



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: July 7, 2022

AGENDA ITEM #3

Project Description

APN: 0230-031-20 and 21
Applicant: Mco Development, Inc.
Community: Fontana / 2nd Supervisorial District
Location: West side of Banana Ave., approximately 600 feet south of Foothill Blvd.
Project No: PROJ-2020-00230
Staff: Jim Morrissey
Rep: Mco Development, Inc.
Proposal: Conditional Use Permit and Tentative Tract Map for a 112 unit multiple family condominium project on two separate parcels of approx. 6.7 acres, and a Variance for a reduced side yard landscape width.

Vicinity Map -



Hearing Notices Sent on : June 23, 2022

Report Prepared By: Jim Morrissey, Contract Planner

SITE INFORMATION:

Parcel Size: 6.7 acres
Terrain: Relatively flat, sloping down to the south.
Vegetation: Large trees and buildings exist on the property. Ground vegetation has been removed.

TABLE 1 – SITE AND SURROUNDING LAND USES, POLICY PLAN, AND ZONING DISTRICTS:

AREA	EXISTING LAND USE	LAND USE POLICY	ZONING DISTRICT
SITE	Single Residential	MDR (Medium Density Residential)	RM (Multiple Res.) and RS (Single Residential)
North	Single Residential	City of Fontana WMXU-1 (Walkable Mixed Use Corridor & Downtown)	City of Fontana FBC (Walkable Mixed-Use Urban Village)
South	Single Residential	MDR (Medium Density Res.), LDR (Low Density Res.)	RM (Multiple Res.) and RS (Single Residential)
East	Single Residential	LDR (Low Density Res.)	RS (Single Residential)
West	Single Residential and Trailer Park	City of Fontana WMXU-1 and SB Co. LDR (Low Density Res.)	City of Fontana FBC (Walkable Mixed-Use Urban Village) and SB Co. RS (Single Res.)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	Fontana	N/A
Water Service:	San Gabriel Valley Water Co.	Within service area
Sewer Service:	City of Fontana	Sewer line within 200 feet

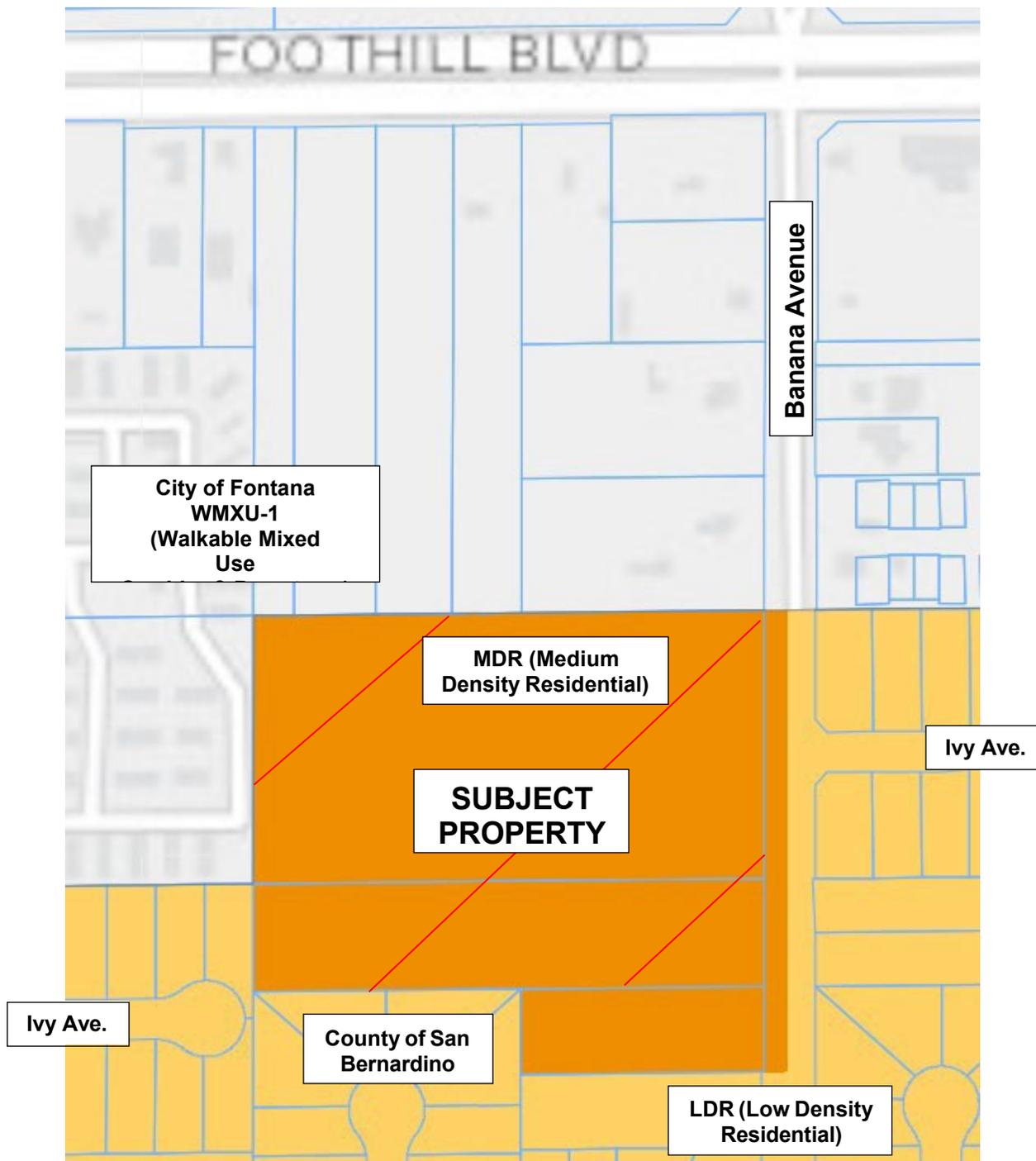
STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the Mitigated Negative Declaration, **ADOPT** the recommended Findings, **APPROVE** the Variance to reduce landscape setback, **APPROVE** the Conditional Use Permit and Tentative Tract Map for a 112-unit multiple family residential condominium on approximately 6.7 acres, subject to the Conditions of Approval and **DIRECT** Staff to file a Notice of Determination. ¹

¹ In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors

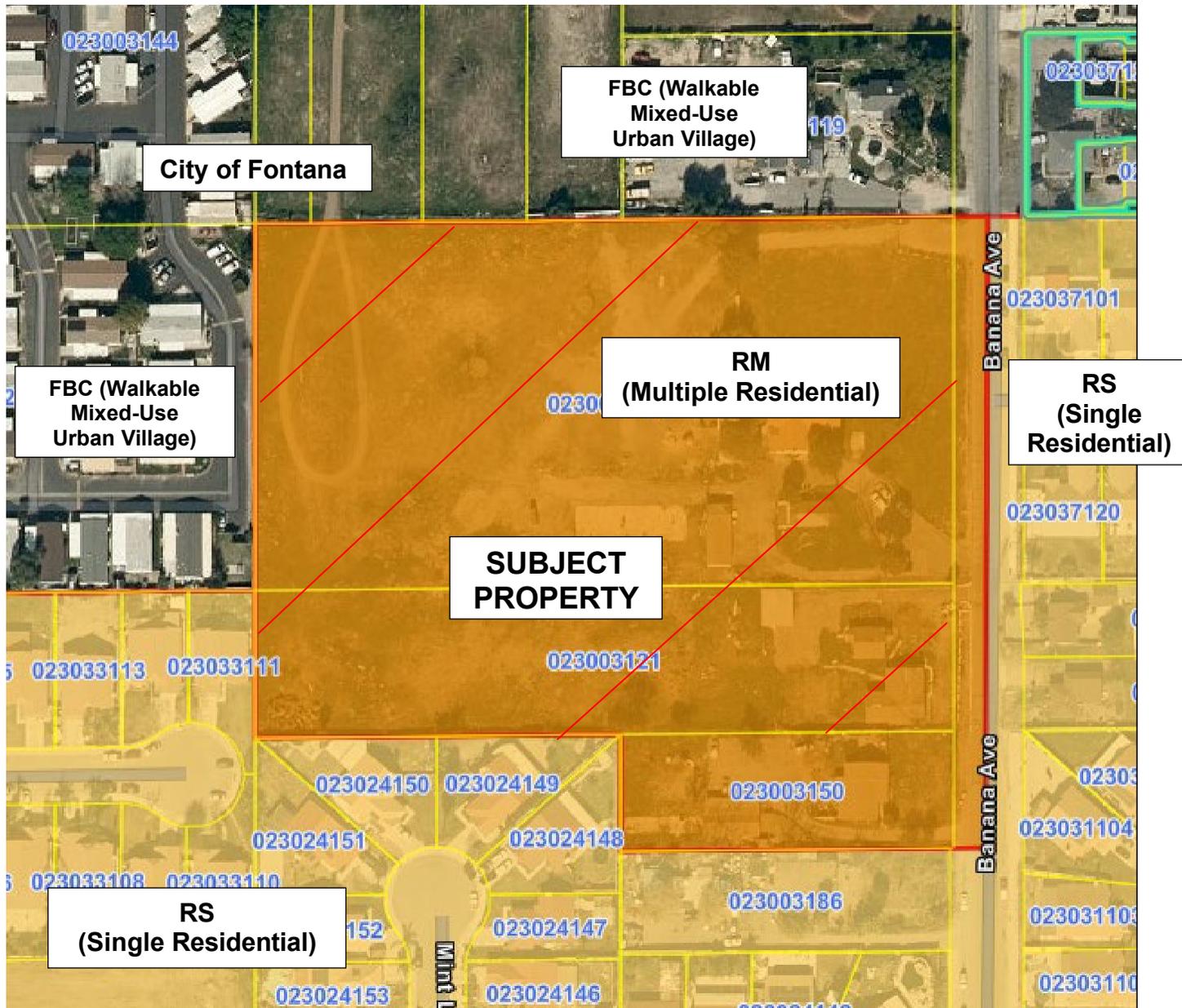
VICINITY MAP:
Aerial view of the Project Site



