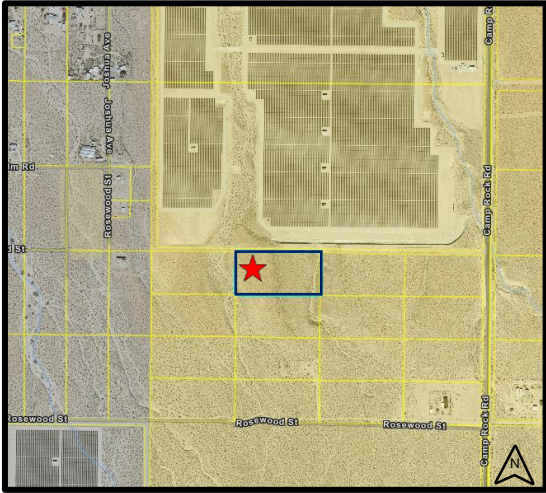




LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: August 22, 2024

AGENDA ITEM # 2

| | |
|---|--|
| <p><u>Project Description</u></p> <p>APN: 0449-631-57</p> <p>Applicant: Jubilee Mutual Water Company</p> <p>Community: Lucerne Valley/ First Supervisorial District</p> <p>Location: South side an unpaved portion of Fleetwood Street, west of Camp Rock Road and east of Joshua Avenue.</p> <p>Project No: PROJ-2021-00090</p> <p>Staff: Maryn Wells, Planner</p> <p>Rep: James Owens, NV5</p> <p>Proposal: A Conditional Use Permit to construct water infrastructure improvements comprised of three 70-gallon pressure zone water storage tanks and a well on a portion of 5 acres.</p> <p>7 Hearing Notices Sent On: August 7, 2024</p> | <p><u>Vicinity Map</u></p>  <p>Report Prepared By: Maryn Wells</p> |
|---|--|

SITE INFORMATION

Parcel Size: 5 acres
 Terrain: Mostly Flat with some drainage courses
 Vegetation: Site contains low lying desert vegetation

| TABLE 1 – SITE AND SURROUNDING LAND USE DESCRIPTION | | | |
|--|-------------------|--------------------------------|------------------------------------|
| AREA | EXISTING LAND USE | LAND USE CATEGORY | ZONING DISTRICT |
| Site | Undeveloped Land | Resource/Land Management (RLM) | Lucerne Valley/Agriculture (LV/AG) |
| North | Solar Farm | Resource/Land Management (RLM) | Lucerne Valley/Agriculture (LV/AG) |
| South | Undeveloped Land | Resource/Land Management (RLM) | Lucerne Valley/Agriculture (LV/AG) |
| East | Undeveloped Land | Resource/Land Management (RLM) | Lucerne Valley/Agriculture (LV/AG) |
| West | Undeveloped Land | Resource/Land Management (RLM) | Lucerne Valley/Agriculture (LV/AG) |

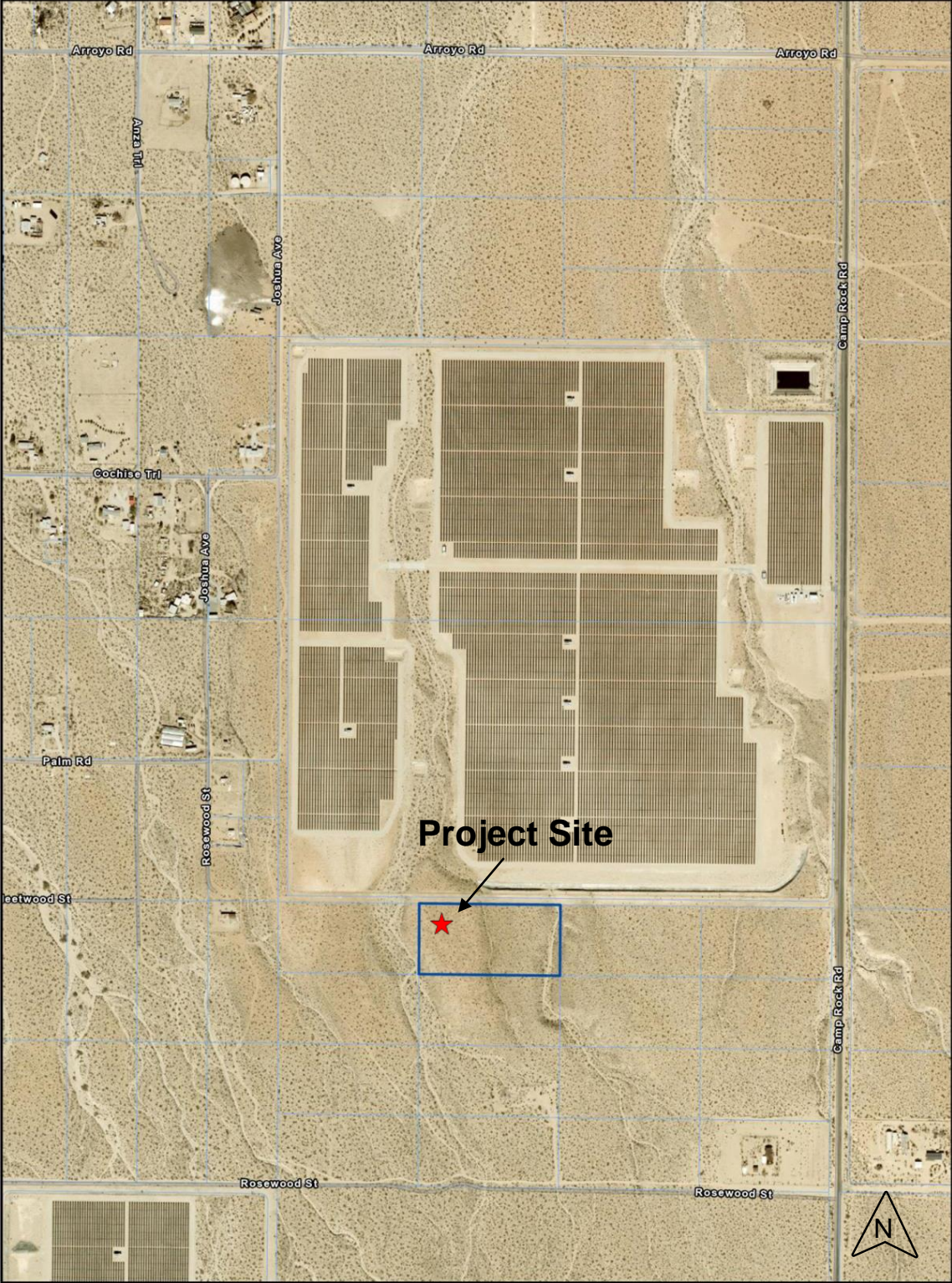
| | <u>AGENCY</u> | <u>COMMENT</u> |
|---------------------------|--------------------------|----------------|
| City Sphere of Influence: | N/A | N/A |
| Water Service: | Jubilee Mutual Water Co. | N/A |
| Sewer Service: | N/A | N/A |

STAFF RECOMMENDATION: That the Planning Commission **ADOPT** responsible agency findings pursuant to the California Environmental Quality Act; **ADOPT** the Findings for approval of the Conditional Use Permit; **APPROVE** the Conditional Use Permit subject to the attached Conditions of Approval; and **DIRECT** Land Use Services Department to file a Notice of Determination.¹

