

RESOLUTION NO. PC 2026 - ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA, APPROVING TENTATIVE PARCEL MAP NO. 20761 (TPM NO. 22-000033-R2) TO RECONFIGURE FIVE PARCELS INTO FOUR PARCELS, MINOR USE PERMIT NO. 25-0006 TO OPERATE AN AUTOMATIC CARWASH, AND DESIGN REVIEW NO. 22-000005-R2 FOR AN AMENDMENT TO A PREVIOUSLY APPROVED FOR RETAIL CENTER TO MODIFY THE LOCATION OF BUILDINGS AND PARKING ON THE SITE AND REMOVE TWO PREVIOUSLY PROPOSED BUILDINGS ON APPROXIMATELY 6.3 GROSS ACRES I LOCATED AT THE SOUTHWEST CORNER OF SIERRA AVENUE AND BASELINE AVENUE (APN: 0241-051-01, -02, -16, -17, AND -32) PURSUANT TO THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION FOR THE MIDLAND PLAZA PROJECT.

WHEREAS, Assessor Parcel Numbers (“APNs”) 0241-051-01, -02, -16, -17, and -32 (“Project Site”), totaling approximately 6.3 adjusted gross acres, were annexed from San Bernardino County and incorporated into the City of Fontana on March 22, 1979; and

WHEREAS, on July 22, 2025, Core States Group (“Applicant”) submitted an application for a Tentative Parcel Map No. 20761 (“TPM No. 22-000033-R2”), to reconfigure five parcels into four parcels, Minor Use Permit No. 25-0006 (“MUP No. 25-0006”) to operate an automatic carwash, and Design Review No. 22-000005-R2 (“DRP No. 22-000005-R2”) for the site and architectural review of an amendment to a previously approved retail center including the relocation of buildings and parking and the removal of two previously approved buildings (collectively, the “Midland Plaza Project”) on the Project Site; and

WHEREAS, the Project site has a General Plan Land Use designation of General Commercial (C-G) and is located within the General Commercial (C-2) zoning district, which allows for such projects; and

WHEREAS, pursuant to CEQA Guidelines, Sections 15162 through 15164 et seq, staff has determined that the previously adopted Mitigated Negative Declaration for the Midland Plaza Project adequately identified the impacts associated with TPM No. 22-000033-R2, MUP No. 25-0006, DRP No. 22-000005-R2 and there have been no substantial changes to the project or the circumstances under which the project is undertaken, or new information of substantial importance, which would require major revisions to the Mitigated Negative Declaration; 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; and a notice of the public

hearing was published in the *Fontana Herald* newspaper on April 10, 2026, at City Hall and at the Project Site; and

WHEREAS, on April 21, 2026, a duly noticed public hearing on TPM No. 22-0000033-R2”, MUP No. 25-0006, and DRP No. 22-000005-R2 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, the Planning Commission carefully considered all information, evidence, and testimony presented at its public hearing on April 21, 2026; and

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

WHEREAS, the Conditions of Approval for TPM No. 22-000033-R2 have been prepared and are attached hereto as **Exhibit “A”**; and

WHEREAS, the Conditions of Approval for MUP No. 25-0006 have been prepared and are attached hereto as **Exhibit “B”**; and

WHEREAS, the Conditions of Approval for DRP No. 22-000005-R2 have been prepared and are attached hereto as **Exhibit “C”**; 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. The Planning Commission hereby determines that the Project was adequately analyzed under the previously approved Mitigated Negative Declaration, and that there have been no substantial changes to the project or the circumstances under which the project is undertaken, or new information of substantial importance, which would require major revisions to the previously approved Mitigated Negative Declaration. The Planning Commission finds that Initial Study and Mitigated Negative Declaration contain a complete and accurate reporting of all of the environmental impacts associated with the project.

Section 3. Tentative Parcel Map Findings. The Planning Commission hereby makes the following findings for TPM No. 22-000033-R2 in accordance with Section 26-218(d) “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: The proposed parcel map is consistent with the City’s General Plan and any applicable specific plan.

