

**RESOLUTION PC NO. 2021-\_\_\_\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FONTANA APPROVING DESIGN REVIEW NO. 20-030, A PROPOSAL TO CONSTRUCT A MIXED-USE DEVELOPMENT CONTAINING TWENTY-FOUR (24) RESIDENTIAL UNITS, A 1,800 SQUARE FEET RETAIL UNIT, AND A 1,300 SQUARE FEET RESTAURANT UNIT WITH 450 SQUARE FEET OF OUTDOOR DINING LOCATED AT 13381 FOOTHILL BOULEVARD (APN: 0229-052-11)**

**WHEREAS**, the City of Fontana received an application on September 30, 2020, for a Design Review request for site and architectural review of a mixed-use development containing twenty-four (24) residential apartment units, a 1,800 square foot retail unit and a 1,300 square foot restaurant unit to be constructed on a .62 acre site

**Project Applicant:** B-Hive Group  
2751 Rio Lempa Drive  
Hacienda Heights, CA 91745

**Project Location:** 13381 Foothill Boulevard (APN: 0229-052-11)

**Site Area:** .62 adjusted gross acres (approximately 27,015 square feet)

**WHEREAS**, the subject site was annexed from San Bernardino County into the City of Fontana on June 21, 2005 (annex 161); and

**WHEREAS**, the site is located within the Form-Based Code (FBC) zoning district and has a General Plan Land Use designation of Walkable Mixed-Use I (WMXU-1); and

**WHEREAS**, Conditions of Approval have been prepared and are attached hereto as Exhibit A for Design Review No. 20-030 and incorporated herein; and

**WHEREAS**, pursuant to Section 30, Article III, Division 2 (Design Review) of the Fontana Zoning and Development Code, an application for a design review requires approval by the Planning Commission; 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**, Based on the foregoing, the City of Fontana Planning Commission determines that this project is Categorically Exempt pursuant to Section 15332 Class 32, (Infill Development) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the Local 2019 Guidelines for Implementing CEQA. based on the following: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value, as habitat for endangered, rare or threatened species; (d) Approval of the project would not result

in any significant effects relating to traffic, noise, air quality, or water quality; (e) The site can be adequately served by all required utilities and public services; and that further, there are no unusual circumstances present under 15300.2 that could provide an exception under 15300.2.

**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 Friday, November 26, 2021, posted at City Hall and onsite at the project site; and

**WHEREAS**, on December 7, 2021, a duly noticed public hearing on Design Review No. 20-030 was held by the Planning Commission ("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 Commission carefully considered all information pertaining to the proposed project, including the staff report, findings, and all of the information, evidence, and testimony presented at its public hearing on December 7, 2021; and

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

**NOW, THEREFORE**, the Commission RESOLVES as follows:

**Section 1.** The City of Fontana Planning Commission hereby makes the following findings for Design Review No. 20-030 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 other applicable specific plan.**

**Finding of Fact:**    The project site is zoned Form-Based Code (FBC) and is in the Route 66 Gateway subdistrict. The project site is approximately .62 adjusted gross acres. The site is surrounded by other residentially and commercially developed properties. The proposed mixed-used development with twenty-four (24) residential apartment units, a 1,800 square foot retail unit and a 1,300 square foot restaurant unit with 450 square feet of outdoor dining has been designed to be compatible with the surrounding uses while also providing a pedestrian-friendly development that has been designed with features (appropriate architecture, added landscaping, and lighting) consistent with the Form-Based Code zoning district standards. The primary exterior finish is stucco finish with reclaimed wood, tile and glass. Simple but varied roof lines provide visual interest and exemplify the Modern architectural style.

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

Finding of Fact:        This project (a proposed mixed-used development with twenty-four (24) residential apartment units, a 1,800 square foot retail unit and a 1,300 square foot restaurant unit with 450 square feet of outdoor dining) meets the criteria contained in the design review section of the Fontana City Code. The project has high quality architectural design that is consistent and appropriate for the Form-Based Code (FBC) zoning district and Route 66 Gateway sub-district, providing exceptional architecture, through the use of colors, materials, and textures that will enhance the existing neighborhood. In addition, the project will include additional retail and restaurant use that could serve the community. The County Fire Prevention, Building Department and Engineering Department has reviewed the access and circulation to ensure that it complies with standards and requirements. Therefore, the project will promote the public health, safety and welfare of the occupants and, therefore, the community.