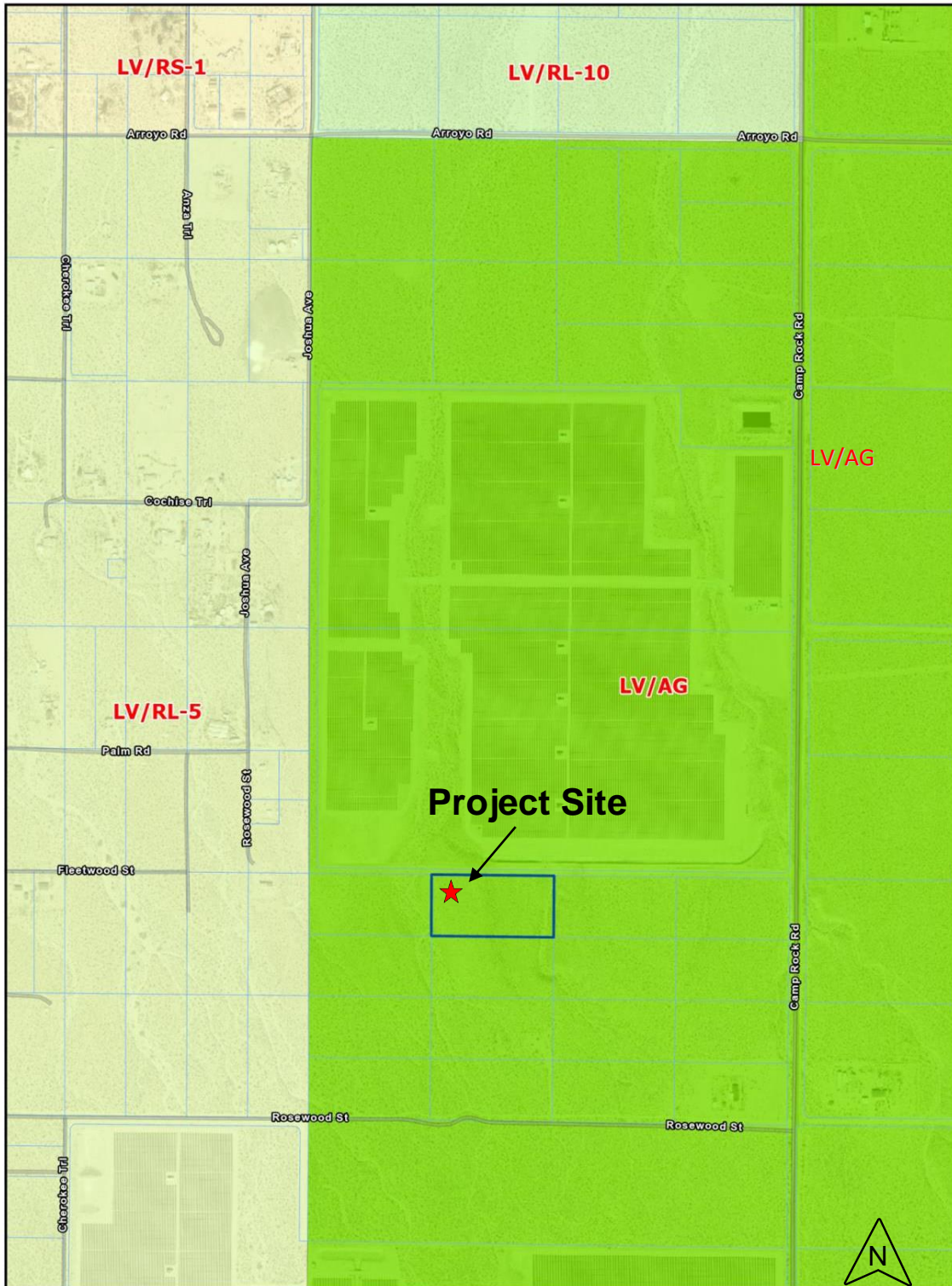
¹ In accordance with Section 86.08.080 of the Development Code, the action taken by the Planning Commission may be appealed to the Board of Supervisors before its effective date.

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VICINITY MAP



OFFICIAL LAND USE DISTRICT MAP



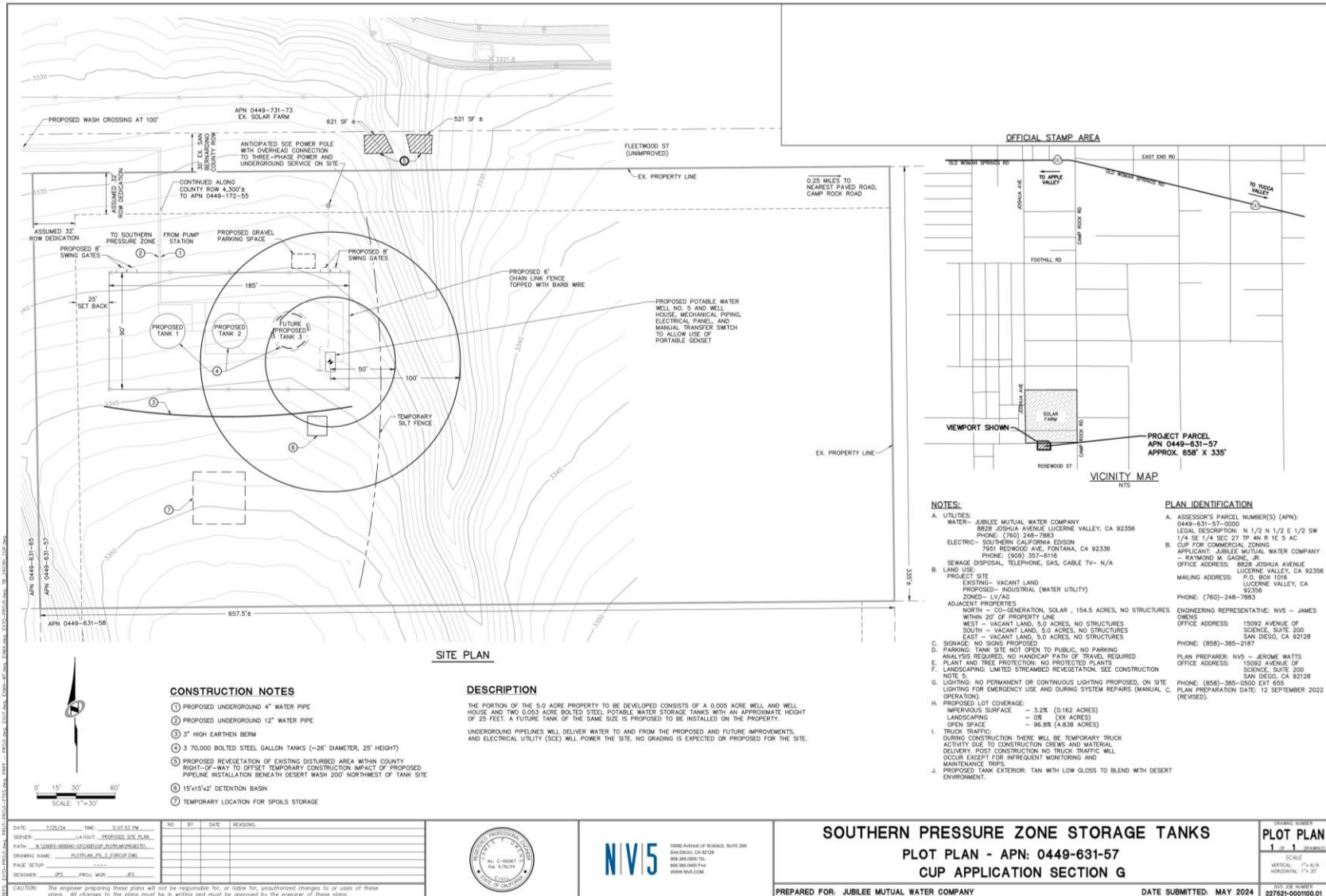
EXISTING CONDITIONS – FACING NORTH



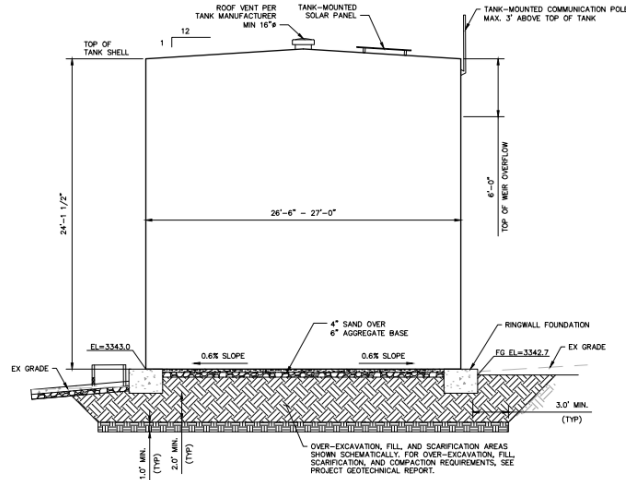
EXISTING CONDITIONS – FACING SOUTH



SITE PLAN

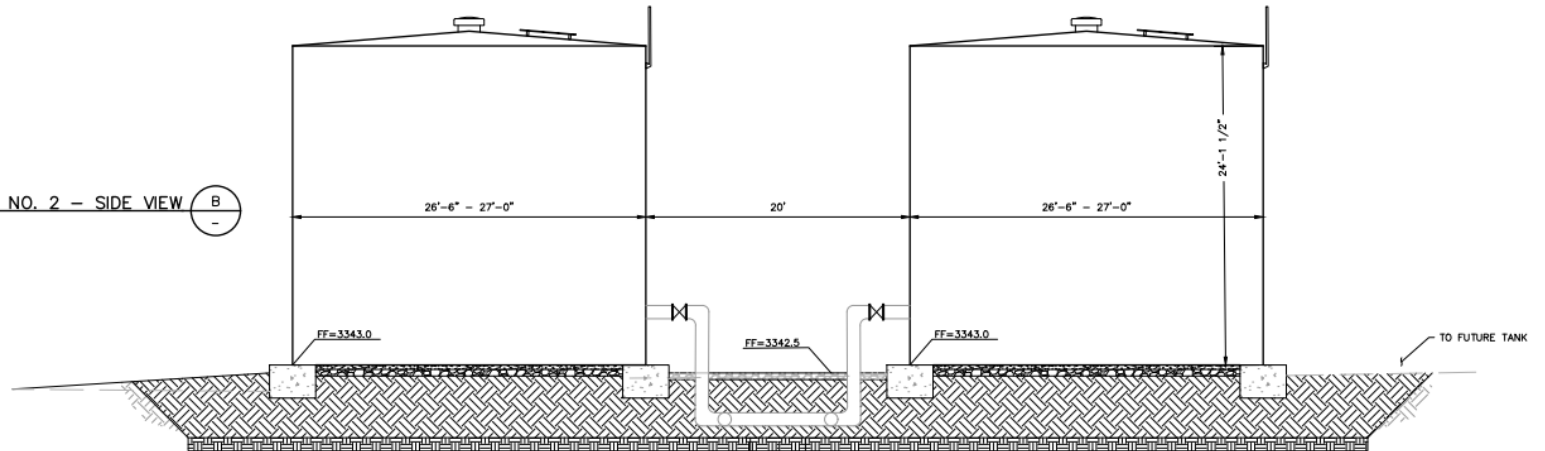


ELEVATIONS



BOLTED STEEL TANK NO. 1 AND NO. 2 - ELEVATION VIEW (A)

