

RESOLUTION NO. PC 2023-030

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING TENTATIVE TRACT MAP NO. 22-008 (TRACT NO. 20580) AND DESIGN REVIEW NO. 22-059, TO CONSTRUCT 48 SINGLE-FAMILY UNITS WITH A RECREATION AREA THAT ENCOMPASSES A MINIMUM OF FOUR AFFORDABLE UNITS PER THE STATE DENSITY BONUS LAW; DETERMINING THAT THE PROJECT HAS BEEN REVIEWED UNDER A PREVIOUS FINAL ENVIRONMENTAL IMPACT REPORT STATE CLEARINGHOUSE NO. (2016021099), PURSUANT TO SECTION 15126 AND 15183 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES AND SECTION 8.10 OF THE CITY OF FONTANA'S 2019 LOCAL CEQA GUIDELINES.

WHEREAS, the locations of 15912, 15936 and 15956 Chase Road (Assessor Parcel Numbers: 0228-151-17, -18, and 19) ("Property") were annexed on October 8, 1981 under LAFCO 2098A; and

WHEREAS, on September 27, 2022, the City of Fontana received an application from applicant Matt Livingston ("Applicant") on behalf of RC Homes Inc. to approve Tentative Tract Map No. 22-008 (Tract No. 20580) and Design Review No. 22-059 to subdivide three (3) existing lots into a single-family residential development with forty-eight (48) lots and recreation area on approximately 6.8 adjusted gross acres of land comprising the Property; and

WHEREAS, the Applicant desires to utilize the State Density Bonus Law (California Government Code Sections 65915 – 65918) which permits a density bonus to exceed the density limit of the Zoning Code with the provision of affordable units; and

WHEREAS, the project is located in the Single Family (R-1) District zone which permits 34.1 units. Pursuant to Fontana Municipal Code Section 30-434, the 34.1 units would round up to allow 35 units for the project; and

WHEREAS, the Applicant is providing four (4) very low affordable units in the project. Pursuant to State Density Bonus Law, the Applicant is entitled to a 35 percent density bonus, which calculates to 13 units and brings the total project to 48 units that encompasses the four (4) very low affordable units; and

WHEREAS, the Applicant has requested the following waivers: minimum lot size, average lot size, lot width, lot depth, lot coverage, front setbacks, side setbacks, rear setbacks, setback variations and side entry garages per California Government Code Sections 65915 – 65918; and

WHEREAS, the incentives/concessions requested by the Applicant are to not require block walls between the lots California Government Code Sections 65915 – 65918; and

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WHEREAS, these incentives/concessions result in identifiable and actual cost reductions, will not have a specific adverse impact on health and safety or on any real property that is listed in the California Register of Historical Resources and is not contrary to state or federal law; 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, Conditions of Approval have been prepared and attached hereto as **Exhibit “A”** for Tentative Tract Map No. 22-008 (TTM No. 20580) and **Exhibit “B”** for Design Review Project No. 22-059; and

WHEREAS, all 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 proposed project site were notified via public hearing notice mailer prior to the Public Hearing; and a notice of the public hearing was published in the local Fontana Herald newspaper on September 10th, 2023, posted at City Hall, and on site at the project site; and

WHEREAS, a Notice of Determination has been prepared for this project pursuant Section 15162 and 15183 of the California Environmental Quality Act and Section 6.22 of the 2019 Local Guidelines for Implementing CEQA; and

WHEREAS, on September 5, 2023, a duly noticed public hearing on Tentative Tract Map No. 22-008 (Tract No. 20580) and Design Review No. 22-059 was held by the City of Fontana’s Planning Commission (“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, evidence, and testimony presented at its public hearing on September 5, 2023 pertaining to Tentative Tract Map No. 22-008 (Tract No. 20580) and Design Review No. 22-059; 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 incorporated herein by reference.