Finding of Fact: Tentative Parcel Map No. 20761 is consistent with the General Plan Land Use Designation for the project site, which is General Commercial (C-G). The C-G designation is intended for uses such as retail and wholesale activities, automobile-related sales and services, offices and business providing administrative and professional service, and medical offices and clinics. The Tentative Parcel Map will reconfigure five existing parcels (0241-051-01, -02, -16, -17 and -32) into four new parcels for the development of a commercial retail center. The use is consistent with the General Plan Land Use Designation.

Finding No. 2: **That the design or improvements of the proposed tentative parcel map is consistent with the General Plan and any applicable specific plan.**

Findings of Fact: The design of TPM No. 22-000033-R2 to reconfigure the existing five parcels into four new parcels to accommodate the development include a retail development with an automobile fueling station, convenience store, drive through restaurant, and automatic carwash is consistent with the General Plan. The lot size and street configuration conform to the requirements of the Land Use, Zoning, and Urban Design and Community Mobility and Circulation Element of the City of Fontana General Plan, Subdivisions (Chapter No. 26) Chapter of the City of Fontana Municipal Code.

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

Findings of Fact: The project site is approximately 6.3 adjusted gross acres and is of an adequate size to accommodate the commercial development referenced herein. The existing topography of the site is less than two percent gradient and development of the site will not require setback variances; therefore, the site is suitable for this type of development. The lot sizes, lot depths and lot widths are consistent with other commercial developments.

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

Findings of Fact: The design of TPM No. 22-000033-R2 is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Initial Study and Mitigated Negative Declaration that was completed for the original Midland Plaza project was completed to identify environmental impacts and mitigation measures are included to make any impacts less than significant. The modification to the project is within the

development anticipated by, and is consistent with the finding and conclusions in, the Initial Study and Mitigated Negative Declaration.

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

Findings of Fact: The design of Tentative Parcel Map No. 20761 will not cause public health problems. The development complies with the Zoning and Development Code and the General Plan. Improvements include connection to public storm drain, sidewalks, drainage, and grading to provide a safe and well-designed project for the area. Therefore, the project shall promote the public health, safety, and welfare of the surrounding community.

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

Findings of Fact: The design of Tentative Parcel Map No. 20761 and the public improvements will not conflict with access easements acquired by the public. The site is accessed from Sierra Avenue, Montgomery Avenue and Baseline Avenue, which will all for full ingress and egress movements.

Section 4. Minor Use Permit Findings. The Planning Commission hereby makes the following findings for MUP 25-0006 in accordance with Section 30-178 “Findings for approval” of the Fontana Zoning and Development Code:

Finding No. 1: The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of the Zoning and Development Code, Municipal Code, general plan, any applicable specific plan or area plan, and City regulations/standards.

Findings of Fact: The project site consists of approximately 6.3 adjusted gross acres located on the west side of Sierra Avenue, between Baseline Avenue and Montgomery Avenue. The amended retail development includes a fueling station, including quick service restaurant, and an automatic carwash. With approval of a Minor Use Permit, for the carwash, the development complies with all provisions in the General Commercial (C-2) zoning district and General Commercial (C-G) general plan land use designation.

Finding No. 2: The site is physically suited for the type, density, and intensity of the proposed use including access, utilities, and

the absence of physical constraints and can be conditioned to meet all related performance criteria and development standards.

Findings of Fact: The project meets or exceeds the criteria contained in the special use standards in the Zoning and Development Code and has been designed to be compatible with the surrounding uses. The carwash will be built pursuant to all applicable building, zoning, and fire codes and standards. Additionally, the conditions of approval for the carwash include operational conditions that ensure compliance with the use standards in the Zoning and Development Code.

The site will be accessed from Sierra Avenue, Montgomery Avenue and Baseline Avenue. Driveways will allow for full ingress and egress movements. The project has been reviewed by Planning, Engineering, Building and Safety, and County Fire Departments for site circulation, access and safety.