BOLTED STEEL TANK NO. 1 AND NO. 2 - SIDE VIEW (B)



PROJECT DESCRIPTION AND BACKGROUND:

Jubilee Mutual Water Company (JMWC) is proposing to construct water infrastructure improvements comprised of two 70,000-gallon pressure zone water storage tanks, a future third tank of the same size, and a well on the northwestern portion of a 5-acre parcel in the unincorporated community of Lucerne Valley (Project). The Project site is located on the southern side of an unpaved portion of Fleetwood Street, east of Camp Rock Road and west of Joshua Avenue. The Project site is within the Lucerne Valley Agriculture (LV/AG) zoning district. Utility facilities, such as water storage tanks, require approval of a Conditional Use Permit in the Agriculture land use zoning district.

The Project is part of the consolidation of two drinking water systems, Gordon Acres Water Company, Inc. (GAWC) and JMWC. The communities served by both systems are, based on median household incomes, designated severely disadvantaged. Following consolidation, JMWC will be the remaining system and GAWC will transfer its water rights, supply permit, and shareholders to JMWC.

JMWC has sufficient capacity to serve its existing customers as well as the existing GAWC customers. However, to do so, infrastructure improvements are necessary in JMWC's southern zone. The Project will contribute to these necessary improvements and is the southernmost development within the consolidation project (Exhibit F). The existing storage tanks and distribution pipelines in JMWC's northern zone will continue to serve its existing service area and the GAWC's existing service area.

The Project site is located less than a mile from JMWC's office on Joshua Avenue. Two new 70,000-gallon tanks are proposed on the site along with a future third tank of the same size, all approximately 27 feet in diameter and installed 20 feet apart from each other. The project will be constructed in two phases. Phase 1 will include construction of two storage tanks and the well. Phase 2 will include construction of a third storage tank and is expected to begin approximately five years after Phase 1 as additional customers are brought on to the system. The tanks are approximately 24.125 feet in height and will be equipped with tank-mounted solar panels to provide power for on-site instruments along with 3-foot-high tank-mounted communication poles for signaling to other water company sites.

The proposed well will be located approximately 20 feet southeast of the future Tank 3 and will have a final depth of approximately 600 feet, with a casing diameter of 10 inches. During drilling, a 6-inch pilot hole will be drilled to approximately 810 feet to investigate water production capacities and water quality at various depths. The proposed well will have a pumping rate of approximately 200 gallons per minute and will connect to the adjacent storage tanks through above- and below-grade piping and conduits. The proposed well pump and motor assembly will be submersible, resulting in negligible noise production from the permanent on-site equipment. Electrical service for the well will be supplied by Southern California Edison, and a portable generator will be brought to the site for periodic testing and during extended power outages. The site will be visited daily by JMWC personnel and annually by contractors for maintenance, inspection, and equipment replacement.

PUBLIC COMMENTS AND NOTICES

In accordance with Section 84.27.070 of the County Development Code, Project Notices were sent to all property owners within three hundred feet of the external boundaries of the Project boundary. A total of seven project notices were sent to surrounding property owners on October 20, 2021. To date, one response was received, with a request to be informed of the final decision. The County Planning Division sent out hearing notices on August 7, 2024, advertising the Planning Commission Hearing to be held on August 22, 2024.

PROJECT ANALYSIS:

Site Planning: Only a portion of the property will be used for the proposed facility, with avoidance of the natural drainage courses on the property. The facility will be located in the northwestern corner of the site and will take access from Fleetwood Street to the north. One gravel parking space is proposed for employees visiting the site. JMWC's operator does not expect to visit the site more than once a day for approximately 30 minutes.

Code Compliance Summary: As noted above, the Project satisfies applicable standards of the Development Code for development in the Agriculture Land Use District, as illustrated in Table 2 below:

Table 2: Project Code Compliance

| Project Component | Development Code Standard | | Project Plans |
|--------------------------|----------------------------------|-----|----------------------|
| Utility Facility | CUP | | CUP |
| Setbacks | Front | 25' | 45' |
| | Side – Interior | 15' | 25' |
| | Side – Interior | 15' | 415.5' |
| | Rear | 15' | 168' |
| Maximum Height | 35 feet | | 27 feet |

Screening: The water storage tanks will be painted a tan color with low gloss to blend in with the surrounding desert. The well, storage tanks, and generator will be surrounded by a new chain-link fence with gates and topped with barbed wire. The Project has been conditioned to provide desertscape landscaping around the fence.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act: Environmental impacts of the Project were evaluated as part of the Jubilee MWC/Gordon Acres Consolidation Project with the State Water Resources Control Board, as Lead Agency, pursuant to the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration (MND; State Clearing House #2019029128) was prepared and circulated from February 25, 2019, to March 26, 2019. The State Water Resources Control Board approved the State Revolving Fund Program for financing the Project on December 22, 2020, and filed a Notice of Determination on December 23, 2020. The MND concludes that the Project will have no impact or less than significant effects on all resource areas except biological resources and tribal cultural resources. With respect to biological resources and tribal cultural resources, the MND

concludes that with implementation of mitigation measures TRC-1 and BR-1 through -4, impacts will be less than significant.

Subsequent to adopting the MND, JMWC proposed construction of a well on the same site as the proposed water storage tanks. Initially, Well No. 4 was to be removed and replaced at its existing location north of Foothill Road, but it was later requested to be relocated adjacent to the new storage tanks on the Project site. This change was evaluated and found to be only minor in nature, and an Addendum to the MND was prepared and approved by the Lead Agency.

For the purpose of reviewing the requested CUP, the County is serving as a Responsible Agency under CEQA. The County's role as a Responsible Agency for the Project includes the following:

1. Before reaching a decision on the Project, the decision-making body must first certify that it has reviewed and considered the environmental effects of the Project as shown in the MND and Addendum. CEQA Guidelines § 15096(f).
2. If the decision-making body finds that any alternatives or mitigation measures within its powers are feasible and would substantially lessen or avoid a significant effect of the Project, the County may not approve the Project as proposed, but must adopt feasible mitigation measures or alternatives. CEQA Guidelines § 15096(g).

As a Responsible Agency, it is the independent judgment of the County that the MND and Addendum satisfy the requirements of CEQA and responsible agency findings are included as an attachment to this report (Exhibit A). The mitigation measures outlined in the MND have been incorporated into the Project's conditions of approval and relevant impacts within the County's powers are discussed below.

Greenhouse Gas (GHG) Emissions: GHG Emissions were evaluated as part of the MND and were found to have impacts below significance thresholds. The Project is conditioned to comply with the County's GHG Emissions Reduction Plan.

FEMA Flood Zone: The Project is located within Flood Zone D. Flood hazards are undetermined in this area but they are still possible. As such, the Project has been conditioned to comply with the most current Flood Map prior to issuance of a grading permit.

Habitat Sensitivity: The Project has been conditioned to conduct pre-construction surveys for desert tortoise, Parish's daisy, and nesting birds (if within nesting season). Following construction, any trenches, pits, and other features in which tortoises could be entrapped or entangled, shall be filled in, covered, or otherwise modified so they are no longer a hazard to desert tortoises.

RECOMMENDATION: That the Planning Commission:

- 1) **ADOPT** responsible agency findings pursuant to the California Environmental Quality Act that the Mitigated Negative Declaration and Addendum is adequate for use by the County to consider the Conditional Use Permit;
- 2) **ADOPT** the findings for approval of the Conditional Use Permit;
- 3) **APPROVE** the Conditional Use Permit to construct three 70,000-gallon water storage tanks and a well on a portion of a 5-acre parcel, subject to the attached Conditions of Approval; and
- 4) **DIRECT** the Land Use Services Department to file a Notice of Determination.

ATTACHMENTS:

EXHIBIT A: Findings

EXHIBIT B: [Mitigated Negative Declaration and Mitigated Monitoring and Reporting Program](#)

EXHIBIT C: [Addendum](#)

EXHIBIT D: Conditions of Approval

EXHIBIT E: Site Plan

EXHIBIT F: JMWC Network Map

FINDINGS: CONDITIONAL USE PERMIT

CONDITIONAL USE PERMIT TO CONSTRUCT WATER INFRASTRUCTURE IMPROVEMENTS COMPRISED OF THREE (70,000 GALLON) PRESSURE ZONE WATER STORAGE TANKS AND A WELL (PROJECT) ON A PORTION 5-ACRES IN THE UNINCORPORATED COMMUNITY OF LUCERNE VALLEY, WITHIN THE RESOURCE/LAND MANAGEMENT (RLM) LAND USE CATEGORY AND WITHIN THE AGRICULTURAL LAND USE ZONING DESIGNATION (LV/AG); 3rd SUPERVISORIAL DISTRICT; APN: 0449-631-57; PROJECT NUMBER: PROJ-2021-00090.