POLICY PLAN LAND USE DISTRICT MAP:



ZONING MAP:



AERIAL MAP:



SITE PHOTOS

View towards the subject property from Banana Avenue, at its intersection with Ivy Avenue.



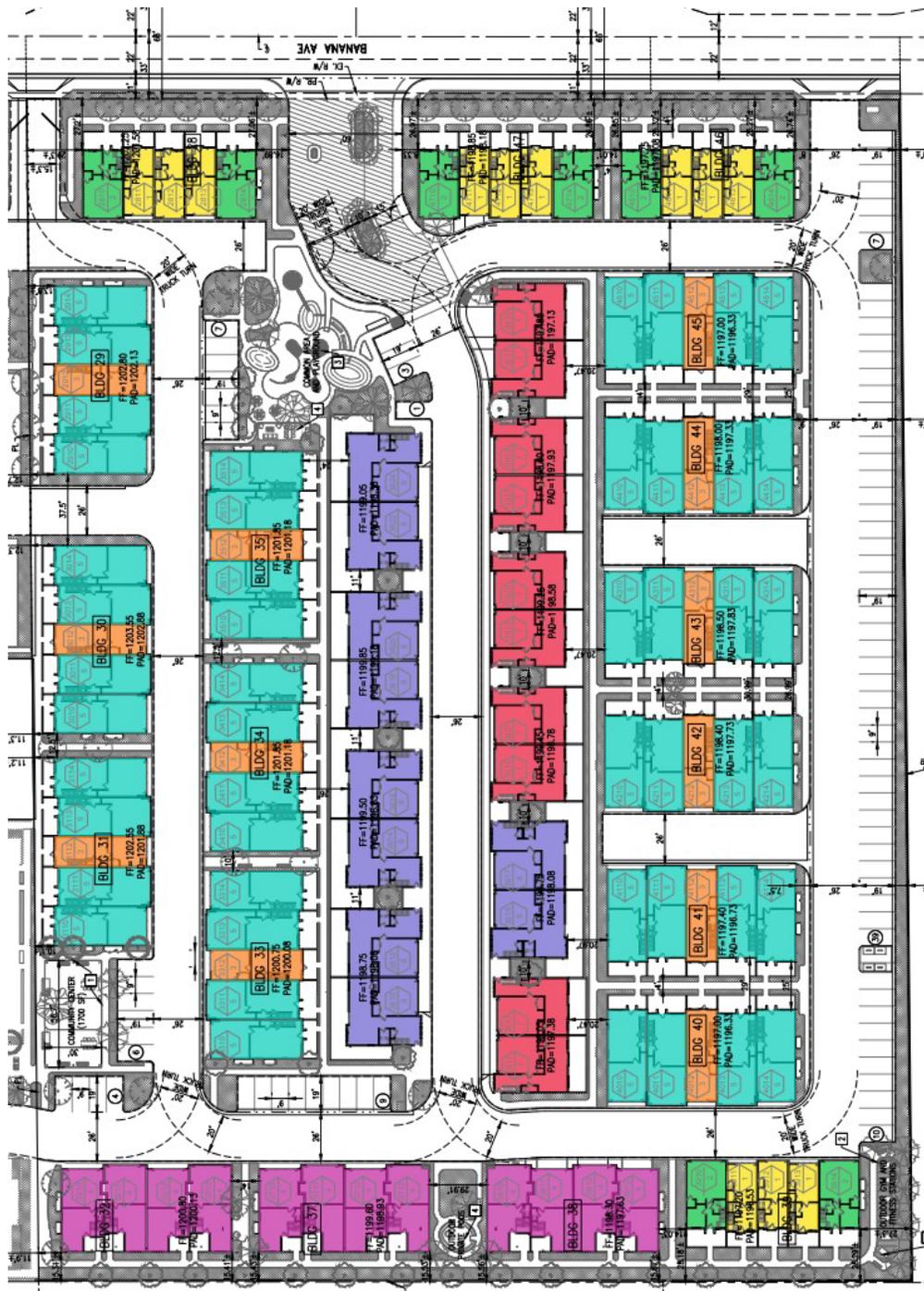
Looking south along Banana Avenue, with the subject property to the right.



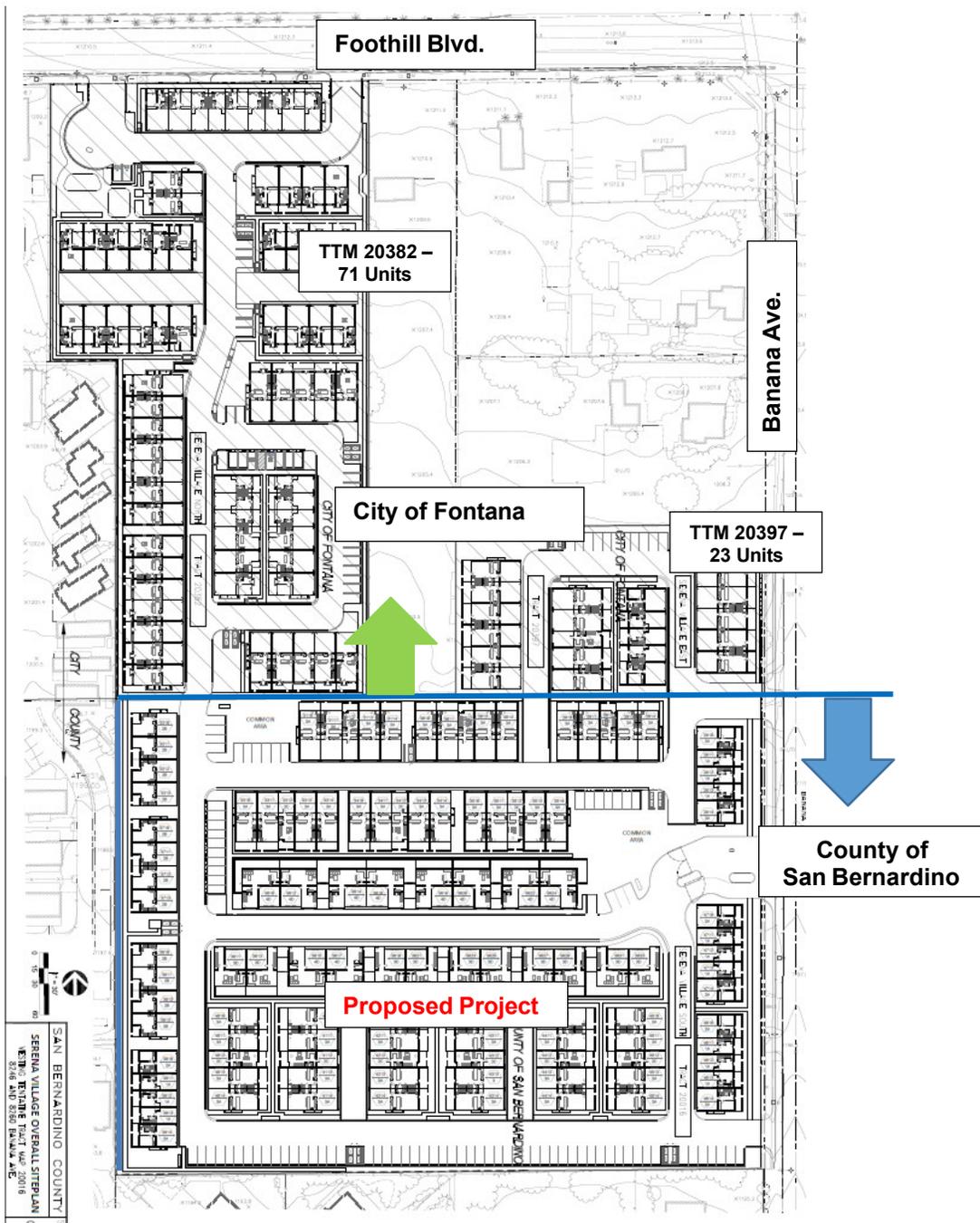
SITE PLAN

UNIT TYPE - DESCRIPTION - SQUARE FOOTAGE

- 1: 1-BDRM/2 BATH/1 CAR GARAGE - 840 SF
- 2: 2-BDRM/2 BATH/2 CAR GARAGE - 1,040 SF
- 3: 2-BDRM/2.5 BATH/1 CAR GARAGE - 1,217 SF
- 4: 2-BDRM/2.5 BATH/2 CAR GARAGE - 1,260 SF
- 5: 3-BDRM/2.5 BATH/2 CAR GARAGE - 1,560 SF
- 7: 3-BDRM/2.5 BATH/2 CAR GARAGE - 1,821 SF
- 8: 4-BDRM/3.5 BATH/2 CAR GARAGE - 2,322 SF