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

Finding of Fact:        The proposed development and improvements, as described in Findings No. 1 and 2 above, complies with the Fontana City Code. Improvements include one entry/exit point off of Foothill Boulevard, sidewalks, drainage, and grading to provide a safe and well-designed project. The proposed mixed-use development has been reviewed by Planning, Engineering, Building and Safety, Police Department, and County Fire Prevention for site circulation, access, and safety. The project meets or exceeds the standards of the Form-Based Code (FBC) zoning district and incorporates Crime Prevention Through Environmental Design (CPTED) standards.

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

Finding of Fact:        The proposal will result in the construction of a mixed-use development containing twenty-four (24) residential apartment units, 1,800 square feet of retail sales and 1,300 square feet of restaurant space, pursuant to all applicable building, zoning, and fire codes and standards and, therefore, shall promote the public health, safety and welfare of the occupants and community. In addition, Crime Prevention through Environmental Design (CPTED) elements were

included into the project design. As referenced in Finding No. 1 through Finding No. 3, above, this warehouse project meets and exceeds the standards of the Zoning and Development Code and will provide a safe design for public access.

**Section 2.** Based on the foregoing, the City of Fontana Planning Commission determines that this project is Categorically Exempt pursuant to Section 15332, Class 32, (Infill Development) of the California Environmental Quality Act (CEQA), and Section No. 3.22 of the Local 2019 Guidelines for Implementing CEQA. based on the following: (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; (c) The project site has no value, as habitat for endangered, rare or threatened species; (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; (e) The site can be adequately served by all required utilities and public services; and that further, there are no unusual circumstances present under 15300.2 that could provide an exception under 15300.2.

**Section 3.** Based on the foregoing, the City of Fontana Planning Commission hereby approves Design Review No. 20-030, subject to the Conditions of Approval, which are attached hereto as "Exhibit A".

**Section 4. 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 5.** The Secretary of the Planning Commission 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 7th day of December 2021.

**City of Fontana**

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Cathline Fort, Chairperson

**ATTEST:**

I, Idilio Sanchez, Secretary of the Planning Commission of the City of Fontana, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 7th day of December 2021, by the following vote, to-wit:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Idilio Sanchez, Secretary

**EXHIBIT "A"**



**CITY OF FONTANA**  
**CONDITIONS OF APPROVAL**

**CASE:** Master Case No. 20-081  
Design Review No. 20-030

**DATE:** December 7, 2021

**LOCATION:** 13381 Foothill Boulevard (APN: 0229-052-11)

**PLANNING DEPARTMENT:**

1. This approval is to construct a mixed-use development containing twenty-four (24) residential apartment units, a 1,800 square foot retail unit, and a 1,300 square foot restaurant space as approved by the Planning Commission on December 7, 2021, and as shown on Attachment No. 2 and Attachment No. 3 in the accompanying staff report.
2. 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.
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. 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 Manager's decision. The noticing of such City Council meeting for possible ratification shall be pursuant to Sections 30-30 and 30-31 of the Municipal Code.
5. Prior to the construction of any modifications, all structural and aesthetic changes to the project design must be requested and approved in writing by the Director of Planning or his/her designee. Major structural and aesthetic changes exceeding the codified parameters of administrative policy shall be presented to the Planning commission for approval. Changes made without approval as stated herein, will prevent the occupancy of the structure until corrections are approved in writing by all appropriate staff.
6. All signs shall be reviewed under a separate Design Review Sign application.
7. 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.
8. Exterior lighting compatible with the design of the building shall be provided for the parking lot. The lighting shall be directed and shielded so as to illuminate only the parking area and to avoid glare impacts on adjacent properties.
9. All exterior light fixtures shall be a minimum of eighteen (18) inches in height.
10. This project shall comply with all applicable provisions, regulations and development standards of the City of Fontana Municipal Code.