Finding No. 3: Granting the permit would not be detrimental to the public interest, health, safety, convenience, welfare, or materially injurious to persons, property, or improvements in the vicinity in which the project is located.

Findings of Fact: The carwash will not be detrimental to the public interest, health, safety or welfare, and will not create any adverse effects to the neighboring sites or their permitted uses. Conditions of approval for the carwash include operational conditions that will ensure compliance with the use standards in the Zoning and Development Code, which are intended to limit impacts to the surrounding land uses. Additionally, the project is conditioned to comply with the Mitigation Monitoring and Reporting Program adopted for the Midland Plaza Project, which will further limit any impacts.

The project has been reviewed by the Planning, Engineering, Building and Safety, and County Fire Departments for site circulation, access, and safety.

Section 5. Design Review Amendment Findings. The Planning Commission hereby makes the following findings for DRP No. 22-000005-R2 in accordance with Section 30-129 “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.

Findings of Fact: This project will consist of a retail center including a new fueling station with fueling canopy and convenience store with a drive-

thru restaurant, and an automatic carwash. The development meets the criteria contained in the design review section of the Fontana Zoning and Development Code. The project has high-quality architectural design that is consistent and appropriate for the General commercial (C-2) zoning district, providing exceptional architecture through the use of colors, materials, and textures that will enhance the existing area. The project site is surrounded by commercial land uses to the north (on the opposite side of Baseline Avenue) and commercial and residential land uses to the east (on the opposite side of Sierra Avenue). Vacant, residentially zoned land is located to the west and a single-family dwelling is located to the south (on the opposite side of Montgomery Avenue). The establishment of these commercial land uses would be compatible with the area and conditions of approval are provided to eliminate any potential impacts to the surrounding properties.

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 applicant has incorporated site details that will beautify and enhance the overall aesthetics of the site. Some of the features include a modern architectural style that incorporates flat roof lines, elements of asymmetry, a mix of cool and warm building side tones, metal and class accents and wood-look siding. The development includes a fueling station, convenience store and automatic carwash. The architectural elements are consistent among the buildings and provide cohesion for the site while providing visual interest and individuality among the buildings. The proposed development meets or exceeds all development standards applicable to the C-2 zoning district (including minor use standards for the carwash and queuing standards for the drive-thru restaurant). Adequate parking and accessibility per standards have been incorporated to ensure that the retail center is constructed, operated, and maintained in a matter appropriate for the area.

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

Findings of Fact: The project is aesthetically and architecturally pleasing and compatible with the neighboring commercial development. The project site, which is approximately 6.3 adjusted gross acres, is

physically suitable in size and shape to support the development of the retail center. Because the project complies with all applicable building, zoning and fire codes, it will be safe, attractive and well designed. Design characteristics include decorative cornices, wall sconces, veneer, stucco and wood-like tile wall surface and decorative awnings.

The Modern architecture theme selected for the retail center is appropriate for the area. The project is consistent with the goals and policies of the General Plan and applicable provisions of the zoning district, including Goal 5.3, Policy 5: (Community Design Element) stating that the buildings shall incorporate distinct and varied architectural details through varied rooflines, and detail façade treatments”. Design characteristics include decorative cornices, wall sconces, awnings, stucco and tile wall surface and veneer.

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

Findings of Fact: The project has been reviewed by the Planning, Engineering, Building and Safety and County Fire Departments for site circulation, access and safety and it was determined that the project meets or exceeds the standards of the General Commercial (C-2) zoning district, with site improvements that are appropriate and will result in a safe, well-designed facility.

Section 6. Approvals. Based on the foregoing, the Planning Commission hereby approves TPM No. 22-000033-R2 subject to the Conditions of Approval attached hereto as **Exhibit “A”**, MUP No. 25-0006 subject to the Conditions of Approval attached hereto as **Exhibit “B”**, and DRP No. 22-000005-R2, subject to the Conditions of Approval attached hereto as **Exhibit “C”**, all incorporated herein by this reference as though fully set forth therein.

