIR fully analyzed and mitigated, where feasible, all potentially significant environmental impacts, if any, that would result from the proposed project, and therefore, no subsequent EIR or mitigated negative declaration is required; and

WHEREAS in connection with the project and the Planning Commission's review of the certified FEIR, the Planning Commission has independently reviewed all the prior environmental documentation prepared for this 214-unit project, and has exercised its independent judgment in making the determination that the certified FEIR fully analyzed and mitigated, where feasible, all potentially significant environmental impacts, if any, that would result from the project, and therefore, no subsequent EIR or mitigated negative declaration is required; and

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

WHEREAS, the Conditions of Approval are attached hereto as **Exhibit "A"** for DRP No. 23-023; and

WHEREAS, all notices required by statute and the Fontana Municipal Code have been given as required; and

WHEREAS, the owners of property within 660 feet of the proposed project site were notified via public hearing notice mailer prior to the Public Hearing; and a notice of the public hearing was published in the *Fontana Herald* newspaper on April 5, 2024, and simultaneously displayed at City Hall and at the Project Site; and

WHEREAS, on April 16, 2024, a duly noticed public hearing on Design Review No. 23-023 was held by the City of Fontana Planning Commission ("Planning Commission") to consider testimony and evidence presented by the Applicant, City staff, and other interested parties; and

WHEREAS, on April 16, 2024, the Fontana Planning Commission carefully considered all information, evidence and testimony presented at its public hearing on Design Review No. 23-023; 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. Compliance with California Environmental Quality Act. As the decision-making body for the Project, the Planning Commission has reviewed and considered the previously certified FEIR (State Clearinghouse No. 2006071109), any oral or written comments received, and the administrative record prior to making any decision on the project. The Planning Commission finds that the FEIR contains a complete and accurate reporting of all of the environmental impacts associated with the project.

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 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 project are developed that would require major revisions of the 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 FEIR documents were certified showing any of the following:
 1. The project would have one or more significant effects not discussed in the EIR;
 2. That significant effects previously examined would be substantially more severe than shown in the EIR;
 3. 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
 4. 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 Arboretum Specific Plan Project Final Environmental Impact Report (SCH No. 2009091089) 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. Design Review Findings. The Planning Commission hereby makes the following findings for Design Review No. 23-023 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 General Plan Land Use designation of Residential Planned Community (R-PC) is intended for residential uses. The R-PC land use designation category is described in the General Plan as a land use category that is used for master-planned communities with specific plans. The Arboretum Specific Plan is a master-planned community, which is consistent with the R-PC General Plan land use designation. It is intended to accommodate a maximum of 3,532 housing units and the proposed project’s 214 dwelling units will not cause the total number of units in the Arboretum Specific Plan to be exceeded.

The proposed project is also consistent with the Arboretum Specific Plan land use and architectural design standards. The request is to develop 214 detached, alley-loaded condominiums on 16.2 acres. The G-1 planning area includes three proposed floor plans, ranging from approximately 1,643 square feet to approximately 1,963 square feet. The G-2 planning area includes three proposed floor plans, ranging from approximately 1,567 square feet to 1,665 square feet. The proposed development meets all development standards of the Arboretum Specific Plan. The architectural styles used for the project include Santa Barbara, Farmhouse, Provence, Spanish Colonial, American Farmhouse, and Santa Barbara; each of these architectural styles are listed as allowable in the Arboretum 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 site and architectural design for the 214 detached, alley-loaded condominiums has been designed to comply with the City of Fontana Zoning and Development Code. The development meets all setbacks, height, landscaping, design, architecture, parking, access, and safety requirements. Access to and from the project site is provided from a driveway on Cassava Drive. Landscaping would be ornamental in

nature and include trees, shrubs, and drought-tolerant plants in addition to a variety of groundcovers. The condominiums will be constructed pursuant to all applicable building, zoning, and fire codes, in addition to the Conditions of Approval attached hereto as Exhibit A and referenced herein.

The site improvements have been reviewed by the Fire, Building and Safety, Engineering and Public Works Departments. During the project review process, changes were made to the plans to ensure that the project is well-designed. Therefore, the project will promote health, safety, and welfare of the surrounding community.