- a. The applicant shall be required to obtain city approval for the installation of barbeques or any other amenities.
  - b. The applicant shall provide decorative pavement at the driveways leading into and out of the site, to the satisfaction of the Planning Director.
11. Color combinations and color schemes for buildings approved under a Design Review 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.
12. On-site pedestrian walkways and paths shall be provided between the buildings and the public streets and sidewalks or transit stops, for all new residential development and shall have decorative treatments.
13. All roof-mounted mechanical units shall be screened from view of adjacent streets by a parapet in height equal or greater to the installed unit, unless another method of visual screening is approved by the Director of Planning.
14. Air conditioning units shall not be roof-mounted. All ground-mounted air conditioning units shall be placed in a screened location.
15. Any foam treatment used for architecture treatments and/or projections located on the first floor (under 14 feet) shall be covered with concrete or similar durable material a minimum of ¼ inch thick, or as determined by the Director of Planning.
16. All landscaping shall be healthy and maintained in a reasonable manner as determined by the Director of Planning or his/her designee.
17. 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.
18. Up lighting shall be provided throughout the project site to complement the architectural detail of the building and the landscaped areas, except where the building is adjacent to residential properties.
19. 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.

20. 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:
  - 1. Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
  - 2. Temporarily enclose localized and stationary noise sources.

3. Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.
21. The trash enclosure(s) shall be constructed of decorative block, stucco and painted to match the main buildings, with eight (8) inch wide by three (3) inch high P.C.C. curb for backstop. All trash enclosures shall be provided with a solid decorative cover.
22. All block walls shall be decorative and be capped with a prefabricated block cap.
23. After the fifteen (15) day appeal period, the applicant shall remove the notice of Filing sign(s) from the project site. The applicant may request a refund of the \$300.00 sign deposit; the request shall be in writing. The request shall be submitted to the Planning Department.

**PRIOR TO ISSUANCE OF GRADING PERMIT**

24. 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.
25. Development fees shall be paid prior to issuance of building permits.
26. The applicant shall employ a certified professional manager or management company to provide maintenance, security, and other services. The professional manager or management company shall be California Association of Community Managers (CACM) certified or equivalent.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

27. 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.

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.

28. A reciprocal access easement shall be recorded on the project site and the adjacent parcel to the east (APN 0229-052-11 and 0229-052-25) for the purpose of emergency vehicle access and proof shall be provided to the Planning Department. Said reciprocal access easement shall remain in place in perpetuity.

**ENGINEERING LAND DEVELOPMENT:**

29. 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.

30. 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.
31. It is the Applicant's responsibility to maintain all improvements and utilities within the public right-of-way prior to final acceptance by the City.

#### PRIOR TO ISSUANCE OF GRADING PERMIT

32. Applicant shall submit and gain approval of a complete Water Quality Management Plan (WQMP) Report in accordance with the County of San Bernardino Technical Guidance Document and latest template.

#### PRIOR TO ISSUANCE OF CONSTRUCTION PERMITS

33. Applicant shall provide a Land Improvement Agreement, with accompanying security. The agreement shall be executed in triplicate on City-provided forms.

#### PRIOR TO FINAL ACCEPTANCE OF PROJECT

34. Applicant/Design Engineer to provide the City of Fontana with As-Built/Record Drawings for all public improvement plans.
35. 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).
36. All underground utilities (sewer and storm drain) shall be video inspected by applicant/contractor. Sewer video shall include clean-out connection, clean-out to lateral segment, lateral, and main line. Videos to be inspected and approved by City Inspection. Applicant shall provide a copy of the video on DVD or flash drive to inspection staff. If removal and replacement of any utility is required, a subsequent video of the repair will be required.
37. 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 (BMP) Transfer. The Access, Maintenance, and the Water Quality Management Plan (WQMP) Certification for BMP Completion must be submitted to the City Project Engineer.

#### PRIOR TO FINAL ACCEPTANCE OF PROJECT

38. A Security to guarantee the proper setting of all survey monuments within the project limits, and replacement of any existing survey monuments damaged or removed during construction; will be collected during the bond and agreement process. Survey monuments shall be placed as required by plans and corner records must be recorded with the County.

**BUILDING & SAFETY:**

39. 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
40. Automatic fire suppression systems shall be installed in all new construction per Article II, Chapter 11 of the Code of the City of Fontana. 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.
41. The requirements of the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
42. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
43. All perimeter/boundary walls shall be 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.
44. All lot lines, easement lines, etc. shall 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.

