

RESOLUTION NO. PC 2023-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 21-031 – A REQUEST FOR APPROVAL TO DEVELOP SEVEN (7) NEW SINGLE-FAMILY DWELLING UNITS LOCATED ON SEVEN (7) EXISTING LOTS TOTALING APPROXIMATELY 2.1 ADJUSTED GROSS ACRES PURSUANT TO A CATEGORICAL EXEMPTION IN ACCORDANCE WITH CEQA GUIDELINES SECTION NO. 15332.

WHEREAS, APNs: 0193-021-06, -07, -08, -50, -51, -52, and -53 were incorporated in the City of Fontana on June 25, 1952, (Annexation No. 1815); and

WHEREAS, on September 14, 2021, the City of Fontana (“the City”) received a Design Review Application from Andresen Architecture, Inc. to construct seven (7) new single-family dwelling units for seven (7) existing lots on the east side of Fontana Avenue approximately 390 feet south of the centerline of Merrill Avenue APNs: 0193-021-06, -07, -08, -50, -51, -52, and -53; and

WHEREAS, the seven (7) new single-family dwelling units range in size from 2,410 square feet to 2,470 square feet, and the seven (7) existing lots range in size from 9,453 square feet to 18,958 square feet, for a total of approximately 2.1 adjusted gross acres.

WHEREAS, the project incorporates two (2) floor plans with three (3) different modern architectural styled elevations; and

WHEREAS, pursuant to Article II, (Administrative Procedures), and Article V, (Residential Zoning District), of the Zoning and Development Code, a single-family residential project of five (5) or more dwellings require an approval of a Design Review application by the Planning Commission; and

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

WHEREAS, Conditions of Approval have been prepared and attached hereto as **Exhibit “A”** for Design Review No. (DRP No. 21-031); 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, all of the notices required by statute and the City Municipal Code have been given as required; and.

WHEREAS, the owners of property within 660 feet of the project site were notified via public hearing notice mailer prior to the Public Hearing; and a notice of the public

hearing was published in the local *Fontana Herald* newspaper on September 8, 2023, posted at City Hall and at the project site; and

WHEREAS, on September 19, 2023, a duly noticed public hearing on Design Review No. 21-031 was held by the Planning Commission to consider testimony and evidence presented by the applicant, City staff, and other interested parties, at the Public Hearing held with respect hereto; and

WHEREAS, the Planning Commission carefully considered all information pertaining to the project, including the evidence, and testimony presented at its public hearing on September 19, 2023; and

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

NOW, THEREFORE, the Commission RESOLVES as follows:

Section No. 1. Recitals. The above recitals are incorporated herein by reference.

Section No. 2. CEQA. The Planning Commission hereby determines that the project is Categorically Exempt pursuant to Section No. 15332, Class No. 32 (In-Fill Development), and Section No. 3.22 (Categoric Exempt) of the 2019 Local Guidelines for implementing CEQA

Section No. 3. Findings. The City of Fontana's Planning Commission hereby makes the following findings for Design Review No. 21-031 in accordance with Section No. 30-120 "Findings for Approval" for Design Review of the Zoning and Development Code:

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

Findings of Fact: The project site is located on the east side of Fontana Avenue approximately 390 feet south of the centerline of Merrill Avenue, (APNs: 0193-021-06, -07, -08, -50, -51, -52, and -53). The project site has a General Plan land use designation of Single-Family Residential (R-SF), which includes detached single-family housing with density ranging from 2.1 to 5 dwelling units per acre.

The project is located within the Single-Family Residential (R-1) zoning district with no related Specific Plan. The R-1 zoning district permits detached homes on individual lots within defined neighborhoods. The seven (7) existing lots range in size from 9,453 square feet to 18,958 square feet. The seven (7) new single-family dwelling units will be using two (2) different floor plan styles that range in size from 2,410 square feet to 2,470 square feet. The project incorporates three different architectural styles.

The General Plan is the document that sets the framework for the City of Fontana and provides the overall policies for development

within the community. Furthermore, the General Plan encourages a variety of development including single-family housing pursuant to the City of Fontana's, General Plan Land Use, Zoning, and Urban Design Element, Chapter No. 15, Goal No. 3 (page 15.37-15.38) and Chapter No. 15, Goal No. 7 (page 15.40-15.41).