The following Section 85.06.040(a) *General findings for all Use Permits (Conditional and Minor)* must be made in the affirmative in order to approve the Project's Conditional Use Permit:

- 1. THE SITE FOR THE PROPOSED USE IS ADEQUATE IN TERMS OF SHAPE AND SIZE TO ACCOMMODATE THE PROPOSED USE AND ALL LANDSCAPING, OPEN SPACE, SETBACKS, WALLS AND FENCES, YARDS, AND OTHER REQUIRED FEATURES PERTAINING TO THE APPLICATION.**

The 5-acre site is of adequate size and shape to accommodate the proposed uses and structures. The water storage tanks will only occupy a portion of the site, an approximately 16,650 sq. ft. area in the northwestern corner of the parcel. All setbacks are adequate and allow for the proposed structures. The Project is conditioned to provide landscaping around the proposed fence. One gravel parking space is proposed near Fleetwood Street for employee parking which will be utilized for approximately 30 minutes per day. Therefore, the site is adequate to accommodate the proposed use and other required features.

- 2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.**

The site design and final Conditions of Approval for the Project provide for adequate street access. The site has been designed so that the proposed structures, well, and parking space are located on a portion of the site near the existing unpaved road, and the Project has been conditioned to dedicate a 30-foot grant of easement to provide a half-width right-of-way for Fleetwood Street. Therefore, the site for the proposed use has adequate access as conditioned.

- 3. THE PROPOSED USE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON ABUTTING PROPERTY OR THE ALLOWED USE OF THE ABUTTING PROPERTY, WHICH MEANS THE USE WILL NOT GENERATE EXCESSIVE NOISE, TRAFFIC, VIBRATION, LIGHTING, GLARE, OR OTHER DISTURBANCE. IN ADDITION, THE USE WILL NOT SUBSTANTIALLY INTERFERE WITH THE PRESENT OR FUTURE ABILITY TO USE SOLAR ENERGY SYSTEMS.**

The proposed Project is located on a 5-acre parcel that is currently vacant. The proposed structures will not have an adverse effect on the abutting properties. To the north of the site is a solar farm, and the parcels to the west, south, and east are vacant. There are no

planned exterior lights on the proposed tanks. The tanks will be painted with a low-gloss paint to reduce glare. The proposed use and its construction are required to comply with all requirements of the County Development Code with respect to noise, vibration, lighting and glare. Traffic effects to existing roads during construction will be minimal, and post-construction traffic will be for infrequent monitoring and maintenance trips. The proposed Project is consistent with all County Development Code standards. The Project, as conditioned, would not have adverse effects on abutting properties.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed Conditional Use Permit site plan, together with the provisions for its design and improvement are consistent with the Countywide Plan. The Project specifically implements the following San Bernardino Countywide Plan goals and policies:

Countywide Plan Goal IU-1:

Water supply and infrastructure are sufficient for the needs of residents and businesses and are resilient to drought.

Countywide Plan Policy IU-1.11 Water storage and conveyance: We assist in development of additional water storage and conveyance facilities to create a resilient regional water supply system, when it is cost effective for County-owned water and stormwater systems.

Countywide Plan Goal LU-2:

An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.

Policy LU-2.1 Compatibility with existing uses: We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy LU-2.6 Coordination with adjacent entities: We require that new and amended development projects notify and coordinate with adjacent local, state, and federal entities to maximize land use compatibility, inform future planning and implementation, and realize mutually beneficial outcomes.

The Project is specifically intended to provide water supply and infrastructure for the applicable residents consistent with Goal IU-1. Further, the Project has been designed and conditioned to be compatible with existing use in furtherance of Policy LU-2.1.

5. THERE IS SUPPORTING INFRASTRUCTURE, EXISTING OR AVAILABLE, CONSISTENT WITH THE INTENSITY OF THE DEVELOPMENT, TO ACCOMMODATE THE PROPOSED PROJECT WITHOUT SIGNIFICANTLY LOWERING SERVICE LEVELS.

There is supporting infrastructure available to accommodate the proposed development without significantly lowering service levels. Underground pipelines will deliver water to and from the site, and electricity will be supplied by Southern California Edison. The proposed Project will not require sewage disposal, telephone, or gas.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

This facility was reviewed and conditioned by various County agencies to ensure compliance with County development standards. Therefore, the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare.

7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

The location of the proposed Project was designed in a manner to not interfere with the future ability for the property owner to install a solar energy system. The project would not impede development of solar energy generation systems on adjacent parcels.

FINDINGS: CALIFORNIA ENVIRONMENTAL QUALITY ACT

8. THE PROJECT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT, SUBJECT TO IMPLEMENTATION OF THE PROPOSED CONDITIONS OF APPROVAL AND MITIGATION MEASURES.

In compliance with the California Environmental Quality Act (CEQA), the County finds that an Initial Study and Mitigated Negative Declaration (MND) were prepared for the Project by the State Water Resources Control Board, as Lead Agency, and circulated for public review in 2019 under the project title "Jubilee MWC/Gordon Acres Consolidation Project", State Clearinghouse #2019029128. The State Water Resources Control Board approved the State Revolving Fund Program for financing the Project on December 22, 2020, and filed a Notice of Determination on December 23, 2020. The MND concludes that the Project will have no impact or less than significant effects on all resource areas except biological resources and tribal cultural resources. With respect to biological resources and tribal cultural resources, the MND concludes that with implementation of mitigation measures TRC-1 and BR-1 through -4, impacts will be less than significant.

An Addendum to the MND was added in 2023 for minor technical changes related to relocation of the proposed well.

The County hereby certifies that, acting as the Responsible Agency for the portion of the Project, it has independently reviewed and analyzed the MND and Addendum, and other information in the record and has considered the information contained therein, prior to actinign upon or approving the portion of the Project before the County for consideration.

Based on this review, the County finds that, as to those potential environmental impacts within the County's powers and authorities as a Responsible Agency, the MND and Addendum contains complete, objective, and accurate reporting of the potential impacts and represents the independent judgment and analysis of the County as the Responsible Agency.

The Court, in its capacity as a Responsible Agency, considered the MND and Addendum prepared for the Project, and independently finds that the MND and Addendum is adequate for use by the County to take action on the Project. Furthermore, the County finds that no significant adverse impacts will occur as a result of the Project and that no further CEQA analysis is required.



Conditions of Approval

Record: PROJ-2021-00090 **System Date:** 08/15/2024
Record Type: Project Application **Primary APN:** 0449631570000
Record Status: Decision Pending **Application Name:** CONDITIONAL USE PERMIT - Jubilee Mutual Water
Effective Date: **Expiration Date:**

Description: CONDITIONAL USE PERMIT TO CONSTRUCT WATER INFRASTRUCTURE IMPROVEMENTS COMPRISED OF THREE (70,000 GALLON) PRESSURE ZONE WATER STORAGE TANKS AND A WELL ON A PORTION 5-ACRES IN THE UNINCORPORATED COMMUNITY OF LUCERNE VALLEY

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

ON-GOING

Land Use Services - Planning

- 1 **Project Approval Description (CUP/MUP)** - Status: Outstanding
 This Conditional Use Permit is conditionally approved to construct two 70,000-gallon water storage tanks and a well (Phase 1) and a future third 70,000-gallon water storage tank (Phase 2) on a portion of a 5-acre parcel in the unincorporated community of Lucerne Valley, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the Mitigation Monitoring and Reporting Program (MMRP), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.

- 2 **Project Location** - Status: Outstanding
 The Project site is located on the south side an unpaved portion of Fleetwood Street, west of Camp Rock Road and east of Joshua Avenue, in the unincorporated community of Lucerne Valley, APN: 0449-631-57.

3 **Revisions** - Status: Outstanding

Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.

4 **Indemnification** - Status: Outstanding

In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval. Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

5 **Expiration** - Status: Outstanding

The term "phase" as used here shall mean the following: "The block of building permits drawn on less than the whole project" or "A plan of building construction which indicates blocks of construction of less than the whole project." This project permit approval for Phase 1, for two 70,000-gallon water storage tanks and a well, shall expire and become void if it is not "exercised" within 36 months of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application. This project permit approval for Phase 2, for a third 70,000-gallon water storage tank, shall expire and become void if it is not "exercised" within 60 months from the date that the previous phase was exercised, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

6 **Continous Effect/Revocation** - Status: Outstanding

All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.

7 **Project Account** - Status: Outstanding

The Project account number is PROJ-2021-00090. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.