45. 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 – public street, 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 slag or 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:
  - 1. 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
  - 2. The ground cover/finished surface material being proposed (e.g., type of pavement, plant material, etc.); and
  - 3. All proposed drainage structures; and
  - 4. Any proposed and/or required walls or fencing.

46. All signs shall be Underwriters Laboratories approved (or equal).

47. The site, or a portion of the site, is located in a flood hazard area. Justification that the proposed development does not adversely affect the location or carrying capacity of the floodway, nor does it adversely affect upstream or downstream sites shall be provided to Building & Safety. Additionally, all development shall comply with Chapter

12 – FLOOD CONTROL of the Code of the City of Fontana and all requisite provisions must be taken to protect the site from flood damage.

48. 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**

49. 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

50. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building & Safety. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) inter-mixing in the event of an accident or spill.

**SAN BERNARDINO COUNTY FIRE DEPARTMENT:**

51. Jurisdiction. The above referenced project is under the jurisdiction of the Fontana Fire Protection District as served by the San Bernardino County Fire Department (herein "Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
52. Fire Access Road Width. 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 sec 503, SBCFD Standard 503.1
53. 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 sec 503, SBCFD Standard 503.1

54. 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 sec. 505, SBCFD Standard 505.1
55. Fire Lanes. The applicant shall submit on a site plan to the Fire Department for review and approval 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. SBCFD Standard 501. Water System Commercial.
56. Water System Residential/Commercial. Prior to map recordation, all water supply systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code. A minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet shall be provided. All fire hydrants shall be spaced no more than three hundred (300) feet apart as measured along vehicular travel-ways. California Fire Code sec 508, SBCFD Standard 508.1
57. The Fire Flow for this project shall be: 1500 GPM for a 2- hour duration at 20 psi residual operating pressure. Fire Flow is based on a 28,500 sq.ft. structure.
58. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. SBCFD Standard 508.5.2.
59. 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.
60. 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 sec 508, SBCFD Standard 508.1
61. 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. SBCFD Standard 903.
62. Fire Sprinkler-NFPA #13R. An automatic fire sprinkler system complying with NFPA 13R 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. SBCFD Standard 903 R-MF

63. Hood and Duct Extinguishing system. An automatic hood and duct fire extinguishing system is 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 sec. 904.
64. 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 sec. 907, SBCFD Standard 907 FA-E.
65. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. California Fire Code sec. 906.
66. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (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. SBCFD Standard 505.1
67. 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 sec. 505, SBCFD Standard 505.1
68. Illuminated Site Diagram. The applicant shall submit for review and approval a site diagram plan to the Fire Department. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant. SBCFD Standard 505.1
69. 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. SBCFD Standard 506



70. Security Gates. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Where an automatic electric security gate is used, an approved Fire Department override switch is required. SBCFD Standard 503.1.2
71. 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. SBCFD Standard 503.1
72. 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 Building Code Sec. 2082.

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73. All pedestrian access points to any building on-site shall be by key-card access. All pedestrian access points to any building shall be well-lit, open and visible.
74. Full time participation in the Fontana Police Department's Crime-Free Multi-Housing program shall be a condition of approval.
75. The installation and maintenance of the Fontana Police Department's R.E.A.C.T. electronic gate system will be a condition of approval (in addition to the County's Knox Box system).
76. The developer/applicant shall provide an on-site management company to manage and maintain the property.
77. A digital video surveillance system is required at the premise. The surveillance system is recommended to be an internet-based system and shall be maintained in proper working order at all times. The surveillance video/visual media shall be maintained for a minimum of sixty (60) days and upon request, shall be accessible to law enforcement personnel for viewing, copying and collection purposes during regular business hours.
78. A locator map or directory should be posted at the site entrance. The directory should be located on the site so as to be easily and quickly identified and free from visual obstruction. The directory should be illuminated from dusk until dawn. The directory should have vandal resistant glazing to minimize criminal damage and the structure should be weather resistant.
79. Community address numbers and complex numbers should be visible. Building and unit numbers should be posted and visible. Address specifications are meant to ensure identification and location of buildings. Proper posting and maintenance minimizes confusion as to location and expedites public safety response.

80. 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 (pole and wall-mounted) 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. Provide a photometric layout under separate exhibit to ensure the minimum light standard is met.
81. Adhere to the Standard Building Security Specifications of the Fontana Police Department.

**END OF CONDITIONS OF APPROVAL**