Section 2. CEQA. The Planning Commission hereby determines that the project has been reviewed under Final EIR (SCH No. 2016021099) for the General Plan that was certified by the City Council on November 13, 2018 and based on CEQA Guidelines,

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Sections 15162 through 15164 et seq, Section 15183, and Section 8.10 of the City of Fontana’s 2019 Local CEQA Guidelines, the Planning Commission finds that the previously certified Final EIR has adequately identified the impacts associated with Design Review No. 22-055 and Tentative Tract Map No. 22-008 (Tract No. 20580).

Section 3. Tentative Tract Map Findings. The City of Fontana’s, Planning Commission hereby makes the following findings for Tentative Tract Map No. 22-008 (TTM 20508) in accordance with Section No. 26-55 (e) “Findings for approval” of the Fontana Zoning and Development Code:

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

Findings of Fact: The Applicant is utilizing the State Density Bonus Law which prohibits local municipalities from enforcing zoning code regulations that would prohibit the density allowed by the State Law. Four (4) Very Low affordable units for the project which allow an increase of 35% more units than what is permitted by the Zoning Code. The Zoning Code allows 34.1 units, but the State Law allows up to forty-eight (48) units for this project. Zoning Code regulations of the Single Family (R-1) District that have requirements for minimum square footage, and minimum lot and width dimensions cannot be enforced because they are waivers of the Zoning Code that would allow the Applicant to build at the density permitted by the State Density Bonus Law.

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

Findings of Fact: The General Plan Land Use designation is Single Family (R-SF). This Land Use District allows for single-family development. Although this District limits the density to five (5) units per acre, the State Law allows the Applicant to exceed the Zoning Code requirement as stated above. The project meets the specifications of the General Plan, more specifically, those of Goal 2 (General Plan 15.34) that call for creating “connected neighborhoods”. The project site will connect Cascade Drive for residents of the project site and current residents which currently dead ends on both sides of the site.

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

Findings of Fact: The project site is of an adequate size to accommodate the development and the existing topography is relatively flat. The site

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has existing block walls that will adequately screen the project site and meet the height limits of the zoning code.

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 Tentative Tract Map No. 22-008 (TTM No. 20580) is not likely to cause substantial environmental damage nor substantially and unavoidably injure fish or wildlife or their habitat. The project will not have a significant effect on the environment with mitigation as a result of project implementation per CEQA. Technical studies were conducted for this project and findings were made that the previously adopted Environmental Impact Report and Mitigation Monitoring and Reporting Program adequately identified any potential impacts associated with the project. The previously adopted Mitigation Monitoring and Reporting Program has been prepared and made a part of the environmental documentation and Conditions of Approval for this project.

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 Tract Map No. 22-008 (TTM No. 20580) will not cause public health problems. The project was evaluated to ensure there would be no impacts or mitigation measures required beyond those anticipated in the General Plan EIR. Improvements include connection to the public sewer, connection to the public storm drain, sidewalks, drainage, and grading to provide a safe and well-designed project for the area.

Finding No. 6: **That 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 Tract Map No. 20580, and associated public improvements, will not conflict with access easements acquired by the public. The Property is accessed from Cascade Drive and Chase Road, which are publicly maintained streets. Currently there are no other public access easements through or within the project site.

Section 4. Design Review Findings. The Planning Commission hereby makes the following findings for **Design Review No. 22-059** in accordance

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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 is located in the Single Family Residential (R-SF) general plan land use designation. The Applicant is utilizing the State Density Bonus Law which restricts the application of Zoning Laws.

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: Although the project does not meet the standards of the Zoning Code, the project the project has attractive architecture and landscaping. The architectural features include a variety of designs such as Spanish, Cottage, Ranch, Bungalow, Farmhouse, and key design features such as window trimming, banding, siding, carriage lights, accent colors, recessed windows and decorative metal fixtures. Landscaping is incorporated to ensure that the lots meet the Zoning Code requirement for adequate trees, shrubs and groundcover. Though not required, the Applicant has included a recreation area that consists of a swimming pool, barbeque area and fitness room.