8 **Development Impact Fees** - Status: Outstanding

Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances

9 **Condition Compliance** - Status: Outstanding

In the event that Native American cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior (SOI) Professional Qualification Standards in archaeology shall be hired to assess the find. Work on the other portions of the Project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians and the State Water Resources Control Board will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input. The archaeologist shall complete an isolate record for the find and submit this document to the applicant and State Water Resources Control Board for dissemination to the San Manuel Band of Mission Indians. If significant Native American historical resources are discovered and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop a cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, the drafts of which shall be provided to the State Water Resources Control Board and the San Manuel Band of Mission Indians for review and comment. a) All in-field investigations, assessments, and/or data recovery enacted pursuant to the finalized Treatment Plan shall be monitored by a San Manuel Band of Mission Indians Tribal Participant(s). b) The Lead Agency and/or applicant shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during the Project. Prior to initiating construction activity, Jubilee will retain a qualified archeologist to assist when potentially significant Native-American historical resources are discovered during earthmoving and excavation activities. The archeologist shall be prepared to respond immediately to the construction site when potentially significant Native American historical resources are discovered. Should potentially significant Native American historical resources be discovered, the discovering party shall immediately notify the Project's archeologist. All construction activity within a 60-foot buffer shall cease until receiving approval to resume work by the archeologist. The archeologist's report(s) on potentially significant Native American Historical Resources, Reports shall include any related correspondence or documentation received from a Native American Tribe or public agency. Reports shall be maintained in the project file. Jubilee will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board upon request and following completion of construction.

10 **Condition Compliance** - Status: Outstanding

If vegetation removal or ground disturbance activities occur during the nesting season (January 1st to August 31st), a pre-construction nesting survey shall be conducted by a qualified biologist to identify active nests in and adjacent to the work area. The survey shall be conducted no more than two weeks prior to the initiation of construction. If construction activities are delayed or suspended for more than two weeks after the preconstruction survey, the site shall be resurveyed. If nesting birds are found, the nest sites shall not be disturbed until after the young have fledged, as determined through additional monitoring by a qualified biologist. Further, to prevent nest abandonment and mortality of chicks and eggs, no construction activities shall occur within 300 feet of an active nest unless a smaller buffer zone is authorized by a qualified biologist in consultation with the California Department of Fish and Wildlife (CDFW) and the U.S. Fish & Wildlife Service (USFWS) (the size of the construction buffer zone may vary depending on the species of nesting birds present). A qualified biologist shall delineate the buffer zone with construction tape or pin flags that shall remain in place until the young have fledged, as determined through additional monitoring by a qualified biologist. The qualified biologist shall monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. If any active nests associated with migratory bird species or raptors are encountered during Project construction, construction activities within the 300-foot zone will be delayed until nesting activities have ceased as determined by a focused survey to be performed by the qualified biologist. Guidance from CDFW shall be requested if the nestlings within an active nest appear disturbed. The qualified biologist shall have the authority to stop any work determined to be adversely affecting the nesting activity. The qualified biologist shall report any "take" of active nests to CDFW. Jubilee will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board upon request and following completion of construction.

11 **Condition Compliance** - Status: Outstanding

Pre-construction surveys for desert tortoise shall be conducted by a qualified biologist no more than two weeks prior to the commencement of Project-related ground disturbance. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the Project, as well as a reasonable buffer around these areas. Should desert tortoise be encountered, CDFW and USFWS shall be contacted to discuss additional mitigation measures which may be required. Jubilee will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board upon request and following completion of construction.

12 **Condition Compliance** - Status: Outstanding

Clearing of the Project area including blading of new access or work areas shall be minimized to the extent possible. Disturbance to shrubs shall be avoided if possible. If shrubs cannot be avoided during equipment operation or vehicle use, wherever possible they should be crushed rather than excavated or bladed and removed. Project features that might trap or entangle desert tortoises, such as open trenches, pits, open pipes, etc shall be covered at the end of each work day or modified to prevent entrapment through the installation of escape ramps or sloped at the ends at a 3:1 ratio. After completion of the Project, trenches, pits, and other features in which tortoises could be entrapped or entangled, shall be filled in, covered, or otherwise modified so they are no longer a hazard to desert tortoises. Unleashed dogs shall be prohibited in Project areas. Temporary fencing, such as chicken wire, snow fencing, chain link, and other suitable materials shall be used in designated areas to reduce encounters with tortoises. In potential desert tortoise habitat project-related vehicles shall not exceed 15 miles per hour on unpaved roads. The construction supervisor, or his designee, shall maintain a checklist in the project file that verifies mitigation steps taken each day to avoid impact to any listed species. Jubilee will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board upon request and following completion of construction.

13 **Condition Compliance** - Status: Outstanding

Pre-construction surveys for Parish's daisy shall be conducted concurrent with pre-construction surveys for the desert tortoise by a qualified biologist no more than two weeks prior to the commencement of Project-related ground disturbance. Pre-construction surveys shall encompass all areas of the Project, as well as a reasonable buffer around these areas even if these areas are not within the potential footprint of the desert tortoise. Should Parish's daisy be encountered, proposed facilities will be examined for reasonable rerouting or relocation. If facilities cannot reasonably be rerouted or relocated, CDFW and USFWS shall be contacted to discuss possible species relocation and additional mitigation measures which may be required. Jubilee will prepare and keep on file documentation verifying the implementation of the above-referenced measure. These files shall be provided to the State Water Resources Control Board upon request and following completion of construction.

14 **Condition Compliance** - Status: Outstanding

The Jubilee Mutual Water Company and construction contractors will implement a basic Worker Education Awareness Program to educate all workers at the project site about the desert tortoise and Parish's daisy, including awareness of the legal status and activity/occurrence patterns of these species, along with the other project mitigation measures. This program will consist of a brief presentation and/or informational handouts and will also address the appropriate response if a worker encounters a desert tortoise or Parish's daisy at the project site. The Jubilee Mutual Water Company will provide contact information for the Palm Springs Fish and Wildlife Office in the case that workers encounter a desert tortoise or Parish's daisy during the project.

15 **Performance Standards** - Status: Outstanding

The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste

16 **Continous Maintenance** - Status: Outstanding

The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

17 **Lighting** - Status: Outstanding

Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.

18 **Construction Hours** - Status: Outstanding

Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

19 **Construction Noise** - Status: Outstanding

The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with manufacturer's specifications. - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits. - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

20 **Cultural Resources** - Status: Outstanding

During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.

21 **GHG - Operational Standards** - Status: Outstanding

The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project: a. Waste Stream Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services. b. Vehicle Trip Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides. c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. The developer shall also provide to all tenants and require that the tenants shall display in their stores current transit route information for the project area in a visible and convenient location for employees and customers. d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

Public Health– Environmental Health Services22 **Noise Levels** - Status: Outstanding

Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.

INFORMATIONAL**Land Use Services - Planning**23 **Plant and Tree Protection** - Status: Outstanding

If no protected or endangered trees exist on the site state "No Protected Plants", otherwise show the location, size, and type of all native trees, including unbranched cacti, yuccas, palms and joshuas, and indicate whether any of the following trees are to be removed. - Valley or Mountain Areas: Six inches or greater in diameter or 19 inches in circumference measured at 4.5 feet above average ground level of the base. - Desert Areas: All Joshua Trees and all species of century plants, nolinias and yuccas. Creosote rings that are 10 feet or greater in diameter. For smoketrees and mesquites, two (2) inches or greater in diameter or six (6) feet or greater in height. All plants protected by the State Desert Native Plants Act shall be protected in accordance with that ordinance.

County Fire - Community Safety24 **Additional Requirements** - Status: Outstanding

In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

25 **Jurisdiction** - Status: Outstanding

The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.

Land Use Services - Land Development

26 **Additional Drainage Requirements** - Status: Outstanding

In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

27 **Erosion Control Installation** - Status: Outstanding

Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

28 **Natural Drainage** - Status: Outstanding

The natural drainage courses traversing the site shall not be occupied or obstructed.

29 **Tributary Drainage** - Status: Outstanding

Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed. The project site shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage areas, outlet points and outlet conditions.

PRIOR TO LAND DISTURBANCE

Land Use Services - Planning

30 **GHG - Construction Standards** - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following: a) Implement the approved Coating Restriction Plans. b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment. c) Grading contractor shall provide and implement the following when possible: - training operators to use equipment more efficiently. - identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions. - replacing older, less fuel-efficient equipment with newer models. - use GPS for grading to maximize efficiency. d) Grading plans shall include the following statements: - "All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration." - "All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes." e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways. f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures. g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.

Land Use Services - Building and Safety

- 31 **Geotechnical Report** - Status: Outstanding
A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
- 32 **Wall Plans** - Status: Outstanding
Submit plans and obtain separate building permits for any required retaining walls.