Overall Area Development Plan County of San Bernardino and City of Fontana



Elevations 2 and 3 Bedroom Grouping



2 Bedroom Grouping



1 and 2 Bedroom Grouping



4 Bedroom Grouping

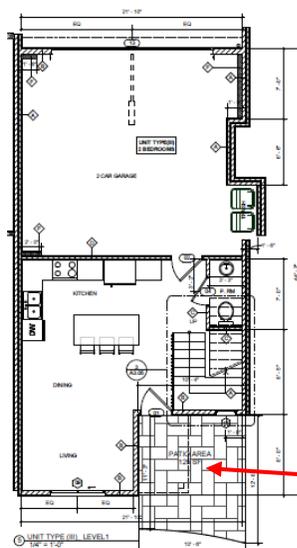
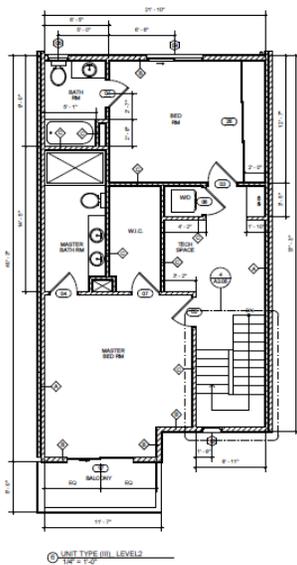


Elevations
 (Continued)

3 Bedroom Grouping

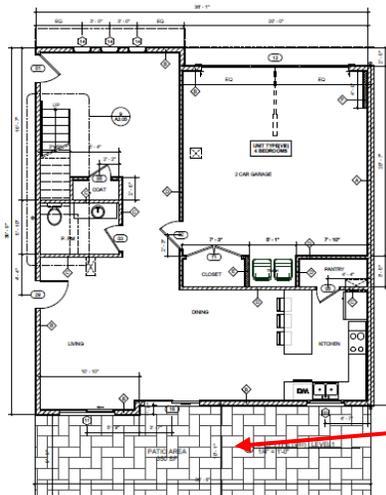
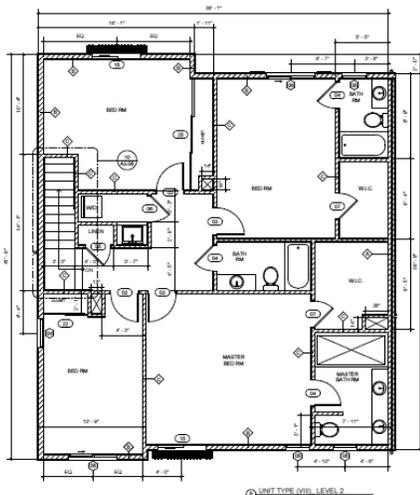