There are four (4) affordable housing units integrated into the site with the same floor plans and lot design as the market rate units. As identified by State legislature, the housing crisis in California has highlighted the need for increased housing. By allowing a higher density of units, and providing affordable units, the project is addressing this demand.

The Project is as safe in design as is otherwise required by the Fontana Municipal Code.

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 has attractive architecture and landscaping. The architectural features include a variety of designs such as Spanish, Cottage, Ranch, Bungalow, Farmhouse, and key design features such as window trimming, banding, siding, carriage lights, accent

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colors, recessed windows and decorative metal fixtures. Landscaping is incorporated to ensure that the lots meet the Zoning Code requirement for adequate trees, shrubs and groundcover. Though not required, the Applicant has included a recreation area that consists of a swimming pool, barbeque area and fitness room.

The project will result in housing that is necessary for both the area and region. The project includes street improvements, sidewalks, drainage, grading and perimeter and privacy walls to provide a safe and well-designed neighborhood. The project has been reviewed by the City of Fontana's Planning, Engineering, Building and Safety and Fire Prevention Departments for site circulation, access, and safety. These structures will be built pursuant to all applicable building, zoning, and fire codes per the review of these departments and Conditions of Approval.

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

The project site improvements are appropriate and will result in a safe, well-designed development. The tract of homes are designed with the appropriate pavement, curbs, gutters and sidewalks. The project has been reviewed by the City of Fontana's Planning, Engineering, Building and Safety, and Fire Prevention Departments for site circulation, access, and safety to ensure the project meets State and local code requirements and Conditions of Approval have been implemented promote safety and a well designed site. The character of the surrounding neighborhood reflects residential uses.

Section 5. Approval. Based on the foregoing, the City of Fontana's Planning Commission hereby approves:

- A. Tentative Tract Map No. 22-008 (Tract No. 20580) and Design Review No. 22-059, subject to the conditions of approval, which are attached hereto as **Exhibit "A"** and **Exhibit "B"** to this Resolution and incorporated herein by this reference.
- B. In accordance with State Density Bonus Law the following incentive/concessions are granted: block walls are not required along the side and rear property lines.
- C. In accordance with State Density Bonus Law the following waivers are granted: minimum lot size, average lot size, lot width, lot depth, lot coverage, front setbacks, side setbacks, rear setbacks, setback variations and side entry garages.

Section 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 Planning Department,

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8353 Sierra Avenue, Fontana, CA 92335. This information is provided in compliance with Public Resources Code, Section No. 21081.6.

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

APPROVED AND ADOPTED by the Planning Commission of the City of Fontana, California, at a regular meeting held on this 5th day of September 2023.

City of Fontana



Cathline Fort, Chairperson

ATTEST:

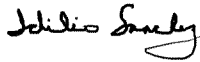
I, Idilio Sanchez, Vice Chairperson of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 5th day of September 2023, by the following vote, to-wit:

AYES: QUINTANA, SANCHEZ, SANGHA, FORT

NOES:

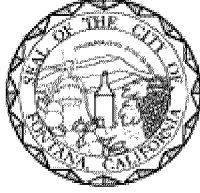
ABSENT: THRASHER

ABSTAIN:



Idilio Sanchez, Vice Chairperson

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**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 22-128
Tentative Tract Map 20580 (TTM No. 22-008) **DATE:** September 5, 2023

LOCATION: 15912, 15936 & 15956 Chase Road (Accessor Parcel Number [APN]: 0228-151-17, -18 and -19).

PLANNING DEPARTMENT:

1. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

2. This Tentative Tract Map shall become null and void two (2) years from the date of approval unless the Final map is recorded or the applicant applies for an extension

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of time in accordance with the provisions in the Subdivision Map Act and the provisions in the City's Municipal Code.

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 applicant 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 the Planning Department. A note to this effect shall be placed on the map prior to recordation of the final map.
6. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manger's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-30 and Sections No. 30-31 of the Municipal Code.
7. Upon discovery of any cultural tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural tribal and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue 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.