Land Use Services - Land Development

- 33 **FEMA Flood Zone** - Status: Outstanding
The project is located within Flood Zone D according to FEMA Panel Number 06071C6600H dated 08/28/2008. Flood hazards are undetermined in this area, but they are still possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
- 34 **NPDES Permit** - Status: Outstanding
An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
- 35 **Regional Board Permit** - Status: Outstanding
Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
- 36 **Drainage Easements** - Status: Outstanding
Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. The hydrologic/hydraulic calculations supporting the size of the easement(s) shall be submitted for review/approval by the Land Development Division prior to recording the easement. Proof of recordation shall be provided to the Land Development Division.
- 37 **Drainage Improvements** - Status: Outstanding
A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- 38 **Grading Plans** - Status: Outstanding
Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage improvements shall be shown on the grading plans according to the approved final drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
- 39 **On-site Drainage Easement** - Status: Outstanding
On-site flows shall be directed within a drainage easement.

40 **On-site Flows** - Status: Outstanding

On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.

41 **Streambed Alteration Agreement** - Status: Outstanding

California Department of Fish and Wildlife (CDFW) must be notified per Fish and Game Code (FGC) §1602. A streambed alteration agreement shall be provided prior to Grading permit issuance. Link to CDFW website at: <https://www.wildlife.ca.gov/Conservation/LSA>.

Public Works - Surveyor

42 **Corner Records Required Before Grading** - Status: Outstanding

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

43 **Monument Disturbed by Grading** - Status: Outstanding

If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

PRIOR TO BUILDING PERMIT ISSUANCE

Land Use Services - Planning

44 **GHG - Building Design** - Status: Outstanding

Building Design. Building design and construction shall incorporate the following elements: - Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities. - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance. - Roofing materials shall have a solar reflectance index of 78 or greater. - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers. - Energy Star or equivalent appliances shall be installed. - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units.

45 **GHG - Design Standards** - Status: Outstanding

The developer shall submit for review and obtain approval from County Planning evidence that the conditioned measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.

46 **Mitigation Measures** - Status: Outstanding

Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to building permit issuance

County Fire - Community Safety

47 **Haz-Mat Approval** - Status: Outstanding

The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

Land Use Services - Building and Safety

48 **Construction Plans** - Status: Outstanding

Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

49 **Temporary Use Permit** - Status: Outstanding

A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

Land Use Services - Land Development

50 **Road Dedication** - Status: Outstanding

The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications: Fleetwood Street (Local – 60'): •Road Dedication. A 30-foot grant of easement is required to provide a half-width right-of-way of 30 feet.

Public Health– Environmental Health Services

51 **Existing Wells** - Status: Outstanding

If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

52 **Individual Wells** - Status: Outstanding

An EHS approved water well permit will be required prior to well construction.

53 **Preliminary Acoustical Information** - Status: Outstanding

Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the EHS for review and approval. For information and acoustical checklist, contact EHS at (800) 442-2283.

54 **Water Purveyor** - Status: Outstanding

Water purveyor shall be Jubilee MWC or EHS approved.

PRIOR TO OCCUPANCY

Land Use Services - Planning

- 55 **Fees Paid** - Status: Outstanding
Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2021-00090.
- 56 **Installation of Improvements** - Status: Outstanding
All required on-site improvements shall be installed per approved plans.
- 57 **Landscaping/Irrigation** - Status: Outstanding
The developer shall submit a Landscape Plan to the Planning Division for screening of the proposed fence and facility. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
- 58 **Mitigation Measures** - Status: Outstanding
Please see Mitigation Monitoring and Reporting Program for mitigation measures to be completed prior to occupancy permit issuance
- 59 **Screen Rooftop** - Status: Outstanding
All roof top mechanical equipment is to be screened from ground vistas.
- 60 **Shield Lights** - Status: Outstanding
Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
- 61 **Condition Compliance** - Status: Outstanding
Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.
- 62 **GHG - Installation/Implementation Standards** - Status: Outstanding
The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following:
a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent. b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting. c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

Land Use Services - Building and Safety

- 63 **Condition Compliance Release Form Sign-off** - Status: Outstanding
Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

Land Use Services - Land Development

64 **Drainage Improvements** - Status: Outstanding

All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

65 **LDD Requirements** - Status: Outstanding

All LDD requirements shall be completed by the applicant prior to occupancy.

66 **Phased Projects** - Status: Outstanding

Projects within any phase of a phased project shall have all required on-site and off-site public road and drainage improvements required for such a phase sufficiently completed by the applicant and inspected/approved for construction of that phase prior to final inspection or occupancy for any buildings or other structures in that phase. The term "phase" as used here shall mean the following: "The block of building permits drawn on less than the whole project" or "A plan of building construction which indicates blocks of construction of less than the whole project." In each phase, the installation of any on-site or off-site public road improvements shall be sufficiently completed so as to assure protection from storm or drainage runoff, a safe and drivable access for fire and other emergency/safety vehicles, and the ordinary and intended use of the buildings or structures. The Building Official, with the concurrence of the Land Development Division, may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

PRIOR TO RECORDATION

County Fire - Community Safety

67 **Access** - Status: Outstanding

The development shall have a minimum of one point of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. 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. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. 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.

PRIOR TO FINAL INSPECTION

County Fire - Community Safety

68 **Combustible Vegetation** - Status: Outstanding

Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less.

69 **Commercial Addressing** - Status: Outstanding

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 (6) inches in height and with a three quarter (3/4) 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.

70 **Material Identification Placards** - Status: Outstanding

The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

| Department/Agency | Office/Division | Phone Number |
|---|---|----------------|
| Land Use Services Dept. | San Bernardino Govt. Center | (909) 387-8311 |
| (All Divisions) | High Desert Govt. Center | (760) 995-8140 |
| Web Site | https://lus.sbcounty.gov/ | |
| County Fire | San Bernardino Govt. Center | (909) 387-8400 |
| (Community Safety) | High Desert Govt. Center | (760) 995-8190 |
| Web Site | https://www.sbcfire.org/ | |
| County Fire | Hazardous Materials | (909) 386-8401 |
| | Flood Control | (909) 387-7995 |
| Dept. of Public Works | Solid Waste Management | (909) 386-8701 |
| | Surveyor | (909) 387-8149 |
| | Traffic | (909) 387-8186 |
| Web Site | https://dpw.sbcounty.gov/ | |
| Dept. of Public Health | Environmental Health Services | (800) 442-2283 |
| Web Site | https://dph.sbcounty.gov/programs/ehs/ | |
| Local Agency Formation Commission (LAFCO) | | (909) 388-0480 |
| Web Site | http://www.sbclafco.org/ | |
| | Water and Sanitation | (760) 955-9885 |
| | Administration, | |
| | Park and Recreation, | |
| Special Districts | Roads, Streetlights, | (909) 386-8800 |
| | Television Districts, and Other | |