Sample Floor Plans



**2 Bedroom
 Type III Unit**

**125 sq. ft.
 patio area**



**4 Bedroom
 Type VIII Unit**

**350 sq. ft.
 patio area**

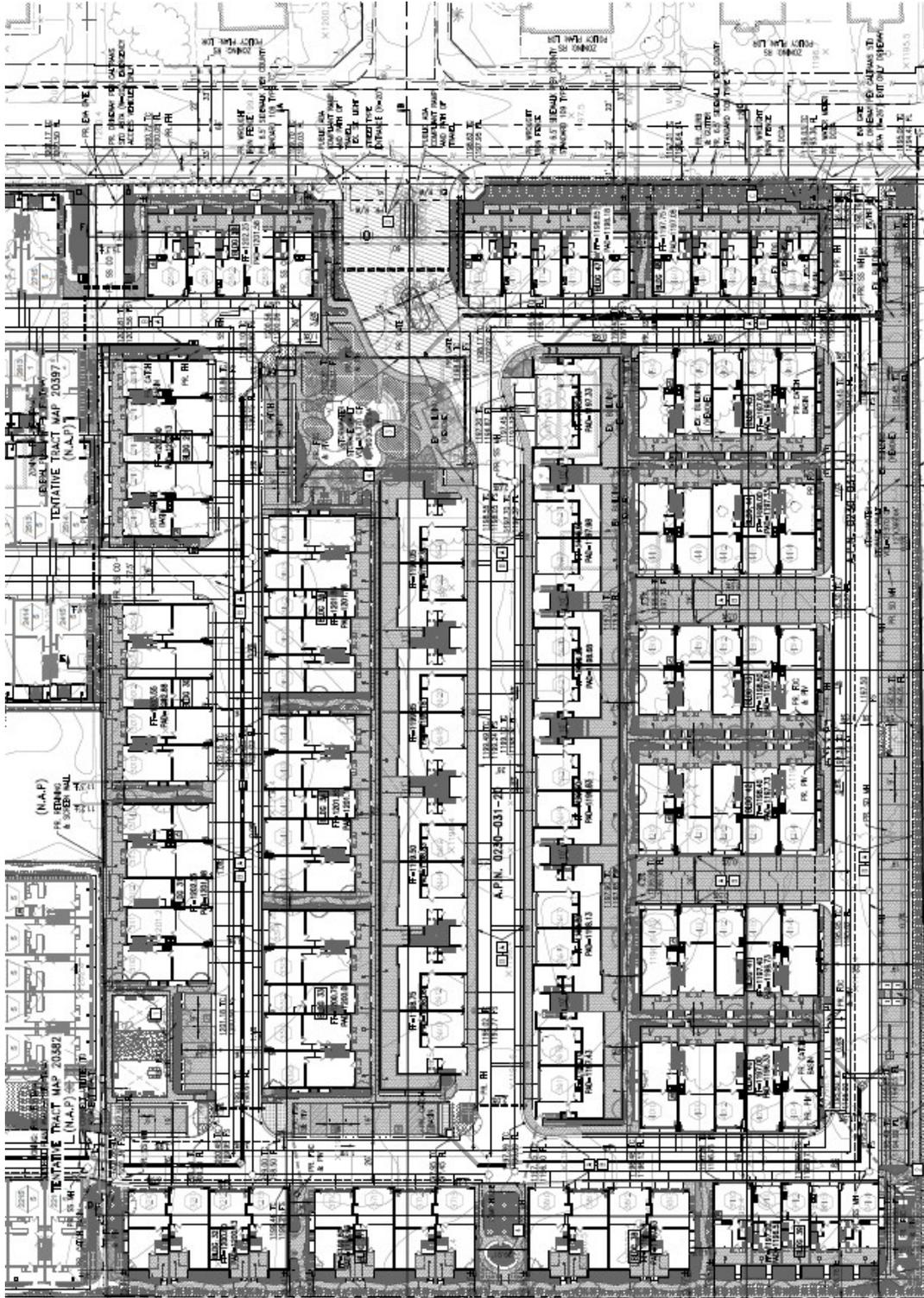
Overall Landscape Plan



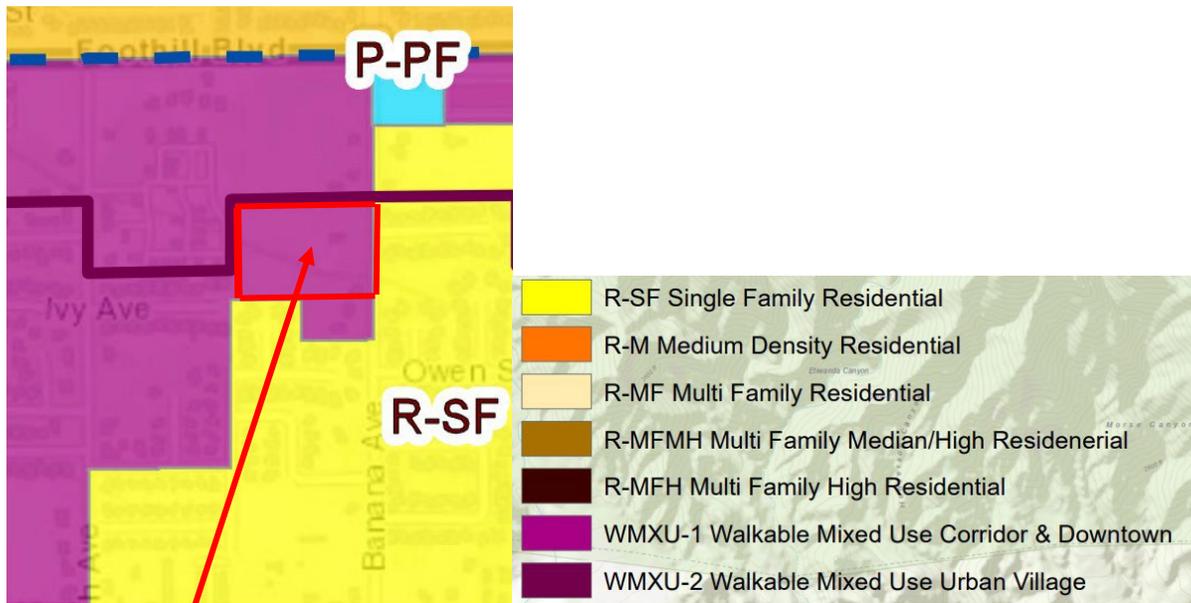
Tentative Tract Map Exhibit



N

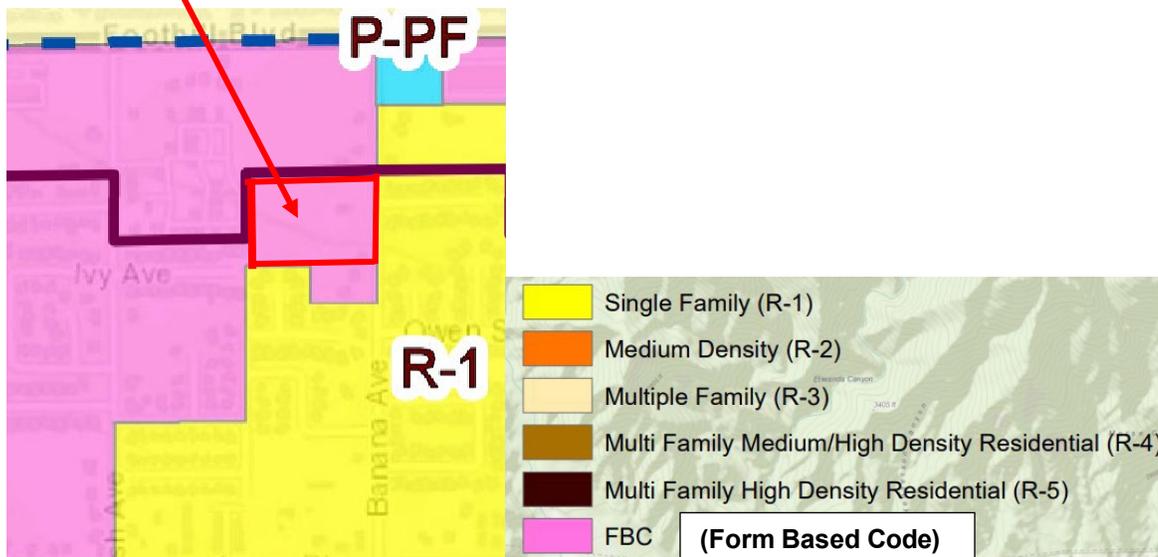


City of Fontana General Plan Map



Project Site

City of Fontana Zoning Map



PROJECT DESCRIPTION:

The proposed Project is a 112-unit multiple family residential condominium on approximately 6.7 acres, located approximately 600 feet south of Foothill Boulevard, on the west side of Banana Avenue, in the unincorporated area of San Bernardino County. The proposal also includes Tentative Tract Map No. 20016 and a Conditional Use Permit to provide for the individual ownership pattern requested and overall design of the Project. A major variance is also proposed, based upon the requirement for setback areas to be landscaped, which in this case is along the southerly property line where it adjoins the rear yards of two single family residential lots and one multiple family lot, from a 10-foot minimum to a 4’0” foot minimum (collectively the “Project”).

The proposal is adjacent to several subdivisions within the City of Fontana (“City”) proposed by the same developer for additional multiple family condominiums that will ultimately allow the development to operate as a single Project. Primary access to the Project site is from Banana Avenue, with secondary access ultimately provided via Foothill Boulevard as part of Tentative Tract Map No. 20382, which is in process with the City as a 71-unit townhouse proposal. Access along Banana Avenue will consist of two separate gated entries. A third subdivision, Tentative Tract Map No. 20397, which is a 23-unit condominium project also located in the City, but will obtain vehicular access from Tentative Tract Map 20016 in the unincorporated area. According to City Staff, Tentative Map 20382 was approved by Fontana Planning Commission last year. However, the applicant submitted a revision to the site, not the map, and the revision has not yet been approved. In regard to Tentative Tract Map 20397, the City indicated they are finalizing the elevation design prior to scheduling the project for Planning Commission review.

PROJECT ANALYSIS:

The Project site is planned for multiple family development and is consistent with the Policy Plan designation of MDR (Medium Density Residential, 5 to 20 dwelling units per acre) and zoning of RM (Multiple Residential). The primary Project entry is along Banana Avenue, with a secondary access extending up through an adjoining subdivision in the City and connecting to Foothill Boulevard.

Table 2: PROJECT CODE COMPLIANCE

Project Component	Development Code Multiple Residential	Project Plans (Proposed)
Multiple Family Condominium	CUP for Projects over 50 dwelling units	CUP 112 units
Policy Plan Density	MDR (Medium Density Residential) 5 to 20 units per acre	112 units on 6.7 acres = 16.7 units per acre
Dwelling Unit Size	<ul style="list-style-type: none"> • One Bedroom: 450 sq. ft. • Two Bedroom: 650 sq. ft. • Three Bedroom: 1050 sq. ft. • Four Bedroom: 1200 sq. ft. 	<ul style="list-style-type: none"> • One Bedroom: 840 sq. ft. • Two Bedroom: 1,040 sq. ft., minimum • Three Bedroom: 1,560 sq. ft., minimum • Four Bedroom: 2,322 sq. ft.
Parking	<ul style="list-style-type: none"> • Number of spaces per unit: 2.5 • Total spaces required: 112 x 2.5 = 280 • Number of covered spaces per unit = 1.0 • Number of covered spaces required: 112 	<ul style="list-style-type: none"> • Number of spaces provided: 296 • Number of covered spaces: 212 • Number of uncovered spaces: 80 • Number of handicapped spaces: 4
Landscaping	Minimum 40%	41%
Lot Coverage	60% maximum	59%

Property Line Setbacks	<ul style="list-style-type: none"> • Front: 25 feet • Side: 5 feet on one side, 10 feet on the other • Rear: 15 feet • Adjacent to Single Family Zoning: 1.0 ft. per building height (26 feet) 	<ul style="list-style-type: none"> • Front: 26' – 4" • Side (with buildings): 10' – 1" • Rear: 15'- 6" • Adjacent to Single Family Zoning: 28'+
Building to Building Separation	<ul style="list-style-type: none"> • Side to Side: 10 feet • Rear to Rear: 15 feet • Front to Rear: 20 feet • Front to Front or Interior Court Space: 25 feet 	<ul style="list-style-type: none"> • Side to Side: 10' – 6" feet • Rear to Rear: 26' feet • Front to Side: 20'+ feet • Front to Front or Interior Court Space: 26 feet
Building Height	45 feet maximum	28 feet maximum
Drive Aisles	26' minimum	26' minimum
Garage Off-Sets	Minimum two feet	Minimum two feet
Community Room	Community Room/Structure: 1,500 sq. ft., min.	1,700 sq. ft. canopy
Common Open Space	900 sq. ft., plus 125 sq. ft. for each unit over 7. (900 + 112 x 105 = 14,025 sq. ft.)	24,565 sq. ft.
Private Open Space	125 sq. ft. for each unit, minimum of six feet in width.	Private patios vary in size from 125 sq. ft. for the 3BD/2B up to 300 sq. ft. for 4BD/3.5B. Some of the 2BD units also have a balcony.
Private Open Space Storage	150 sq. ft.	Area provided in garages
Side Yard Landscape Area	10 feet, adjoining Single Family Zoning District	Minimum of approximately 4.0 feet along a portion of the southerly property line*.

*Subject to approval of major variance.

Project Design Features

The County Development Code contains a number of items that are to be provided as part of the proposed development design, in addition to those listed above. These items are identified below.