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Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

8. The construction contractor will use the following source controls at all times:
 - A. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
 - B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - ii. Temporarily enclose localized and stationary noise sources.
9. Prior to issuance of building permits, the project proponent shall pay the City's development impact fees.
10. 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

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location shall be convenient for the residents and not block the line-of-sight for pedestrians or vehicle traffic.

11. The mailboxes shall be made of durable material and shall be installed in a manner that is resistant to vandalism and meets the requirements of the Post Office. The Post Office currently approves freestanding mailboxes that are F-series and wall-mounted boxes that are 4C series. The developer is responsible for contacting the Post Office for the type and location of the mailboxes within their development. Any replacements of the mailboxes subsequent to the original installation shall be the responsibility of the developer, each individual homeowner and/or the homeowners association, and the Post Office.
12. Prior to final map approval, the applicant shall provide to City Staff for the City's review and approval, and shall execute and record against the subject property in the San Bernardino County Recorder's Office, a regulatory agreement in a form and substance approved by City Staff and the City Attorney. The regulatory agreement shall require, among other things, that a minimum of four (4) residential units on four (4) single family residential lots be and remain "very low affordable units" as described and for the period of time set forth in California Govt. Code Sec. 65915 through 65918 and related State statutes. For this purpose, the applicant shall deposit with the City prior to submitting the regulatory agreement for City review and approval the sum of three thousand dollars (\$3,000) to reimburse the City for City Staff and City Attorney time in reviewing, revising and negotiating the agreement, provided that the City will promptly refund to the applicant any unused portion of such deposit."
13. 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. *(Modified by the Planning Commission on September 5, 2023)*

BUILDING AND SAFETY DEPARTMENT:

14. 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

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15. 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.
16. 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 5 Article XIV.
17. 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.
18. The applicant/developer/property owner shall have the tract map recorded prior to the issuance of any building permits.
19. The applicant shall comply with the following grading requirements:
 - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
 - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
 - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
 - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
 - E. No water course or natural drainage shall be obstructed.
 - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
 - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
 - H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.
 - I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the

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- 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.
20. 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

21. 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

ENGINEERING DEPARTMENT:

22. 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.
23. 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.
24. 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

25. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

PRIOR TO MAP RECORDATION

26. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
27. Applicant shall submit and execute a Maintenance Agreement for the ongoing maintenance for Cascade Drive (Private Street) which will contain a public access easement.

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PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

28. The Applicant shall record All map's, right-of-way dedications, easements, reciprocal access agreement as required for the development.
29. 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

30. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
31. 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.
32. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
33. 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).
34. 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.
35. 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.
36. 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.

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FIRE DEPARTMENT:

37. **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.
38. **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.
39. **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.
40. **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.
41. **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.
42. **Water System Residential:** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than six hundred (600) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.

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The Fire Flow for this project shall be: 1,500 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 1,650 Square Foot structure.

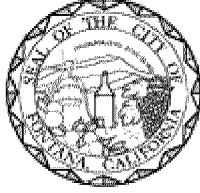
43. **Hydrant Marking:** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.
44. **Water System Certification:** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.
45. **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.
46. **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.
47. **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.
48. **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
49. **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

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50. **Spark Arrestor:** An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with Fire Department requirements. California Fire Code Chapter 6.

51. **San Bernardino County Fire Standards:** Items not directly called out on these Conditions of Approval, shall also adhere to currently adopted San Bernardino County Fire Standards and California Fire Code.

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**CITY OF FONTANA
CONDITIONS OF APPROVAL**

PROJECT: Master Case No. 22-128
Design Review Project No. 22-059

DATE: September 5, 2023

LOCATION: 15912, 15936 & 15956 Chase Road (Accessor Parcel Number [APN]: 0228-151-17, -18 and -19).

PLANNING DEPARTMENT:

1. The applicant/developer/property owner shall defend, indemnify, protect and hold harmless the City of Fontana or its agents, officers, attorneys and employees from any and all actual or alleged claims, actions or proceedings against the City of Fontana or its agents, officers, attorneys or employees to attack, set aside, void, annul or seek monetary damages arising out of any challenge to the applicant's proposed project or to any approvals of the Planning Commission and/or City Council concerning this project, including but not limited to actions challenging CEQA actions, permits, variances, plot plans, design plans, maps, licenses, and amendments. The City of Fontana shall promptly notify the applicant of any claim, action, or proceeding and the City of Fontana shall cooperate in the defense.