APN: 0449631570000

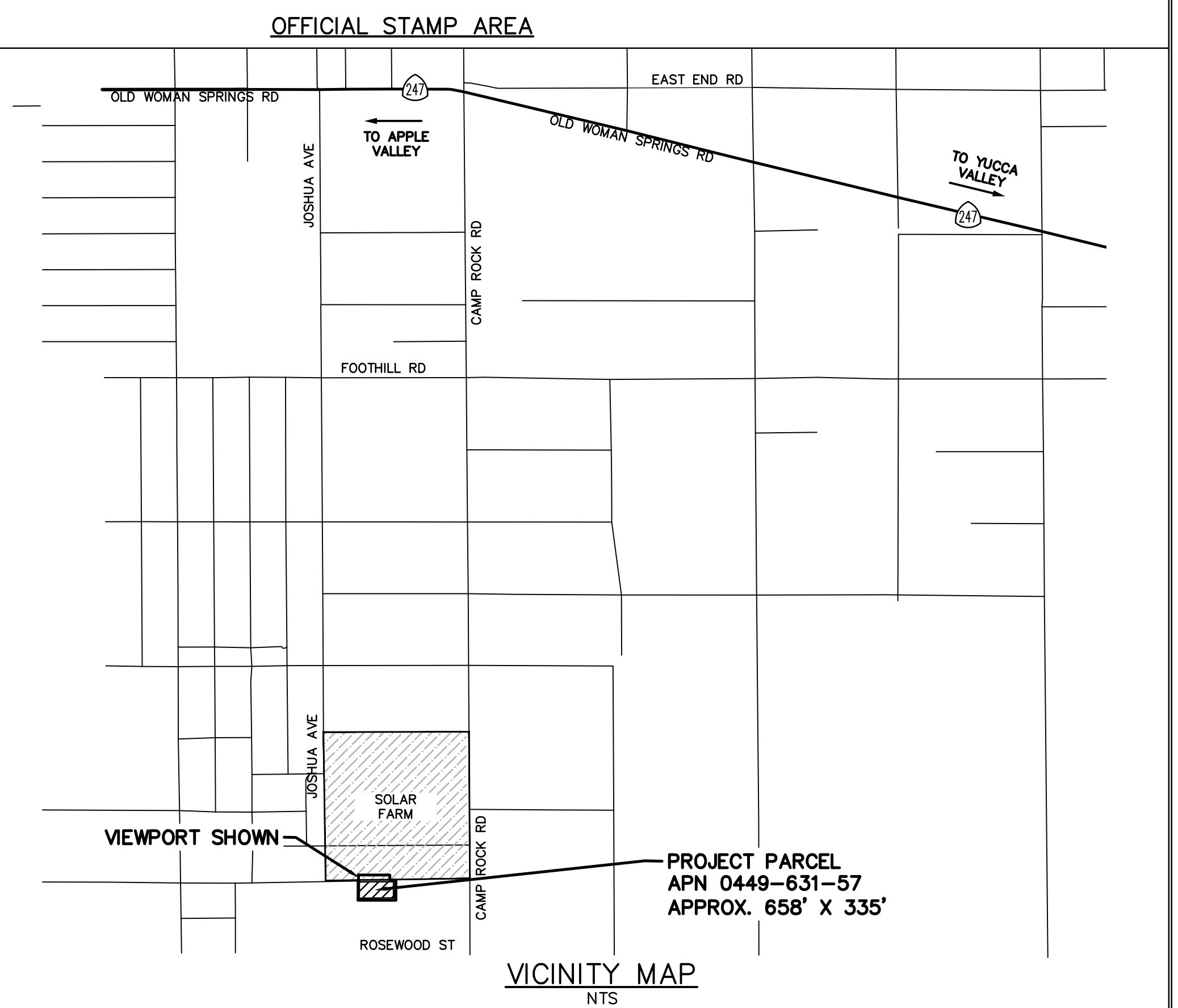
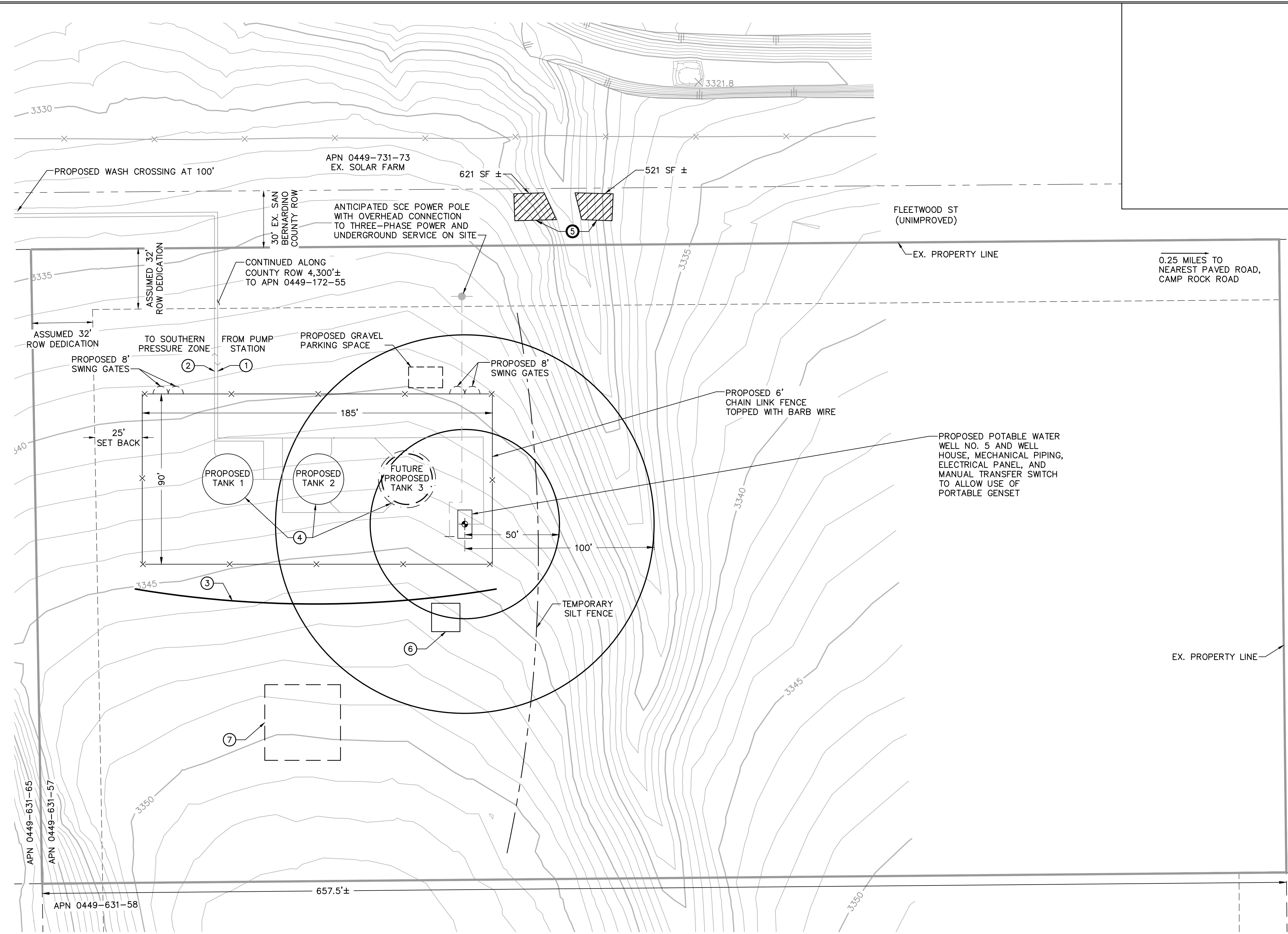
Effective Date:

PROJ-2021-00090

Expiration Date:

External Agencies (Caltrans, U.S. Army, etc.)

See condition text for contact information...



SITE PLAN

CONSTRUCTION NOTES

- ① PROPOSED UNDERGROUND 4" WATER PIPE
- ② PROPOSED UNDERGROUND 12" WATER PIPE
- ③ 3" HIGH EARTHEN BERM
- ④ 3 70,000 BOLTED STEEL GALLON TANKS (~26' DIAMETER, 25' HEIGHT)
- ⑤ PROPOSED REVEGETATION OF EXISTING DISTURBED AREA WITHIN COUNTY RIGHT-OF-WAY TO OFFSET TEMPORARY CONSTRUCTION IMPACT OF PROPOSED PIPELINE INSTALLATION BENEATH DESERT WASH 200' NORTHWEST OF TANK SITE
- ⑥ 15'x15'x2' DETENTION BASIN
- ⑦ TEMPORARY LOCATION FOR SPOILS STORAGE

DESCRIPTION

THE PORTION OF THE 5.0 ACRE PROPERTY TO BE DEVELOPED CONSISTS OF A 0.005 ACRE WELL AND WELL HOUSE AND TWO 0.053 ACRE BOLTED STEEL POTABLE WATER STORAGE TANKS WITH AN APPROXIMATE HEIGHT OF 25 FEET. A FUTURE TANK OF THE SAME SIZE IS PROPOSED TO BE INSTALLED ON THE PROPERTY.

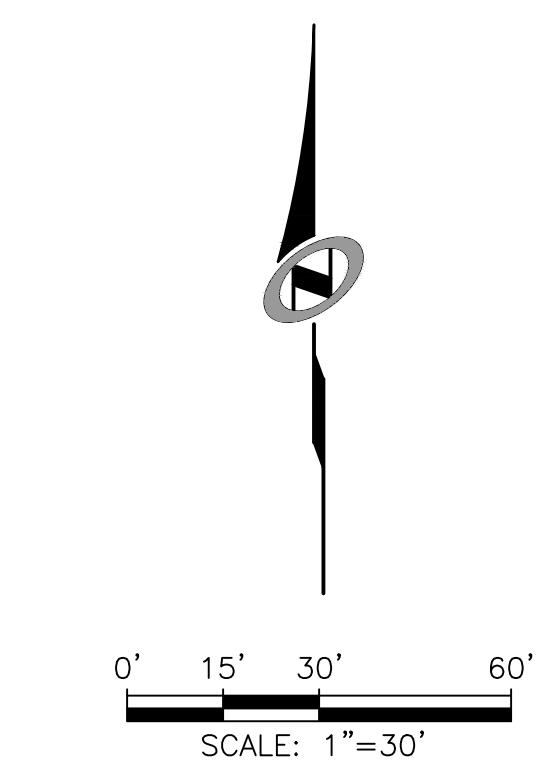
UNDERGROUND PIPELINES WILL DELIVER WATER TO AND FROM THE PROPOSED AND FUTURE IMPROVEMENTS, AND ELECTRICAL UTILITY (SCE) WILL POWER THE SITE. NO GRADING IS EXPECTED OR PROPOSED FOR THE SITE.