General Design and Operational Criteria

- **Building Entries.** The building entries are accentuated with canopies/roofs and entry posts.
- **Disabled Accessibility.** Handicapped parking has been provided.
- **Length/Width of Structure.** All structures do not exceed the maximum length or width of 100 feet.
- **Visibility.** Dwelling units are grouped in clusters, with connecting common pedestrian paths that provide access to each unit entry.
- **Unit Size and number.** See below:

Dwelling Unit Type	Minimum Unit Size in Square Feet	Proposed Unit Sizes and Number of Units in Each Size Category
1 bedroom	650	840, 12 units
2 bedroom	850	1,040 sq. ft., 32 units (3 different unit types)
3 bedroom	1050	1,560 sq. ft., 58 units (2 different unit types)
4+ bedroom	1200	2,322 sq. ft., 10 units (4 BD proposed)

- Density and Unit Type Mix. The applicant has proposed 112 units on 6.7 acres or 16.7 units per acre, which is within the General Plan Density Range of 5 to 20 units per acre. Seven different design styles are proposed that include three types of two-bedroom units and two types of three-bedroom units.
- Fencing. The Development Code requires a solid six foot height block wall when abutting Single Family Zones. The subject property abuts an R-1 Zone along a portion of the western and southern property lines. That portion within the City is Zoned Form Based Code, which provides for commercial and multiple family development. The southerly and westerly perimeter is proposed with a block wall.
- Landscaping and lighting. Landscaping is proposed within all setback areas and includes interior access sidewalks.
- Parking. Most of the parking is within individual garages for each unit.
- On-Site Manager and Office. Project is proposed as “for sale units” and will have a Home Owners Association. The HOA Board members and President will be on-site property owners.
- Common Amenities and Facilities. Common amenities include a BBQ, water feature, and children’s play area near the entrance, a 1,700 sq. ft. outdoor community center canopy adjoining the City Limit boundary, an exercise area in the southwest corner, and a seating and open space area at the end of the main interior drive.
- Dwelling Unit Orientation and Clustering. The proposed units are clustered in groups of two, four or five units. Unit access is from a common pedestrian area. Units along the front and rear property lines face east and west, respectively, with the interior units facing other dwelling along a common pedestrian walk. Units along the northerly property line will, for the most part, face dwellings proposed within the City as part of the adjoining development proposal.
- Connected Open Space Areas. Pedestrian paths and open space areas link the various portions of the property. Two notable features include an exercise area in the southwest corner and a common area with facilities for children and adults near the Project entry.
- Architecture and Height Transition. The separate buildings have varying designs, due in part to the number of separate building types and groupings that include two, four, and five dwelling units.
- Recreation Facilities. The Development Code requires a minimum of 10 points and must provide certain facilities. The applicant exceeds the minimum requirements with an exercise area, community center, tot lot, trellis, and BBQ area.

Major Variance

The Development Code requires a 10 foot side yard landscape area for properties adjoining a single-family zoning district. The request for the major variance is for a reduction in the width of the required side yard landscape area, which in this instance is along the southerly property line and would reduce the width from a 10-foot minimum to a 4’0”-foot minimum where it abuts the rear yards of two single family residential lots and one multiple family lot as shown on the Site Plan. The proposed use would reduce the amount of landscaping along the southerly property, but maintain a six foot high block wall that would shield adjoining residential areas from vehicle headlights and noise. The southerly property line is also angular and increases in width as it proceeds east to west, whereby the landscape area increases to meet the required depth.

California Environmental Quality Act Compliance

An Initial Study/Mitigated Negative Declaration (IS/MND) has been completed (Exhibit A) in compliance with the California Environmental Quality Act (CEQA). A Notice of Availability/Notice of Intent (NOA/NOI) to adopt the IS/MND was advertised on the County Environmental website and distributed to initiate a 20-day public comment period, which concluded on March 21, 2022. No comment letters have been received by Staff. The IS/MND concludes that the Project will not have a significant adverse impact on the environment with the implementation of recommended mitigation measures. The mitigation measures have been incorporated into the Conditions of Approval. The Applicant will be responsible for

implementing all mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) (Exhibit B). The following mitigation measures were identified for the following topics:

- **Biological Resources:** A migratory bird survey was recommended to ensure potential adverse effects upon nesting birds is avoided, if the Project is undertaken during nesting season, February 1 through August 31.
- **Cultural Resources:** Various measures were incorporated based upon comments received from the San Manuel Band of Mission Indians related to potential finds uncovered during construction and the subsequent process undertaken including construction measures and coordination with the Tribe.

Based upon completion of the Initial Study, Staff is recommending a Mitigated Negative Declaration.

Public Comments

Notices were sent to surrounding property owners within 300 feet of the Project site in July 14, 2021, as required by Development Code Section 85.03.080. No comments were received. Staff has been in contact with Staff from the City and exchanged e-mail correspondence about the types of projects they are processing. No separate comments have been received from the City.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibits A and B);
2. **ADOPT** the recommended Findings for approval of the Project (Exhibit C);
3. **APPROVE** a Variance for a reduced width of landscape area adjoining the southerly property line from a 10 feet to a 4'0" feet minimum;
4. **APPROVE** the Tentative Tract Map No. 20016 to create 112 condominium lots on approximately 6.7 acres, subject to the Conditions of Approval (Exhibit D);
5. **APPROVE** the Conditional Use Permit to construct a 112-unit multiple family condominium project on two separate parcels totaling approximately 6.7 acres, subject to the Conditions of Approval (Exhibit D); and
6. **DIRECT** Staff to file the Notice of Determination.

ATTACHMENTS:

- EXHIBIT A: Initial Study
- EXHIBIT B: Mitigation Monitoring and Reporting Program
- EXHIBIT C: Findings
- EXHIBIT D: Conditions of Approval

EXHIBIT A

Initial Study

**SAN BERNARDINO COUNTY
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APNs:	0230-031-20 and 21	USGS Quad:	Fontana
Applicant:	Mco Development	T, R, Section:	T01S, R06W, Section 10
Location	Approximately 600 feet south of Foothill Blvd., on the west side of Banana Avenue, in the Fontana area of San Bernardino County and subdivisions in the City of Fontana abutting the site to the north and extending to Foothill Blvd.	Thomas Bros	
Project No:	PROJ-2020-00230	Community Plan:	Fontana
Rep	Jessica Thelwell	LUZD:	RM RM-10M (Single Residential, 10,000 sq. ft. minimum lot size)
Proposal:	A Tentative Tract Map No. 20016 and a Conditional Use Permit to develop a 112 unit multiple family condominium project on approximately 6.7 acres within the RM (Multiple Residential) Zone.	Overlays:	Burrowing Owl

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact person: Jim Morrissey, Contract Planner
Phone No: (909) 387-4234 **Fax No:** (909) 387-3223
E-mail: Jim.Morrissey@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

The proposed Project is a 112-unit multiple family residential condominium on approximately 6.7 acres, approximately 600 feet south of Foothill Boulevard, on the west side of Banana Avenue, in the unincorporated area of San Bernardino County. The proposed Project includes a Tentative Tract Map No. 20016 and Conditional Use Permit to provide for the individual ownership pattern requested and overall design of the Project. The proposal is adjacent to several subdivisions within the City of Fontana proposed by the same developer for additional multiple family condominiums that will ultimately allow the development to operate as a single Project.

Primary access to the property is from Banana Avenue, with secondary access ultimately provided to Foothill Boulevard as part of Tentative Tract Map No. 20382, which is in process with the City of Fontana, as a 71-unit townhouse proposal. Access along Banana Avenue will consist of two separate gated entries. A third subdivision, Tentative Tract Map No. 20397, which is a 23-unit condominium project as in the City of Fontana, will obtain vehicular access from Tentative Tract Map 20016 in the unincorporated area.

Surrounding Land Uses and Setting

The unincorporated Project site is located within an area that includes primarily single family development along Banana Avenue, in addition to a variety of vacant, commercial, and mobile home park properties. Property immediately to the west includes detached single family homes and a mobile home park. To the north are vacant land and single family homes. Commercial use and a fire station are located along Foothill Boulevard. That portion in the City of Fontana also adjoins the same mobile home park to the west and vacant land to the east. The unincorporated Project site occurs within the Fontana area of the County of San Bernardino and has a current Policy Plan Land Use designation of RM (Multiple Residential) and consistent zoning of RM (Multiple Residential). Most of the properties to the west and all of the properties to the north and those encompassing two adjoining subdivisions are in the City Fontana, with a Land Use Designation of WMXU-1 (Walkable Mixed Use Corridor & Downtown). Parcels to the south are General Planned by the City as R-SF (Single Family Residential, 2.1-5 du/ac) and WMXU-1. The City of Fontana has zoned these properties consistent with the General Plan Land Use Designations; FBC (Walkable Mixed-Use Urban Village) and R-1 (Single Residential). Information provided by the City of Fontana identifies most of the land to the west and north as within the Route 66 Gateway area.