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 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 21st day of April 2026.

City of Fontana

Joseph Armendarez, Chairperson

ATTEST:

I, Torrie Lozano, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on this 21st day of April 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. (MCN) 22-000011-R3 **DATE:** April 21, 2026
Tentative Parcel Map No. 20761 (TPM NO. 22-000033-R2)

LOCATION: The project site is located on the southwest corner of Sierra Avenue and
Baseline Avenue (APN: 0241-051-01, -02, -16, -17, AND -32).

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.
2. 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.
3. 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.
4. 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.
 5. This tentative parcel map shall comply with all applicable development standards of Chapter 26 (Subdivisions), Chapter 30 (Zoning and Development Code) of the Municipal Codes of the City of Fontana and the Subdivision Map Act.
 6. The applicant/developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program for the Midland Plaza project, as approved by the Planning Commission on August 15, 2023.
 7. 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. A note to this effect shall be placed on the map prior to recordation of the final map.
 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. This Tentative Parcel Map No. 20761 (TPM No. 22-000033-R2) 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.
 10. 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.

11. After the fifteen (15) day appeal period and if there are no appeal application submitted to the Planning Department, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the sign deposit; the request shall be in writing accompanied with a refund application. The request shall be submitted to the Planning Department.
12. Historic Archaeological Resources
 - a) Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
 - b) Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
 - c) Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.
13. 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:
- F. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- G. Temporarily enclose localized and stationary noise sources

ENGINEERING DEPARTMENT – LAND DEVELOPMENT

- 14. 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.
- 15. 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.
- 16. 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

- 17. The Applicant shall obtain approval of the Preliminary Water Quality Management Plan (PWQMP) for the entire project. Approval of the PWQMP shall occur prior to submitting the Final Water Quality Management Plan.
- 18. The Applicant shall obtain approval of the Preliminary Drainage Study for the entire project. Approval of the Preliminary Drainage Study shall occur prior to submitting the Final Drainage Study.
- 19. 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.
- 20. 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.

21. The Applicant shall prepare and obtain approval for a Final Water Quality Management Plan (WQMP) in accordance with the County of San Bernardino Technical Guidance Document and the most current template. All outstanding comments from the Preliminary WQMP must be resolved and incorporated into the Final WQMP.
22. The Applicant shall submit and obtain approval for a Final Drainage Study and comprehensive hydraulic analysis prepared in accordance with the County of San Bernardino Hydrology Manual and the City of Fontana Master Plan of Drainage. This study must resolve all outstanding comments from the preliminary report and evaluate both the project site and all affected off-site improvements.

PRIOR TO MAP RECORDATION

23. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
24. If a Community Facility District (CFD) is to be formed, the applicant shall submit a CFD maintenance map that meets Engineering requirements for size and format, as required for the development, showing the CFD boundary and maintenance requirements; obtain approval of the map; and complete the first public hearing for formation of the CFD.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

25. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
26. 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

27. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.

28. 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.
29. Slurry seal roads affected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflict with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
30. 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.
31. 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.
32. 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.
33. 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.
34. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practice transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
35. 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.

ENGINEERING DEPARTMENT – TRAFFIC

36. 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 up to two (2) ingress/egress points along Baseline Avenue. All ingress along Baseline Avenue shall be restricted to right-turning inbound movements only. The westerly access point may accommodate right-turning egress movements. The easterly access point shall be designed and constructed to restrict all outbound egress movements. The egress restriction shall be reinforced with appropriate signage and pavement markings.
 - B. The Project may have a single ingress/egress point along Sierra 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. The ingress/egress point along Sierra Avenue shall be designed to discourage use of the existing bus transit turn-out area as a deceleration lane and/or turn-pocket providing southbound right-turning ingress to the project site.
 - C. The Project may have a single ingress/egress point along Montgomery Avenue which may accommodate full access (i.e., left- and right-turning ingress and egress movements).
37. 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.
38. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
39. 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.
40. 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.
41. 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.