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 residential project has been designed to enhance and complement the surrounding neighborhood. The proposed architectural styles include Santa Barbara, Farmhouse, Provence and Spanish Colonial. These styles are reflected in the Arboretum Specific Plan and have been implemented throughout the previously approved and constructed planning areas in the Gardens Village. The result is a quality architectural design appropriate for and desirable for the surrounding neighborhood. The development enhances the character of the surrounding neighborhood through appropriate attention to aesthetics and design.

Architectural relief utilized for the buildings consists of decorative window treatments, decorative lighting, varied roof lines, and other features appropriate to the different condominium styles. A variety of colors and materials used will further add architectural diversity to each building. The project enhances the surrounding neighborhood by incorporating architectural styles that complement the surrounding area. Additionally, the landscaping plan includes plants to complement the architectural style of the buildings and the community at large. The project has been reviewed by Engineering, Building and Safety, and Fire Departments for safety, and changes were made to the plans to ensure that the project is well-designed.

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

Findings of Fact: The development complies with the City of Fontana Zoning and Development Code. The project improvements include sewer and storm drain systems, site circulation, parking, landscaping, lighting, driveways, and sidewalks. The project has been reviewed by the

City's Planning, Engineering, Building and Safety and Fontana Fire Prevention Departments for circulation, access, and safety and was determined to meet all applicable requirements; thus, the improvements will result in a safe, well-designed project.

Section 6. Approval. Based on the findings in Section 5, the Planning Commission hereby approves Design Review No. 23-023, subject to the Findings and the Conditions of Approval attached hereto, as **Exhibit "A"** and incorporated herein by reference

Section 7. 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 8. Certification. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

Section 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section 10. 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 16th day of April 2024.

City of Fontana

Cathline Fort, Chairperson

ATTEST:

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Ricardo Quintana, Secretary

Exhibit "A"



CITY OF FONTANA CONDITIONS OF APPROVAL

PROJECT: Master Case No. 23-102
Design Review No. 23-023

DATE: April 16, 2024

LOCATION: The project site is located east of Cypress Avenue, north and south of Gardens Street.

PLANNING DEPARTMENT:

1. The applicant/developer/property owner 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.

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 Division inspection, has commenced within this period.
3. 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.
4. 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 all of the following have occurred:
 - A. All requirements of the City of Fontana's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on 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.
5. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the residential structure until corrections are approved in writing by all appropriate staff.
6. The Director of Planning, or his/her designee, shall have the authority for minor architectural changes focusing around 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.
7. Upon discovery of any cultural tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural tribal 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.

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.

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.

8. The construction contractor will use the following source controls at all times:
 - A. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
 - 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.
9. Foam treatment used for architecture features and/or projections located on the first floor (under 14-foot) shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Planning.
10. 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.

11. 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.
12. All garage doors shall be metal, sectional roll-up and have windows.
13. 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.
14. Prior to the issuance of a Certificate of Occupancy, the applicant/developer/property owner shall underground all utilities, which for the purpose of this condition shall also include all boxes, structures and/or other equipment located in the public right-of-way, any public utility easement(s) and on any private property, to the satisfaction of the Director of Planning or his/her designee.
15. 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.
16. 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.
17. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manger's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-30 and Sections No. 30-31 of the Municipal Code.
18. The current Development Fees shall be paid.
19. Construction of the model complex shall conform to all City requirements for use and removal of such facilities. This shall include off street paved parking spaces, landscaping and bonds for the removal of any office space within the model and removal of the parking spaces.
20. Litter shall be removed daily from the model homes complex.