The subject property is relatively flat, but slopes gradually to the south in a uniform manner. The property has some mature trees, but any native grasses have been removed.

Figure 1 Regional Location

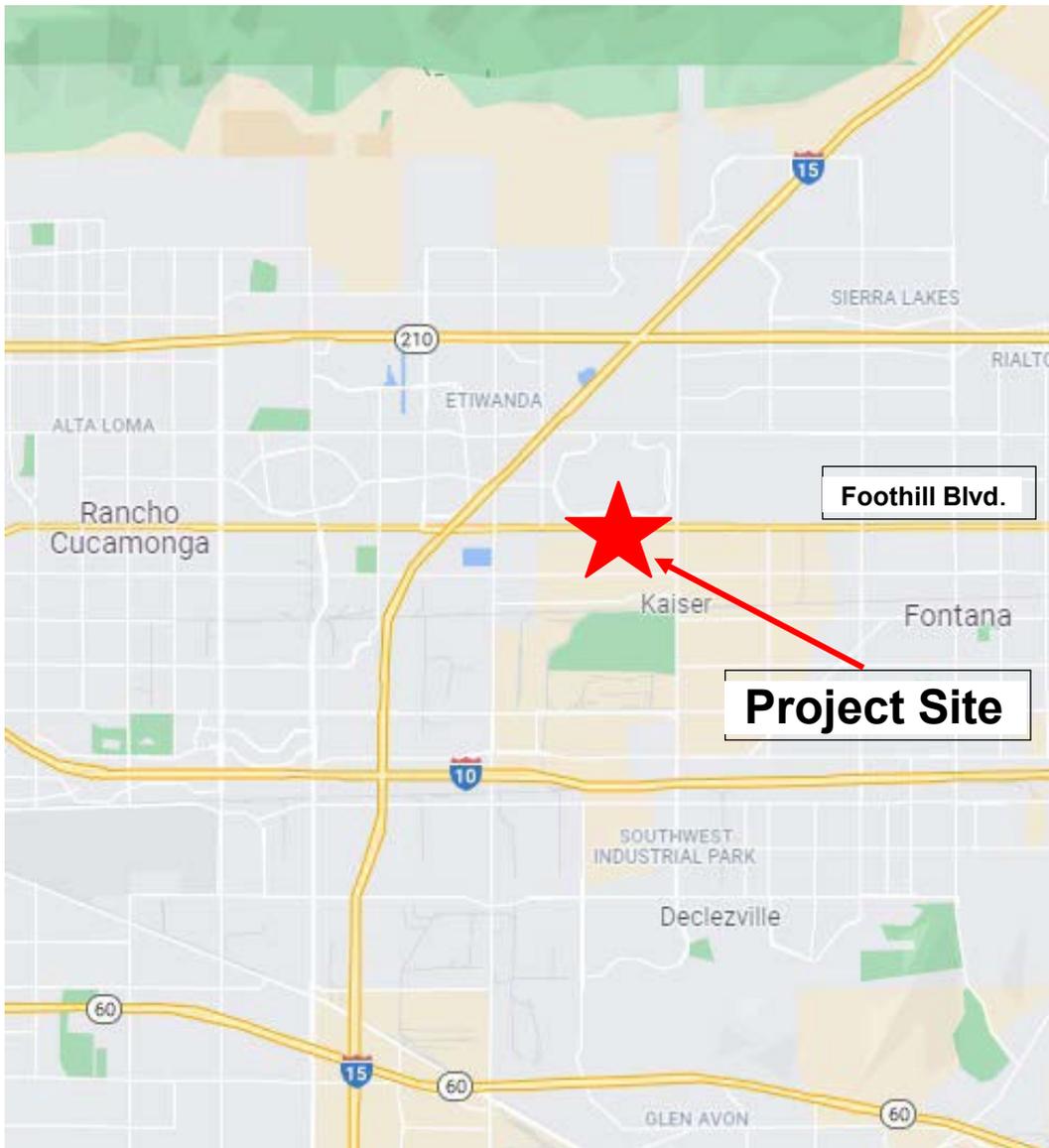


Figure 2 Vicinity Map

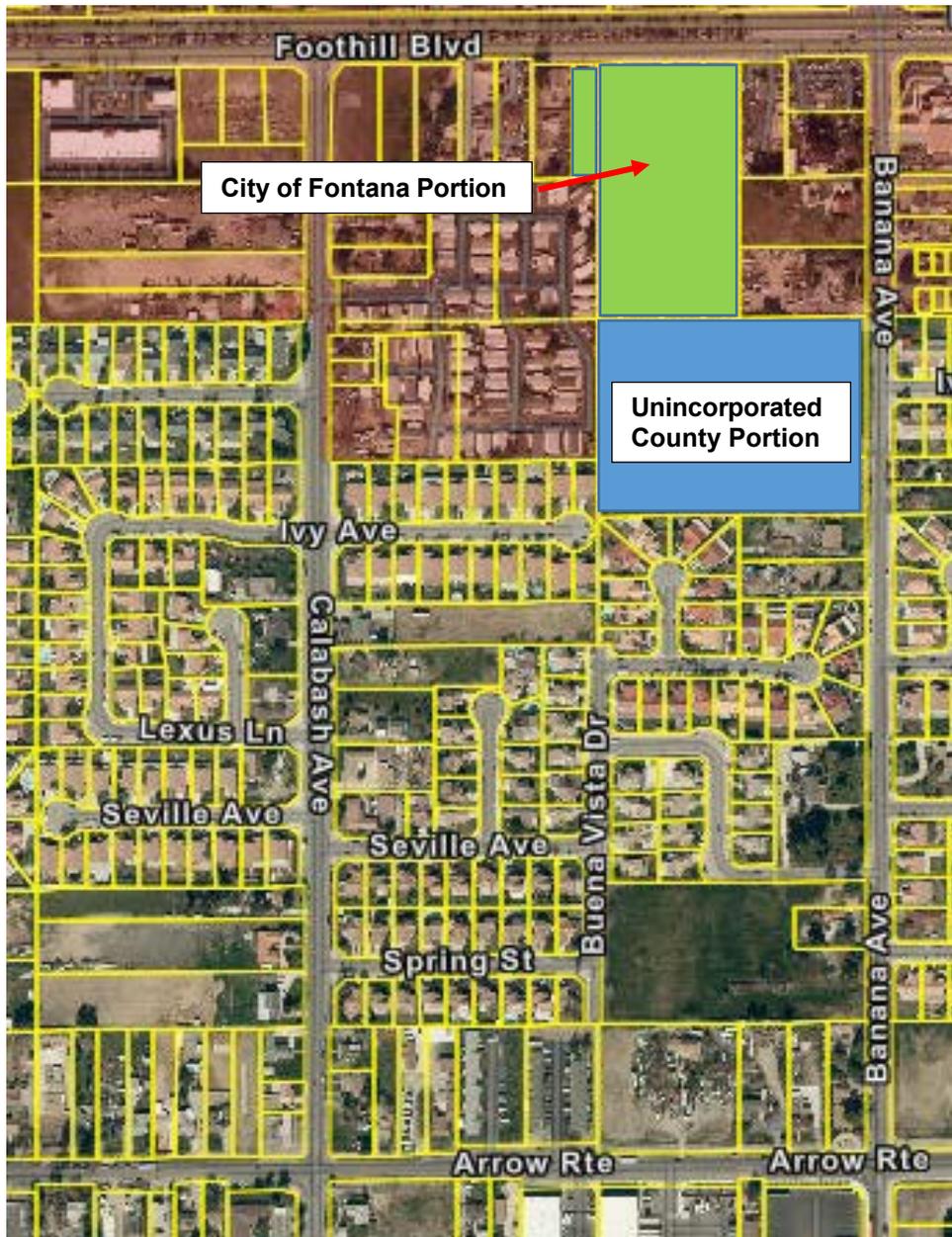


Figure 3a – Overall Site Plan
County of San Bernardino and City of Fontana

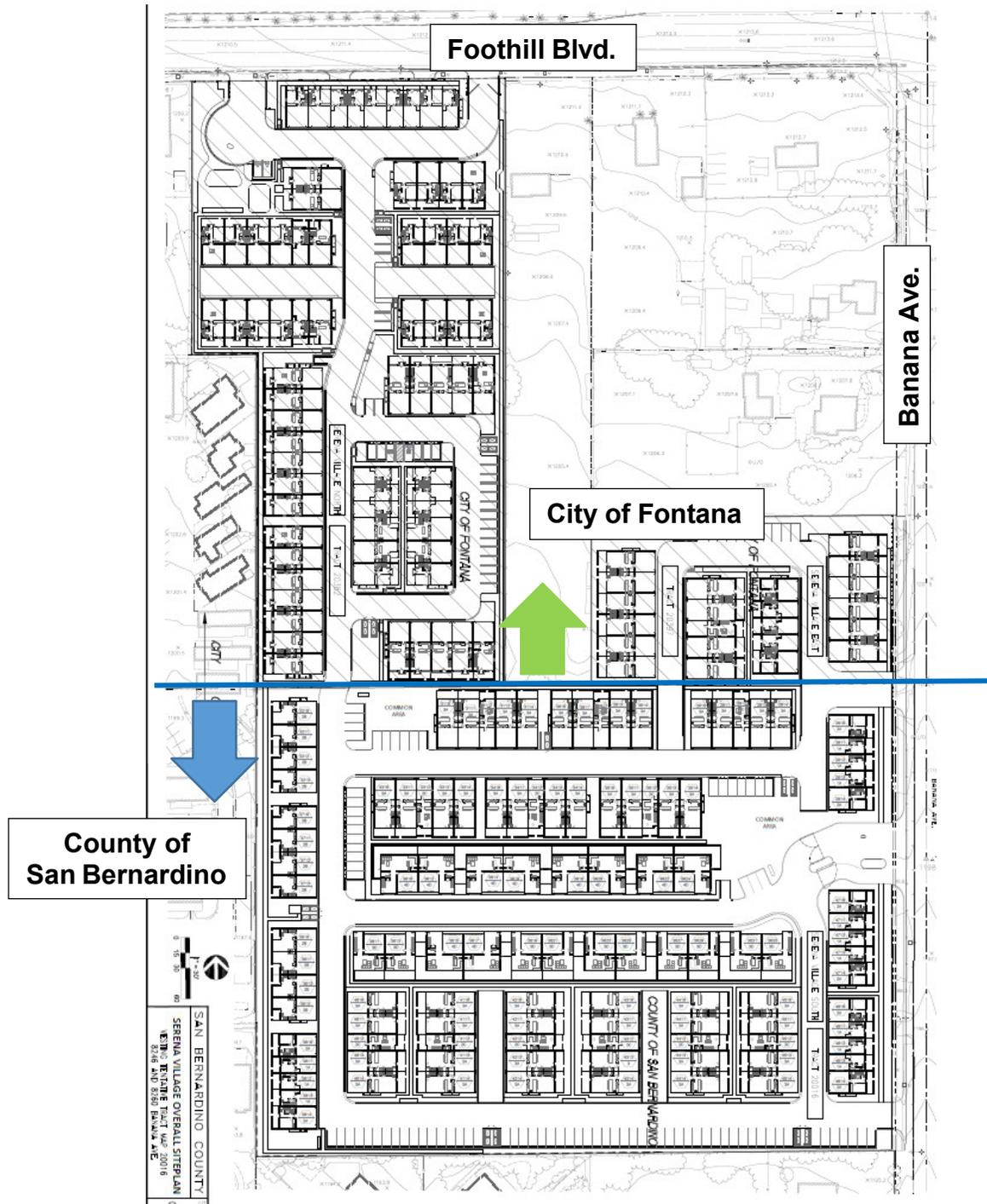
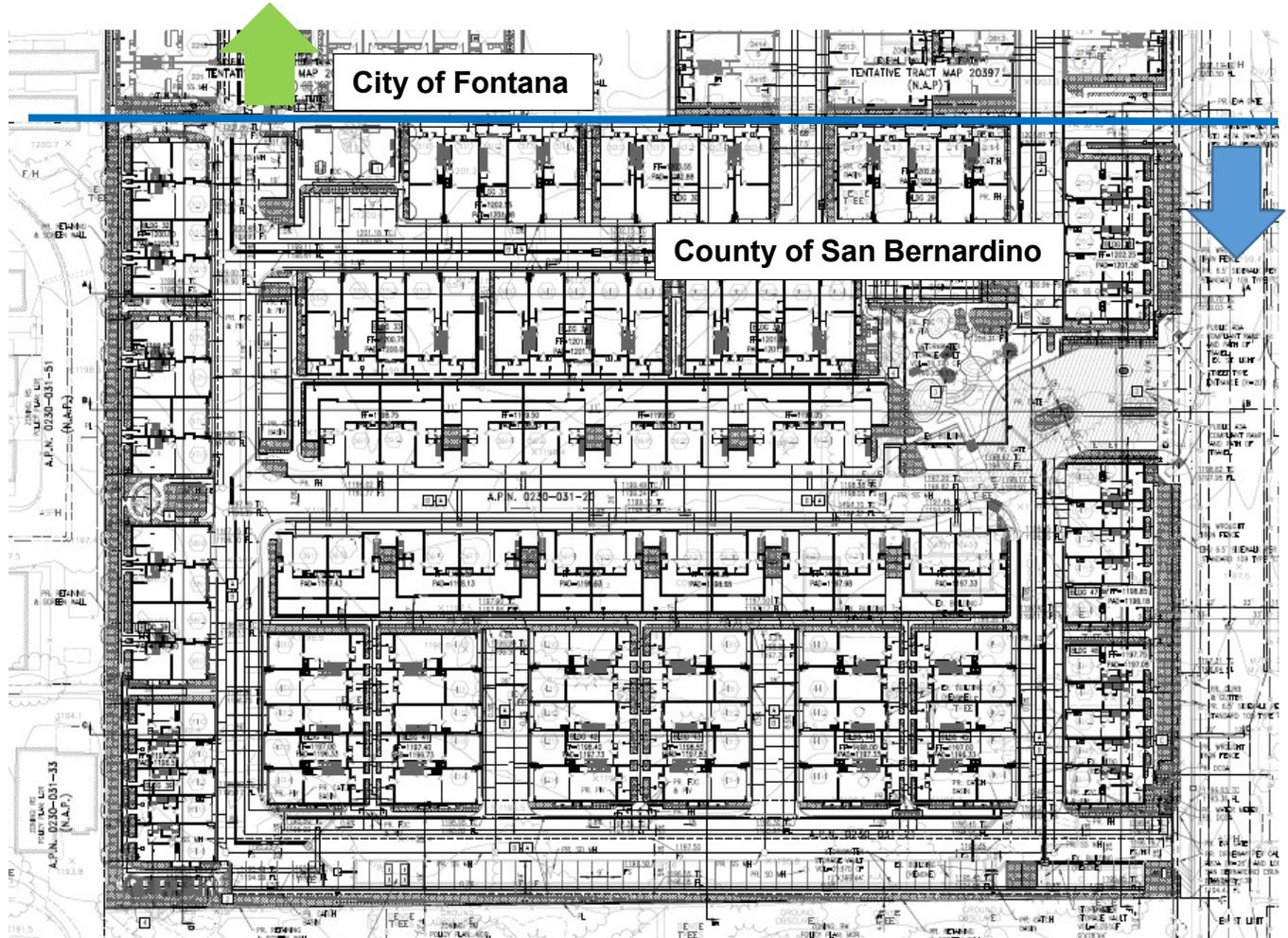


Figure 3b – Site Plan (Unincorporated Portion)



Project Site Location, Existing Site Land Uses and Conditions

The unincorporated Project site is located in the Fontana area of San Bernardino County and adjacent to the Fontana City Limits to the north and west. The San Bernardino Countwide Policy Plan designates the property MDR (Medium Density Residential and is zoned RM (Multiple Residential).

The subject property is within the City of Fontana Sphere of Influence and has two separate City General Plan Land Use designations of Walkable Mixed Use Corridor & Downtown and R-SF (Single Family Residential, 2.1-5 du/ac) is Zoned FBC (Walkable Mixed-Use Urban Village) and RS (Single Family), respectively. Access to the site is available from Banana Avenue, which is a pave two lane roadway. Access to the subdivisions to the north in the City of Fontana would be provided by Foothill Boulevard. The Project Site is relatively flat and generally slopes to the south.

The unincorporated Project property consists of two parcels with several structures, one of which is vacant. The parcels immediately surrounding the property include a combination of vacant land and various types of residential uses. Primary and secondary vehicle access is proposed from Banana Avenue.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None

State: None

County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, and Public Works.

Regional: None

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

On April 29, 2021, the County of San Bernardino mailed notifications pursuant to SB 18 to five tribes. Table 1 – *AB 52 Consultation*, shows a summary of comments and responses provided for the Project.