42. The site plan shall identify the Americans With Disabilities Act (ADA) compliant path(s) of travel to/from the public right of way and from all ADA accessible parking spaces.

PRIOR TO ISSUANCE OF GRADING/CONSTRUCTION PERMITS

43. The Applicant shall provide street improvement plans, subject to the approval of the City Engineer, for all roadway improvements adjacent to the Project site.
44. The Applicant shall provide street improvement plans to reconstruct the northbound left-turn lanes at the intersection of Sierra Avenue and Baseline Avenue, subject to the approval of the City Engineer. The reconstructed northbound left-turn lanes shall provide a minimum of 534 feet of storage space.
45. The Applicant shall provide a striping and signing plan(s), 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

46. The Applicant shall pay the applicable Development Impact Fees prior to the issuance of any occupancy permits at the established rate pursuant to Government Code Section 66007.
47. The Applicant shall construct the approved roadway improvements adjacent to the Project Site.
48. The Applicant shall construct the approved roadway improvements to the northbound left-turn lanes at the intersection of Sierra Avenue and Baseline Avenue.
49. The Applicant shall install the approved signing and striping plans as part of the street improvements.
50. The Applicant shall prepare and file a queue management plan with the City which outlines the planned operation and management of the quick serve restaurant drive-through service lane queue. The City may require changes to the queue management plan in the future due to traffic operational or safety concerns.

END OF CONDITIONS OF APPROVAL

EXHIBIT “B”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case (MCN) No. 22-000011-R3 **DATE:** April 21, 2026
Minor Use Permit (MUP) No. 25-0006 (Automatic Carwash)

LOCATION: The project site is located on the southwest corner of Sierra Avenue and
Baseline Avenue (APN: 0241-051-01, -02, -16, -17, AND -32)

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.
2. This Minor Use Permit shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
3. The Applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the Applicant’s proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the Applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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. The applicant/developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program for the Midland Plaza project, as approved by the Planning Commission on August 15, 2023.
7. 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.
8. Historic Archaeological Resources
 - A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
 - B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to

the Tribe or a local school or historical society in the area for educational purposes.

- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.
9. This project shall comply with all applicable provisions, regulations and development standards of the Fontana Municipal Code.
 10. The project shall incorporate graffiti resistant materials. The property owner shall at all times maintain an adequate amount of paint, matching the project, and shall abate any graffiti at the project within 48 hours of appearance of such graffiti.
 11. All landscaping must be adequately maintained at all times. If the applicant/owner fail to maintain the landscape as originally approved, the owner/applicant shall be required to renovate the landscape to meet current landscape standards and water conservation ordinance.
 12. 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.
 13. All temporary signs (banners, wind flags, etc.) shall not be placed on the property unless the proper permits are obtained.
 14. The project shall adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide.
 15. The permitted hours of operation shall be between 7:00 am and 10:00pm Monday through Sunday.
 16. Any sound emanating from the operation shall be in conformance with those standards adopted by the City for the control of noise and noise sources per Chapter 18 of the Fontana Municipal Code.

END OF CONDITIONS OF APPROVAL

EXHIBIT “C”



**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. (MCN) 22-000011-R3 **DATE:** April 21, 2026
Design Review No. 22-000005-R2

LOCATION: The project site is located on the southwest corner of Sierra Avenue and Baseline Avenue (APN: 0241-051-01, -02, -16, -17, AND -32)

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.
2. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary building on site, and successful completion of the first Building and Safety Department inspection, has commenced within this period.
3. The applicant shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant’s proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

In the event of any such third-party action or proceeding, the City shall have the

right to retain legal counsel. The applicant shall be responsible and reimburse the City for such legal fees and costs, in their entirety, including actual attorneys' fees, which may be incurred by the City in defense of such action or proceeding. This indemnification shall also include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorneys' fees, and other costs, liabilities and expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, the City and/or any parties bringing such forth.