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

Findings of Fact: The project is located within the Single-Family Residential (R-1) zoning district and has been determined to be aesthetically and architecturally pleasing and compatible with the neighborhood. The neighborhood is contemporary, true to style, and compatible with the surrounding homes with high quality architectural design appropriate and desirable for the community. The development will enhance the character of the surrounding residential area through the aesthetics and design.

The development will be accessed off of Fontana Avenue which is a public street. The project includes off-site and on-site improvements: Fontana Avenue will include additional pavement, curb, gutter, and sidewalks; on-site improvements will include paving of the access easement with curbing on both sides and sidewalk to the south side. The Applicant is proposing appropriate drainage, grading, and perimeter/privacy walls to provide a safe and well-designed neighborhood. The project has been reviewed by the Fontana Planning, Engineering, Building and Safety, and Fontana Fire Prevention Departments ("Departments") for site circulation, access, and safety. The project meets or exceeds the standards of the Zoning and Development Code and will provide a safe design for normal public access. The individual parcels shall be accessed off a designated easement of approximately 30-foot that will be improved during construction. Each individual lot has a minimum of a 16-foot-wide driveway to access the property. No parking is allowed on the access easement; however, parking is allowed on Fontana Avenue. The Departments have determined that the project meets or exceeds the standards of the Zoning and Development Code and will provide a safe design for normal public access provided the project complies with the Conditions of Approval.

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

Findings of Fact: The project encompasses improvements that are both appropriate and much needed, not only for the project site, but the surrounding area. The project includes off-site and on-site improvements: Fontana Avenue will include additional pavement, curb, gutter, and sidewalks; on-site improvements will include paving of the access easement with curbing on both sides and sidewalk to the south side. The Applicant is proposing appropriate drainage, grading, perimeter, and privacy walls to provide a safe and well-designed neighborhood. The neighborhood has been reviewed by the Fontana Planning, Engineering, Building and Safety, and Fontana Fire Prevention Departments ("Departments") for site circulation, access, and safety. The Departments have determined that the project meets or exceeds the standards of the Zoning and Development Code and will provide a safe design for normal public access provided the project complies with the Conditions of Approval. The structures meet all applicable building, zoning, and fire codes and standards and, therefore, shall promote the public health, safety, and welfare of the surrounding community.

Additionally, the project is aesthetically enhanced with architectural detail. The buildings do not exceed the maximum height of 35 feet. The project is an appropriate and desirable development for the community. Each elevation has a modern architectural theme using cool and natural colors with contrasting colors of grey and beige. A variety of design features and materials are provided on the elevations, including architectural pop-outs, stone veneer, wood siding, decorative window treatments, varied rooflines, covered porches, and other features appropriate to the contemporary architecture. The development complies with the required setbacks. All other applicable development standards specified in the Zoning and Development Code are met.

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

Findings of Fact: The project is determined to be appropriate and will result in a safe, well-designed development. The homes are designed and will be developed with appropriate pavement, curb, gutter, and sidewalk. The project includes street improvements to Fontana Avenue, sidewalks, drainage, grading and perimeter and privacy walls to provide a safe and well-designed neighborhood. The project has been reviewed by the Fontana Planning, Engineering, Building and Safety, and Fontana Fire Prevention Departments ("Departments") for site circulation, access, and safety. The Departments have determined that the project meets or exceeds the standards of the Zoning and Development Code and will provide a safe design for normal public access. The character of the surrounding

neighborhood reflects residential uses with both single-family and multi-family dwellings.

Section No. 4. Approval. Based on the foregoing, the City of Fontana's Planning Commission hereby approves Design Review No. 21-031, subject to the conditions of approval, which are attached hereto as **Exhibits "A"** to this Resolution and incorporated herein by this reference.

Section No. 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

Section No. 6. 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 City of Fontana's Planning Department, 8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code, Section No. 21081.6.

Section No. 7. Certification. The Secretary shall certify to the adoption of this Resolution.

Section No. 8. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED, AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this **19th day of September 2023.**

City of Fontana

Cathline Fort, Chairperson

ATTEST:

I, Ralph Thrasher, 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 **19th day of September 2023**, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Resolution No. PC 2023-____

Ralph Thrasher, Secretary

Exhibit “A”

**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 21-086
Design Review No. 21-031

DATE: September 19, 2023

LOCATION: The project site is located on the east side of Fontana Avenue approximately 390 feet south of the centerline of Merrill Avenue, (APNs: 0193-021-06, -07, -08, -50, -51, -52, and -53).