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

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

2. This Design Review shall become null and void two (2) years from the date of approval, unless the appropriate permits have been obtained and construction, defined as permit obtainment, commencement of construction of the primary

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building on site, and successful completion of the first Building and Safety Division inspection, has commenced within this period.

3. All Conditions of Approval contained herein shall be incorporated into all applicable final construction plans and a copy of these conditions shall be placed on a sheet in the final building and grading plans prior to issuance of any building or grading permits.
4. The rights and privileges granted by this project shall not become effective, nor shall the Applicant commence the use for which this project is granted, until all of the following have occurred:
 - A. All requirements of the City of Fontana's Municipal Code shall be complied with.
 - B. All Conditions of Approval imposed on this project have been fulfilled.
 - C. All of the improvements, construction, alteration, and other work set forth in this project have been completed and have been accepted by the City, as evidenced by the City's final inspection and acceptance of work.
5. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of the Planning Department or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning Commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the residential structure until corrections are approved in writing by all appropriate staff.
6. The Director of the Planning Department, or his/her designee, shall have the authority for minor architectural changes focusing around items such as window treatments, color combinations, façade treatments, and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Design Review.
7. Upon discovery of any cultural tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural tribal and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue 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

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Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

8. The construction contractor will use the following source controls at all times:
 - A. Use of noise-producing equipment will be limited to the interval from 8:00 a.m. to 5:00 p.m., Monday through Friday.
 - B. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.
 - C. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.
 - D. Have only necessary equipment onsite.
 - E. Use manually adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:
 - i. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
 - ii. Temporarily enclose localized and stationary noise sources.
9. Foam treatment used for architecture features and/or projections located on the first floor (under 14-foot) shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of the Planning Department.
10. If solar panel systems are installed on the roof of any residential structure, the installation shall be on top or above the approved roof tile. If a solar panel system is flush mounted to the roof, matching roof tiles shall be replaced immediately upon removal of the solar panels.
11. All garage doors shall be metal, sectional roll-up and have windows as required by the Zoning Code.

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12. Wall-mounted decorative lighting fixtures shall be provided at the front porch area as well as on each side of the garage door.
13. 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 the Planning Department or his/her designee.
14. All new block walls shall be constructed with a decorative block and capped with a prefabricated block cap.
15. 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.
16. In the event that one or more of the Conditions of Approval for this project needs to be amended and/or deleted due to health, safety or welfare concerns, the City Manager is authorized to approve or conditionally approve such amendment/deletion, provided that City manager shall bring such proposed amendment/deletion to the City Council at the next available meeting for City Council ratification, but in no event later than sixty (60) days following the City Manger's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections No. 30-30 and Sections No. 30-31 of the Municipal Code.
17. The applicant/developer shall comply with the mitigation measures identified in the Initial Study Monitoring and Reporting Program as approved by the Planning Commission on September 5, 2023.
18. Prior to the earlier of (a) recordation of the final tract map for City of Fontana Master Case No. 22-128 (Tentative Tract Map No. 22-008) and (b) issuance of a building permit for any construction in the proposed project, the applicant shall record in the San Bernardino County Recorder's Office a fully executed regulatory agreement, as approved by the City, as described and otherwise set forth in Condition 12 of the City's approval of Tentative Tract Map No. 22-008.
19. The development shall maintain an active Homeowner's Association ("HOA") at all times. The City shall be a third party to the H.O.A. in the event the development cannot maintain said H.O.A.

Prior to Issuance of Building /Construction Permits

20. 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.