The City of Fontana and the applicant acknowledge that the City would not have approved this project if the City were to be liable to applicant in damages under or with respect to all or any part of this application or this condition of approval. Accordingly, applicant shall not sue the City for damages or monetary relief for any matter arising from or related to this condition of approval. Applicant's sole and exclusive remedy shall be limited to declaratory/injunctive relief, mandate, and/or specific performance.

4. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the structure until corrections are approved in writing by all appropriate staff.
5. 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.
6. All temporary signs (banners, wind flags, etc.) shall not be placed on the property unless the proper permits are obtained.
7. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.
8. The applicant/developer shall comply with the mitigation measures identified in the Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program for the Midland Plaza project, as approved by the Planning Commission on August 15, 2023.
9. 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.
10. The applicant shall provide up-lighting on the perimeter and up-light proposed trees to the satisfaction of the Director of Planning and his/her designee.
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. Historic Archaeological Resources

- A. Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
- B. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- C. Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

13. 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(7) of the Municipal Code.
- B. For all noise-producing equipment, use types and models that have the

- lowest horsepower and the lowest noise generating potential practical for their intended use.
- C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - a. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - b. Temporarily enclose localized and stationary noise sources.
 - c. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
14. 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. Specific areas where Southern California Edison (SCE) needs access, there should be a minimum clearance of 8 feet or as directed by SCE.
15. Transformer enclosures shall be designed of durable materials with finishes and colors used which are compatible and harmonious with the overall architectural theme.
16. 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.
17. The applicant shall provide a minimum of twenty-four (24) inch exterior wall lighting fixtures for commercial.
18. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee. If the applicant/owner fail to maintain the landscape as originally approved, the owner/applicant shall be required to renovate the landscape to meet current landscape standards and water conservation ordinance.
19. All fire back flows (DDC/DACA) shall be painted green or an earth tone color.
20. Adhere to the City standard of one foot candle minimum for all entrances, exits, pedestrian paths, parking lots, and activity areas. Reflect all light fixtures on

the site plan. All areas shall be illuminated during all hours of darkness and all luminaries utilized shall be vandal-resistant fixtures. The type of lighting shall be fluorescent, white L.E.D.s or metal halide.

21. 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 City of Fontana's Model Water Efficiency Landscape Ordinance (Chapter 30, Article X, Ordinance 1895).
22. The following items shall be submitted to the Planning Department by the Applicant and completed prior to the issuance of a certificate of occupancy for this project:
 - a. Certificate of MWELO Compliance by the register Landscape Architect of Record.
 - b. Landscape and Irrigation Maintenance Schedule.
 - c. Soils Management Report.
 - d. Certified water Auditor Report.

PRIOR TO ISSUANCE OF GRADING PERMIT

23. 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.

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

24. Development fees and Planning Department final inspection fee must be paid prior to Certificate of Occupancy.
25. Prior to the issuance of a Certificate of Occupancy, the applicant shall underground all utilities, which for the purpose of this condition shall include all boxes, structures and/or other equipment located in the public rights-of-way, any public utility easement(s), and on any private property, to the satisfaction of the Director of Planning.
26. Applicant shall pay all applicable service fees pursuant to the City of Fontana Municipal Code.
27. Parcels not being developed as part of this Design Review shall be enclosed with split rail fencing or similar until development occurs and The applicant/developer shall stabilize soils within these parcels to the satisfaction of the Director of Planning.

FIRE DEPARTMENT

28. Jurisdiction: The above referenced project is under the jurisdiction of the Fontana fire Protection District (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new

construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

29. 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.
30. Turnaround: An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12% grade and have a minimum of nineteen (19) foot inside radius and a forty-five (45) foot outside radius for all turns. California Fire Code Chapter 5 & SBCoFD Standard A-1.
31. Street Signs: Approved temporary or permanent street signs shall be installed throughout the project prior to any combustible materials being placed on the construction site. California Fire Code Chapter 5 & SBCoFD Standard A-2.
32. 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.
33. Water System Commercial: All water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix BB of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travelways. California Fire Code Chapter 5 & SBCoFD Standard W-2. The Fire Flow for this project shall be 2000 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 5608 Square Foot structure.
34. Hydrant Marking: Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
35. Water Improvement Plan: The applicant shall submit "Water Improvement Plans" to Fontana Fire Prevention. W.I.P. to include site plan, existing & proposed PUBLIC fire hydrant locations, building construction type, square foot details of the largest building, total square foot of ALL floors in a