21. The model homes may be used as offices solely for the first sale of homes within a recorded tract.
22. The sales office shall be located in a garage, trailer, or dwelling.
23. The establishment of the model home complex shall be for a two-year period, at which time the sales office use shall be terminated and the structure restored back to its original condition. Extensions may be granted by the Director of Planning in one year increments up to a maximum of four years or until 90 percent of the development is sold; whichever is less.
24. The applicant shall submit a \$2,500.00 deposit to the City of Fontana for each lot to ensure the restoration of the model homes and associated parking facilities.
25. Street improvements and temporary parking shall be completed to the satisfaction of the City Engineer and Director of Planning prior to commencement of sales activities or the display of model homes. The parking spaces shall be located within an off-street facility, except on-street parking may be permitted subject to the following conditions:
 - a. The sales office, models, and on-street parking spaces shall be located within Tract Map No. 18915, Lot Nos. 16 through 18) and coordinated with construction phasing such that there are no resident homeowners living in homes located adjacent to the gated, secured area of the street.
 - b. The parking stalls shall be adequately striped and shall conform to City standards.
 - c. The model homes (Lot Nos. 16 through 18, Tract Map No. 18915) area shall have a decorative fence that is kept locked during non-operating business hours.
26. The sales office is to be used only for transactions involving the sale, rent, or lease of lots and/or structures within the tract in which the sales office is located, contiguous tracts, or a planned unit community.
27. Failure to terminate sales office and restore structure or failure to apply for an extension on or before the expiration date will result in forfeiture of the cash deposit, a halt in further construction or inspection activity on the project site, and enforcement action to ensure restoration of structure.
28. An area for overflow parking shall be provided off-street to the satisfaction of the City Engineer and Director of Planning. Said parking area shall be located adjacent to the model home sales office, outside the secured area, appropriately signed, and provided with a drive approach construction to City standards.

29. Temporary landscaping, including minimum 48-inch box trees, shall be provided within the on-street parking area. Temporary landscaping shall also be provided within a planter area surrounding the overflow parking area.
30. All fences proposed in conjunction with the model homes and sales office shall be located outside of the public right-of-way, except where approved by the Director of Planning and City Engineer for security.
31. Directional signs located within the right-of-way shall be reviewed and permitted by Engineering Department.

Prior to Issuance of Building /Construction 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.

BUILDING AND SAFETY DIVISION:

34. The applicant/developer/property owner shall comply with the latest adopted edition of the following codes as applicable:
 - A. California Building Code
 - B. California Residential Code
 - C. California Electrical Code
 - D. California Mechanical Code
 - E. California Plumbing Code
 - F. California Energy Code
 - G. California Fire Code
 - H. California Green Building Standards Code
35. 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.

36. The applicant/developer/property owner shall verify that any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project complies with FMC Chapter No. 5 Article XIV.
37. The applicant/developer/property owner 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.
38. The applicant/developer/property owner shall have the tract map recorded prior to the issuance of any building permits.
39. The applicant/developer/property owner 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.);
 - ii. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.);
 - iii. All proposed drainage structures;
 - iv. Any proposed and/or required walls or fencing.
40. 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

41. 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

ENGINEERING DEPARTMENT:

42. 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.
43. 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.
44. 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.
45. Direct project ingress and egress for vehicles shall be provided from Casava Dr and shall not be permitted along Cypress Ave or Duncan Canyon Rd, with the exception of emergency access.
46. Pedestrian and bicycle access directly to Cypress Ave or Duncan Canyon Rd shall be allowed.

47. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all vehicular ingress/egress location including consideration for walls, landscaping, grading, and vegetation.
48. The location of bicycle parking shall be depicted on the site plan. Bicycle parking shall comply with the Association of Pedestrian and Bicycle Professionals.
49. Left-turn ingress and/or egress at all access locations shall be subject to approval of the City Engineer and may be restricted in the future due to traffic operational or safety concerns. Alternatives to such restrictions may be considered.
50. The project shall design and construct a new traffic signal at the intersection of Duncan Canyon Rd and Casava Dr and the related interconnect.

PRIOR TO ISSUANCE OF GRADING PERMIT

51. 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.
52. 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 ISSUANCE OF CONSTRUCTION PERMITS

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

PRIOR TO ISSUANCE OF FINAL CERTIFICATE OF OCCUPANCY

55. The Applicant/Engineer must submit and obtain approval for the termination of the existing interior landscape easement reference in Tract Map 20362.
56. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
57. 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.
58. The Applicant/Engineer shall provide centerline ties to the City of Fontana reflecting proper setting of all survey monuments within the project limits and replace any existing survey monuments damaged or removed during construction.
 59. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
 60. The Applicant/Landscape Architect shall provide a "Landscape Certificate of Compliance" certifying that the work has been designed, installed, and will be maintained in accordance with the City of Fontana's Model Water Efficiency Landscape Ordinance (Ordinance 1743, FCC Section 28).
 61. All public 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.
 62. All public 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.
 63. 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.

END OF CONDITIONS OF APPROVAL