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 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 Department 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. The accessory dwelling units and junior accessory dwelling units shall be reviewed through a Building Permit process, not associated with the Planning Commission approval.
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 residential structure until corrections are approved in writing by all appropriate staff.
7. The Director of Planning, or his/her designee, shall have the authority for minor architectural changes focusing 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.
8. 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.

9. 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.
10. 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.
11. The development shall maintain an active Homeowner's Association ("HOA") at all times. The City shall be the third party to the HOA's Covenants Conditions and Restrictions solely for the purpose of enforcing property and maintenance standards.

12. 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.
13. 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.
14. All garage doors shall be metal, sectional roll-up and have windows.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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 amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-30 and Sections No. 30-31 of the Municipal Code.
20. The current Development Fees shall be paid.

Prior to Issuance of Building /Construction Permits

21. 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.

BUILDING AND SAFETY DEPARTMENT:

22. 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
23. The applicant/developer/property owner 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.
24. 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.
25. 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.
26. The applicant/developer/property owner shall have the tract map recorded prior to the issuance of any building permits.
27. 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.
28. The applicant/developer/property owner 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

29. The following items shall be completed and/or submitted to Building & Safety – as applicable – prior to the issuance of building permits for this project:
- A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification
 - D. Pad elevation certification
 - E. Rough grade inspection signed off by a City Building Inspector

For more information related to Building & Safety, please visit our web page at <https://www.fontana.org/136/Building-Safety>.

ENGINEERING DEPARTMENT:

30. 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.
31. The applicant/developer/property owner 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.
32. The applicant/developer/property owner 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

33. The applicant/developer/property owner 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.

Prior To Issuance of Construction Permits

34. The applicant/developer/property owner shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
35. The applicant/developer/property owner 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

36. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
37. 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.
38. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
39. 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).

40. 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.
41. 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.
42. 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.

FIRE PROTECTION DISTRICT:

43. 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.
44. Fire Access Road Width. Prior to map recordation, all fire access roadways shall be designed to meet the requirements for this development and shall be approved by the Fire Department. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. California Fire Code Chapter 5 & SBCoFD Standard A-1
45. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; and all roadways shall not exceed a 12 percent grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1

46. Street Signs. Approved temporary or permanent street signs shall be installed throughout the project prior any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2
47. Fire Lanes. The applicant shall submit a site plan to the Fire Department for review and approval of all proposed signage and striping for all fire access roadways. All curbs adjacent to fire lanes shall be painted red and "No Parking, Fire Lane" signs shall be installed on public and private roads in accordance with approved standards. SBCoFD Standard A-2
48. Water System Residential. Prior to map recordation, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than six hundred (600) feet as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2

The Fire Flow for this project shall be: 1500 GPM for a 2-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 0-3600 square foot structure.
49. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2
50. Water System Certification. The applicant/developer/property owner 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. California Fire Code Chapter 5
51. Combustible Protection. Prior to combustibles being placed on the project site an approved paved roadway providing fire access and fire hydrants providing an acceptable fire flow shall be installed. California Fire Code Chapter 5
52. Fire Sprinkler-NFPA #13D. An automatic life safety fire sprinkler system complying with NFPA 13D and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans with hydraulic calculations and manufacturer specification sheets to the Fire Department for approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-2
53. 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 (1/2) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street.

Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1

54. Secondary Access. The development shall have a minimum of two points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

MANAGEMENT SERVICES:

55. To eliminate the negative fiscal impact on municipal services associated with this proposal, the project will be required to annex into an existing community facilities district (CFD) or form a new community facilities district (CFD) for the purpose of financing the costs of maintenance and operation of the street lighting, landscaping, parkways and the removal of or cover of graffiti within the boundaries of, or along the perimeter of the district. The district's annual levy will include an amount for the maintenance of city parks. The city will determine which is more appropriate for the project, establishing a new district or annexing into an existing district. The district formation or annexation must be completed prior to the issuance of building permits.

END OF CONDITIONS OF APPROVAL