multifloored building, square foot size of entire site, and description of what is being constructed/occupancy type. Once approved by Fire Department, applicant will provide stamped/approved W.I.P to water purveyor for their construction needs. ON-SITE PRIVATE FIRE WATER SUPPLY SHALL BE INSPECTED AND IN WORKING CONDITION PRIOR TO PLACING COMBUSTIBLE MATERIALS ON THE JOBSITE. California Fire Code Chapter 5.

36. 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.
37. Combustible Native Vegetation: Combustible native vegetation shall be removed as follows: 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. Where the average slope of the site is 15% or greater, combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. California Fire Code Chapter 49.
38. Fire Sprinkler-NFPA #13: An automatic fire sprinkler system complying with NFPA 13 and Fire Department standards is required. A fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans shall include hydraulic calculations and manufacturer specification sheets. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9 & SBCoFD Standard F-1.
39. Hood and Duct Extinguishing system: An automatic hood and duct fire extinguishing system may be required. A licensed contractor shall submit three (3) sets of detailed plans (minimum 1/8" scale) with manufactures' specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 17A, & NFPA 96.
40. Fire Alarm, Manual or Automatic: A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA 72 and all applicable codes is required. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, SBCFD Standard F-5, & NFPA 72.
41. Fire Alarm, Waterflow Monitoring: A water flow monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for fire sprinkler systems with twenty (20) sprinkler heads or more. A fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. California Fire Code Chapter 9, NFPA 72 & SBCoFD Standard F-5.

42. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code Chapter 9.
43. Commercial Addressing: Commercial, industrial, and multi-family developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1
44. Key Box: An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. California Fire Code Chapter 5 & SBCoFD Standard A-4
45. Material Identification Placards: The applicant shall install, in all locations deemed appropriate by the Fire Department, approved material identification placards on the outside of all buildings and/or storage tanks that store hazardous or flammable materials. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. California Fire Code Chapter 50 & NFPA 704.
46. Secondary Access: The development shall have a minimum of 2 points of vehicular access during each phase of construction for fire and emergency access purposes and for evacuation routes. SBCoFD Standard A-1

BUILDING AND SAFETY DEPARTMENT

47. 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 Electrical Code
 - C. California Mechanical Code
 - D. California Plumbing Code
 - E. California Energy Code
 - F. California Fire Code
 - G. California Green Building Standards Code
 - H. City of Fontana Ordinance.
 - I. Disabled access for the site and building must be in accordance to the State of CA and ADA regulations.
48. 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.

49. 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.
50. 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.
51. 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.
52. The applicant shall have the tract or parcel map recorded prior to the issuance of any building permits.
53. 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:
 - a. 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
 - b. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
 - c. All proposed drainage structures; and
 - d. Any proposed and/or required walls or fencing.

54. The applicant is required to obtain permits for the removal and/or demolition of structures. (If applicable)

55. 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

56. 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

57. 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.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT

58. 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.

59. 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.

60. 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

61. The Applicant shall obtain approval of the Preliminary Water Quality Management Plan (PWQMP) for the entire project. Approval of the PWQMP shall occur prior to submitting the Final Water Quality Management Plan.
62. The Applicant shall obtain approval of the Preliminary Drainage Study for the entire project. Approval of the Preliminary Drainage Study shall occur prior to submitting the Final Drainage Study.
63. 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.
64. 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.
65. The Applicant shall prepare and obtain approval for a Final Water Quality Management Plan (WQMP) in accordance with the County of San Bernardino Technical Guidance Document and the most current template. All outstanding comments from the Preliminary WQMP must be resolved and incorporated into the Final WQMP.
66. The Applicant shall submit and obtain approval for a Final Drainage Study and comprehensive hydraulic analysis prepared in accordance with the County of San Bernardino Hydrology Manual and the City of Fontana Master Plan of Drainage. This study must resolve all outstanding comments from the preliminary report and evaluate both the project site and all affected off-site improvements.