NOTES:

- A. UTILITIES:
 WATER- JUBILEE MUTUAL WATER COMPANY
 8828 JOSHUA AVENUE LUCERNE VALLEY, CA 92356
 PHONE: (760) 248-7883
 ELECTRIC- SOUTHERN CALIFORNIA EDISON
 7951 REDWOOD AVE, FONTANA, CA 92336
 PHONE: (909) 357-6116
 SEWAGE DISPOSAL, TELEPHONE, GAS, CABLE TV- N/A
- B. LAND USE:
 PROJECT SITE
 EXISTING- VACANT LAND
 PROPOSED- INDUSTRIAL (WATER UTILITY)
 ZONED- LV/AG
 ADJACENT PROPERTIES
 NORTH - CO-GENERATION, SOLAR , 154.5 ACRES, NO STRUCTURES WITHIN 20' OF PROPERTY LINE
 WEST - VACANT LAND, 5.0 ACRES, NO STRUCTURES
 SOUTH - VACANT LAND, 5.0 ACRES, NO STRUCTURES
 EAST - VACANT LAND, 5.0 ACRES, NO STRUCTURES
- C. SIGNAGE: NO SIGNS PROPOSED
- D. PARKING: TANK SITE NOT OPEN TO PUBLIC, NO PARKING ANALYSIS REQUIRED, NO HANDICAP PATH OF TRAVEL REQUIRED
- E. PLANT AND TREE PROTECTION: NO PROTECTED PLANTS
- F. LANDSCAPING: LIMITED STREAMBED REVEGETATION. SEE CONSTRUCTION NOTE 5.
- G. LIGHTING: NO PERMANENT OR CONTINUOUS LIGHTING PROPOSED, ON SITE LIGHTING FOR EMERGENCY USE AND DURING SYSTEM REPAIRS (MANUAL OPERATION).
- H. PROPOSED LOT COVERAGE:
 IMPERVIOUS SURFACE - 3.2% (0.162 ACRES)
 LANDSCAPING - 0% (XX ACRES)
 OPEN SPACE - 96.8% (4.838 ACRES)
- I. TRUCK TRAFFIC:
 DURING CONSTRUCTION THERE WILL BE TEMPORARY TRUCK ACTIVITY DUE TO CONSTRUCTION CREWS AND MATERIAL DELIVERY. POST CONSTRUCTION NO TRUCK TRAFFIC WILL OCCUR EXCEPT FOR INFREQUENT MONITORING AND MAINTENANCE TRIPS.
- J. PROPOSED TANK EXTERIOR: TAN WITH LOW GLOSS TO BLEND WITH DESERT ENVIRONMENT.

PLAN IDENTIFICATION

- A. ASSESSOR'S PARCEL NUMBER(S) (APN):
 0449-631-57-0000
 LEGAL DESCRIPTION: N 1/2 N 1/2 E 1/2 SW 1/4 SE 1/4 SEC 27 TP 4N R 1E 5 AC
- B. CUP FOR COMMERCIAL ZONING
 APPLICANT: JUBILEE MUTUAL WATER COMPANY
 - RAYMOND M. GAGNE, JR.
 OFFICE ADDRESS: 8828 JOSHUA AVENUE LUCERNE VALLEY, CA 92356
 MAILING ADDRESS: P.O. BOX 1016 LUCERNE VALLEY, CA 92356
 PHONE: (760)-248-7883
- ENGINEERING REPRESENTATIVE: NV5 - JAMES OWENS
 OFFICE ADDRESS: 15092 AVENUE OF SCIENCE, SUITE 200 SAN DIEGO, CA 92128
 PHONE: (858)-385-2187
- PLAN PREPARER: NV5 - JEROME WATTS
 OFFICE ADDRESS: 15092 AVENUE OF SCIENCE, SUITE 200 SAN DIEGO, CA 92128
 PHONE: (858)-385-0500 EXT 655
 PLAN PREPARATION DATE: 12 SEPTEMBER 2022 (REVISED).



| | |
|---|------------------|
| DATE: 7/25/24 | TIME: 5:07:53 PM |
| SERVER: \\L226815-000042-03\CADD\CUP_PLOTPLAN\PROJECTS\ | |
| PATH: N:\226815-000042-03\CADD\CUP_PLOTPLAN\PROJECTS\ | |
| DRAWING NAME: PLOTPLAN_P5_2_FORCUP.DWG | |
| PAGE SETUP: --- | |
| DESIGNER: VPS | PROJ. MGR: JFO |

| NO. | BY | DATE | REVISIONS: |
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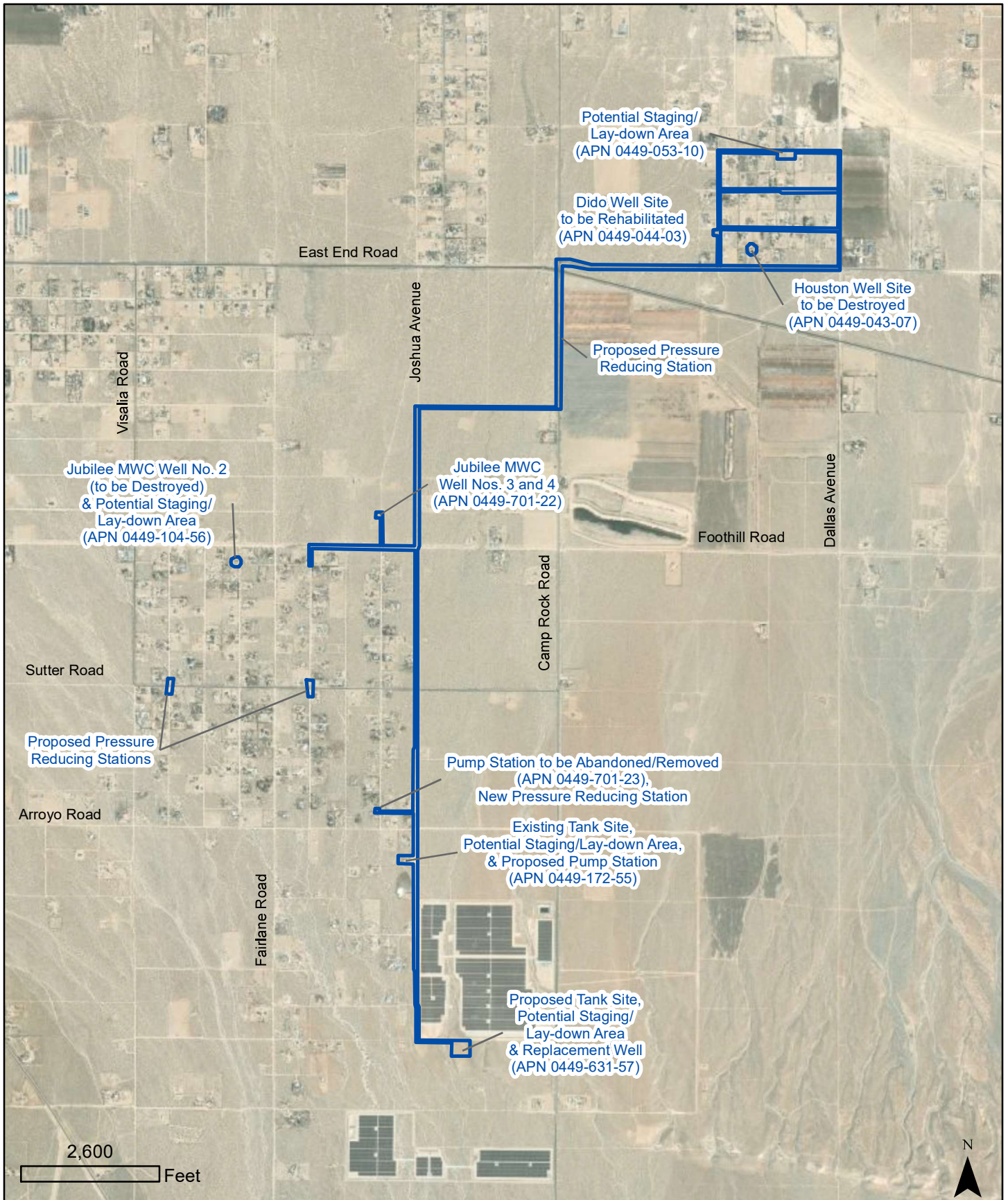



NV5
 15092 AVENUE OF SCIENCE, SUITE 200
 SAN DIEGO, CA 92128
 858.385.0500 TEL
 858.385.0400 FAX
 WWW.NV5.COM

SOUTHERN PRESSURE ZONE STORAGE TANKS
PLOT PLAN - APN: 0449-631-57
CUP APPLICATION SECTION G

| | |
|---------------------|------------------|
| DRAWING NUMBER | PLOT PLAN |
| SCALE | 1 OF 1 DRAWINGS |
| VERTICAL: 1"= N/A | |
| HORIZONTAL: 1"= 30' | |

CAUTION: The engineer preparing these plans will not be responsible for, or liable for, unauthorized changes to or uses of these plans. All changes to the plans must be in writing and must be approved by the preparer of these plans.



| | | | | |
|--|--|------------------------|--|-------------------|
|  <p>1 W DEER VALLEY ROAD BUILDING 2, SUITE 305 PHOENIX, ARIZONA 85027 Tel: 623.374.6637 Fax: 623.738.3690</p> | <p>CEQA ADDENDUM INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION</p> | | <p>FOR: GORDON ACRES WATER COMPANY</p> | |
| | <p>FIGURE 1</p> | | DES: RDD | DR: RDD |
| <p>PROJECT NO. 226815-0000042.03</p> | | <p>DATE: 6/16/2023</p> | | <p>SHT 1 OF 2</p> |