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21. The developer shall notify the residents on the adjacent parcels to the west of the site on Cascade Drive, that the existing wood fence will be removed. The developer shall provide a copy of written communications and certified mail numbers to the Planning Department to the satisfaction of the Director of Planning.
22. The mailboxes shall be made of durable material and shall be installed in a manner that is resistant to vandalism and meets the requirements of the Post Office. The Post Office currently approves freestanding mailboxes that are F-series and wall-mounted boxes that are 4C series. The developer is responsible for contacting the Post Office for the type and location of the mailboxes within their development. Any replacements of the mailboxes subsequent to the original installation shall be the responsibility of the developer, each individual homeowner and/or the homeowners association, and the Post Office.

BUILDING AND SAFETY DEPARTMENT:

23. 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
24. 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.
25. 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 5 Article XIV.
26. 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.

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27. The applicant/developer/property owner shall have the tract map recorded prior to the issuance of any building permits.
28. The applicant shall comply with the following grading requirements:
 - A. Grading plans shall be submitted to and approved by Building & Safety. The grading plans shall indicate all site improvements and shall indicate complete drainage paths of all drainage water run-offs.
 - B. All drainage water shall drain via approved methods to an approved location, such as a public street, a public drainage system, etc.
 - C. Drainage water shall not cross over a public sidewalk. Drainage water may, however, cross under a sidewalk if an approved drainage structure is used.
 - D. A recorded drainage acceptance agreement is required from adjoining property(s) receiving flows from this property.
 - E. No water course or natural drainage shall be obstructed.
 - F. Minimum slope or grade for ALL drainage structures shall be one half (0.50) percent for concrete and one (1.0) percent for all other, or as otherwise approved by the Building Official.
 - G. Drainage water shall not pass from an 'improved' type of drainage structure to an 'unimproved' type of drainage structure (e.g., concrete swale to a dirt swale) unless otherwise approved by the Building Official.
 - H. A complete hydrology study using the latest edition of the San Bernardino County Flood Control Hydrology Manual, and complete hydraulic calculations justifying the size, slope, capacity, etc. of any and all drainage structures being utilized, shall be submitted to and approved by Building & Safety.

The on-site drainage system shall, as a minimum, be designed to handle the run-off generated by a ten (10) year storm. Check for flooding of all on-site structures (buildings) and all adjacent properties during a hundred (100) year storm.
 - I. The grading plans shall, as a minimum, contain sections at all lot lines and/or permit boundary lines. These sections shall clearly indicate:
 - i. The relationship between the proposed finished on-site grade elevations and the existing adjacent property grade elevations (Indicate any additional drainage water that may come from an adjacent property.);
 - 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.
29. 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.

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PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

30. 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

ENGINEERING DEPARTMENT:

31. 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.
32. 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.
33. 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

34. The Applicant shall submit and gain approval of a complete Water Quality Management Plan report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

PRIOR TO MAP RECORDATION

35. Applicant shall provide a Subdivision Improvement Agreement, with accompanying security. The agreement shall be executed on City-provided forms.
36. Applicant shall submit and execute a Maintenance Agreement for the ongoing maintenance for Cascade Drive (Private Street) which will contain a public access easement.

PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

37. The Applicant shall record All map’s, right-of-way dedications, easements, reciprocal access agreement as required for the development.

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38. 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

39. The Applicant/Engineer to provide the City of Fontana with As Built/Record Drawings for all public improvement plans.
40. 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.
41. The Applicant/Engineer shall set survey monuments as required by the map and corner records must be recorded with the County.
42. 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).
43. 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.
44. 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.
45. 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 DEPARTMENT:

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46. **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.
47. **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.
48. **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.
49. **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.
50. **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.
51. **Water System Residential:** Prior to map recordation or lot line adjustment, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet (4"x2.5"x2.5") shall be provided. All fire hydrants shall be spaced no more than six hundred (600) feet apart as measured along vehicular travel-ways. California Fire Code Chapter 5 & SBCoFD Standard W-2.

The Fire Flow for this project shall be: 1,500 GPM for a two-hour duration at 20 psi residual operating pressure. Fire Flow is based on a 1,650 Square Foot structure.