PRIOR TO MAP RECORDATION

67. The Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
68. If a Community Facility District (CFD) is to be formed, the applicant shall submit a CFD maintenance map that meets Engineering requirements for size and

format, as required for the development, showing the CFD boundary and maintenance requirements; obtain approval of the map; and complete the first public hearing for formation of the CFD.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

69. The Applicant shall record All map's, lot line adjustments, right-of-way dedications, easements, reciprocal access agreement as required for the development.
70. 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

71. Complete all public improvements required of the project. Underground utilities required of the project. Ensure streetlights are energized and operating properly.
72. 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.
73. Slurry seal roads affected by the development as directed by the inspector. Slurry seal limits may extend past the project frontage to address existing striping/pavement markings that conflict with new striping/pavement markings, repair trenches, and other areas as determined by the inspector.
74. 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.
75. 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.
76. 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.

77. 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.
78. The Applicant/Engineer of Record shall submit a conforming copy of the recorded Memorandum of Agreement for the Water Quality Management Plan and Storm Water Best Management Practice transfer. The Access, Maintenance, and the WQMP Certification for BMP Completion must be submitted to the City Project Engineer.
79. 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.

ENGINEERING DEPARTMENT – TRAFFIC

80. 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 up to two (2) ingress/egress points along Baseline Avenue. All ingress along Baseline Avenue shall be restricted to right-turning inbound movements only. The westerly access point may accommodate right-turning egress movements. The easterly access point shall be designed and constructed to restrict all outbound egress movements. The egress restriction shall be reinforced with appropriate signage and pavement markings.
 - B. The Project may have a single ingress/egress point along Sierra 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. The ingress/egress point along Sierra Avenue shall be designed to discourage use of the existing bus transit turn-out area as a deceleration lane and/or turn-pocket providing southbound right-turning ingress to the project site.
 - C. The Project may have a single ingress/egress point along Montgomery Avenue which may accommodate full access (i.e., left- and right-turning ingress and egress movements).
81. 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.

82. Intersection sight distance and stopping sight distance must be shown to meet the required standards both horizontally and vertically at all ingress/egress locations including consideration for walls, landscaping, grading, and vegetation. Sight distances shall comply with current AASHTO requirements.
83. 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.
84. 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.
85. 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.
86. The site plan shall identify the Americans With Disabilities Act (ADA) compliant path(s) of travel to/from the public right of way and from all ADA accessible parking spaces.

PRIOR TO ISSUANCE OF GRADING/CONSTRUCTION PERMITS

87. The Applicant shall provide street improvement plans, subject to the approval of the City Engineer, for all roadway improvements adjacent to the Project site.
88. The Applicant shall provide street improvement plans to reconstruct the northbound left-turn lanes at the intersection of Sierra Avenue and Baseline Avenue, subject to the approval of the City Engineer. The reconstructed northbound left-turn lanes shall provide a minimum of 534 feet of storage space.
89. The Applicant shall provide a striping and signing plan(s), 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

90. The Applicant shall pay the applicable Development Impact Fees prior to the issuance of any occupancy permits at the established rate pursuant to Government Code Section 66007.
91. The Applicant shall construct the approved roadway improvements adjacent to the Project Site.

92. The Applicant shall construct the approved roadway improvements to the northbound left-turn lanes at the intersection of Sierra Avenue and Baseline Avenue.
93. The Applicant shall install the approved signing and striping plans as part of the street improvements.
94. The Applicant shall prepare and file a queue management plan with the City which outlines the planned operation and management of the quick serve restaurant drive-through service lane queue. The City may require changes to the queue management plan in the future due to traffic operational or safety concerns.

END OF CONDITIONS OF APPROVAL