52. **Hydrant Marking:** Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCoFD Standard W-2.

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53. **Water System Certification:** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite. California Fire Code Chapter 5.
54. **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.
55. **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.
56. **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.
57. **Residential Addressing:** The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (½) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. California Fire Code Chapter 5 & SBCoFD Standard B-1
58. **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
59. **Spark Arrestor:** An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with Fire Department requirements. California Fire Code Chapter 6.
60. **San Bernardino County Fire Standards:** Items not directly called out on these Conditions of Approval, shall also adhere to currently adopted San Bernardino County Fire Standards and California Fire Code.

Certificate Of Completion

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Certificate Pages: 5 Initials: 0
AutoNav: Enabled
Envelope Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:
Maria Torres
8353 Sierra Avenue
Fontana, CA 92335
mtorres@fontanaca.gov
IP Address: 192.146.186.123

Record Tracking

Status: Original
10/12/2023 | 05:53 PM

Holder: Maria Torres
mtorres@fontanaca.gov

Location: DocuSign

Signer Events

Cathline Fort
cathlinefort@verizon.net
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(None)

Signature



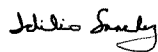
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Idilio Sanchez
idilio.ms@abscollision.co
PRESIDENT
Security Level: Email, Account Authentication
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In Person Signer Events

Signature

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Editor Delivery Events

Status

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Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

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Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Maria Torres
mtorres@fontanaca.gov
Security Level: Email, Account Authentication
(None)

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Electronic Record and Signature Disclosure:
Not Offered via DocuSign

Carbon Copy Events

Kathy Kasinger
Kkasinger@fontana.org
Records Coordinator
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Status

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Witness Events

Signature

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Notary Events

Signature

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Envelope Summary Events

Status

Timestamps

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Certified Delivered
Signing Complete
Completed

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10/17/2023 | 03:21 PM

Payment Events

Status

Timestamps

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Fontana (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through your DocuSign, Inc. (DocuSign) Express user account. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to these terms and conditions, please confirm your agreement by clicking the 'I agree' button at the bottom of this document.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. For such copies, as long as you are an authorized user of the DocuSign system you will have the ability to download and print any documents we send to you through your DocuSign user account for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. To indicate to us that you are changing your mind, you must withdraw your consent using the DocuSign 'Withdraw Consent' form on the signing page of your DocuSign account. This will indicate to us that you have withdrawn your consent to receive required notices and disclosures electronically from us and you will no longer be able to use your DocuSign Express user account to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through your DocuSign user account all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Fontana:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: ctejeda@fontana.org

To advise City of Fontana of your new e-mail address

To let us know of a change in your e-mail address where we should send notices and disclosures electronically to you, you must send an email message to us at ctejeda@fontana.org and in the body of such request you must state: your previous e-mail address, your new e-mail address. We do not require any other information from you to change your email address..

In addition, you must notify DocuSign, Inc to arrange for your new email address to be reflected in your DocuSign account by following the process for changing e-mail in DocuSign.

To request paper copies from City of Fontana

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail address, full name, US Postal address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Fontana

To inform us that you no longer want to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your DocuSign account, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an e-mail to ctejeda@fontana.org and in the body of such request you must state your e-mail, full name, IS Postal Address, telephone number, and account number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	<ul style="list-style-type: none"> •Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

Acknowledging your access and consent to receive materials electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please verify that you were able to read this electronic disclosure and that you also were able to print on paper or electronically save this page for your future reference and access or that you were able to e-mail this disclosure and consent to an address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format on the terms and conditions described above, please let us know by clicking the 'I agree' button below.

By checking the 'I Agree' box, I confirm that:

- I can access and read this Electronic CONSENT TO ELECTRONIC RECEIPT OF ELECTRONIC RECORD AND SIGNATURE DISCLOSURES document; and
- I can print on paper the disclosure or save or send the disclosure to a place where I can print it, for future reference and access; and
- Until or unless I notify City of Fontana as described above, I consent to receive from exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to me by City of Fontana during the course of my relationship with you.