**Table 1
 AB 52 Consultation**

Tribe	Comment Received	Summary of Response	Conclusion
Soboba Band of Mission Indians	None	None	
Gabrieleno Band of Mission Indians - Kizh Nation,	None	None	
San Gabriel Band of Mission Indians	None	None	
Morongo Band of Mission Indians	None	None	
San Manuel Band of Mission Indians	None	Indicated they have no concerns. Requested inclusion of measures should any resources be found.	
Twenty-Nine Palms Band of Mission Indians	None	None	

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis, the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input type="checkbox"/> <u>Biological Resources</u> | <input type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input type="checkbox"/> <u>Geology/Soils</u> | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input type="checkbox"/> <u>Hazards & Hazardous Materials</u> |
| <input type="checkbox"/> <u>Hydrology/Water Quality</u> | <input type="checkbox"/> <u>Land Use/Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> |
| <input type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Population/Housing</u> | <input type="checkbox"/> <u>Public Services</u> |
| <input type="checkbox"/> <u>Recreation</u> | <input type="checkbox"/> <u>Transportation</u> | <input type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Utilities/Service Systems</u> | <input type="checkbox"/> <u>Wildfire</u> | <input type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

James Morrissey
 Signature: (Jim Morrissey, Contract Planner)

2/11/22
 Date

 Signature: (Chris Warrick, Supervising Planner)

 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan):
San Bernardino General Plan, 2020; The City of Fontana, Fontana Forward, Draft Environmental Impact Report (Draft EIR) for General Plan Update 2015-2035; Submitted Project Materials.

a) *Have a substantial adverse effect on a scenic vista?*
Less Than Significant Impact

The unincorporated Project site consists of two parcels on the westerly side of Banana Avenue. The surrounding area is urbanized, with single family residential and mobile home development to the east, west, and south. A mixture of commercial, residential, and governmental uses exist along the south side of Foothill Boulevard, just to the north of the property. Similar units exist near the adjoining subdivisions in the City of Fontana. The San Bernardino Countywide Plan (General Plan) Policy NR-4.1 identifies scenic vistas and natural features as prominent hillsides, ridgelines, dominant landforms, and reservoirs, which do not exist within the Project area. The San Gabriel Mountains exist to the north with views of the urban valley below, including the Project site, but no unique features exist within the immediate vicinity of the Project site.

The City of Fontana, Fontana Forward, Draft Environmental Impact Report (Draft EIR) for General Plan Update 2015-2035, dated June 8, 2018, noted the following with respect to potential visual impact of new development:

“Infill, redevelopment, and new construction as described above would alter the visual character in areas in which that development would occur. However, the Land Use, Zoning, and Urban Design Element provides specific strategies and recommendations to ensure that urban design applied to new and existing development would be visually appealing and compatible with existing development, and would enhance connectivity throughout the City. While the visual character could change substantially with implementation of the General Plan Update (e.g., infill development where no structures currently exist; new mixed-use development on underutilized land), such changes are more likely to be considered a beneficial aesthetic impact and an improvement to the views within the Project area, rather than an adverse impact.” (p. 5.1-11 and 12)

The proposed development is located within the unincorporated area of the County, but portions of the adjoining development in the City of Fontana to the north represent a continuation of the Project. It is being designed as a single ownership with vehicular access through both the City and County. The proposed design features are consistent with the requirements of the City of Fontana. As such, the proposed Project would not represent a significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*
Less Than Significant Impact

Figure 5.1-1 County Designated Scenic Routes, as contained in the Countywide Plan, does not display any scenic routes within the area. A review of the Caltrans web site <https://dot.ca.gov/-/media/dot-media/programs/design/documents/od-county-scenic-hwys-2015-a11y.pdf> for designated scenic highways found no designated highways in the area. In addition, the City of Fontana does not identify any scenic highways in the area, as noted in the Draft EIR. (p. 5.1-7)
<https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update>

However, the City’s General Plan does have goals, policies and actions relative to trees and historic buildings. The policies and actions include maintaining the City’s urban forest and expanding the City’s tree canopy. None of these features would be affected by the proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*
No Impact

The Project site occurs within an urbanized area and the proposed Project is a request to develop a multiple family condominium development within the unincorporated area that includes adjoining portions in the City of Fontana. The proposed Project would be consistent with the development criteria of both the City of Fontana and County of San Bernardino.

As noted previously, the proposed use would be consistent with the City of Fontana development requirements and would not adversely affect scenic quality. No scenic features or concerns based upon an evaluation of the County of San Bernardino Countywide Policy Plan requirements and related environmental documents. As such, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?*
Less Than Significant Impact

The proposed Project would include 112-unit multiple family condominium, two-story in height. Exterior areas around the property would be illuminated for accessibility and security. While this would create a new source of lighting for the property, the County Development Code requires that illumination within the Valley portion of the County, not extend beyond the property line, so as to minimize its dispersal onto adjoining properties, as referenced in the following section:

Section 83.07.050 Valley Requirements.

Direct or indirect light from any light fixture shall not cause glare above five-tenths foot-candles when measured at the property line of a residential land use zoning district, residential parcel, or public right-of-way. Light levels shall be measured with a light meter, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination (CIE).

That portion of the overall development within the City of Fontana would also be required to meet existing development standards adopted in the City. Utilization of this standard requirement as a condition of approval would reduce potential impacts to less than significant and no mitigation measures are required.

No significant adverse impacts are identified or anticipated, and no mitigation measures are required,

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
II. AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts				

on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay):

San Bernardino Countywide Plan, 2020; California Department of Conservation Farmland Mapping and Monitoring Program;

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*
No Impact

The California Department of Conservation's Farmland Mapping and Monitoring Program, San Bernardino County Important Farmland 201, Sheet 2 of 2, identifies the Project Site as "Urban and Built-Up Land". "Urban and Built-Up Land" is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential,

industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. No prime farmland, unique farmland, or farmland of statewide importance occurs in or around the proposed Project area, based upon a review of the above listed Farmland mapping sheet. As such, the proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact

According to San Bernardino County's Interactive Agricultural Resources Map NR-5, the Project site is not under or adjacent to any lands under a Williamson Act Contract. The proposed Project would be consistent with the Countywide Policy Plan and City of Fontana General Plan and would not conflict with existing zoning for agricultural uses or lands under a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact

The subject property is within an area designated for multiple family development and that is currently improved with a variety of residential, commercial, and governmental uses. Implementation of the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact

Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The subject property is currently mostly vacant and located within an area planned for residential development and surrounded by substantial residential development. Implementation of the proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact

The subject Project is proposed to develop a 112-unit multiple family residential condominium development and links to similar development within the adjoining City of Fontana with several subdivisions proposed for 94-units. Detached single family development exists to the south and east, and a mobile home park to the west. Implementation of the proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

No adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: *(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):*

San Bernardino Countywide Plan, 2020; Air Quality and Greenhouse Gas Emissions Impact Analysis (CalEEMod); Submitted Project Materials

a) *Conflict with or obstruct implementation of the applicable air quality plan?*
Less Than Significant Impact

The subject property is located within the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016

AQMP) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

A project is inconsistent with the AQMP if: (1) it does not confirm with the local general plan; or (2) it uses a disproportionately large portion of the forecast growth increment. If a project proves to be inconsistent with the AQMP, project proponent can prepare a general plan amendment (GPA). The County of San Bernardino currently designates the Project Site as Medium Density Residential and that portion in the City of Fontana is designated WMXU-1 (Walkable Mixed Use Corridor & Downtown). The proposed use is consistent with these land use designations.

An evaluation of potential air quality impacts related to the buildout of the entire Project, both the applicant's portion in the unincorporated area, as well as that portion in the adjoining City of Fontana. Table 2 and Table 3 illustrate operational emissions associated with the current General Plan/Zoning designations and the proposed Project. Construction emissions were modeled, although their impacts would be short-term in nature, and measures consistent with existing requirements would be imposed to minimize such impacts. As shown, operational impacts resulting from the proposed Project would not exceed SCAQMD thresholds. Consequently, the proposed Project would not result in a conflict or obstruction to the implementation of the AQMP. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

Less Than Significant Impact

The proposed Project would allow the development of multiple family development. Construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive/volatile organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO₂), and particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NOx, are ozone precursors. Both summer and winter season emission levels were estimated.

The Project Site occurs in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016 AQMP) incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: Site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. The resulting emissions generated by construction of the proposed Project are shown in Table 2. The Modeling prepared for the proposed Project separately analyzed each of the three subdivisions, the larger of which is in the unincorporated area, except for any demolition and grading. Demolition and grading were assumed to occur for the entire site incorporating three subdivisions. In addition, it was assumed the northerly portion of the proposed Project, in the City of Fontana, would occur first. As such, the grading for the entire site was incorporated into that analysis separate from the other two locations. Based upon this separation of activities the estimated maximum construction related emissions would occur in the subdivision located within the unincorporated area. As such, those factors are listed in Table 2. Table 3 has localized emission calculations that were also analyzed for each subdivision. The maximum emissions levels are identified and drawn from both Serena Village North (unincorporated area) and East (City of Fontana). The maximum emission levels for the most missions in a phase do not include that portion involving demolition and grading.

Table 2
Construction Emissions – Maximum Phase/Activity
(Pounds per Day)

Source/Phase	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	N/A	N/A	N/A	N/A	N/A	N/A
Grading	N/A	N/A	N/A	N/A	N/A	N/A
Building Construction, Paving, and Architectural Coatings	45.05	31.42	40.99	0.08	3.93	1.99
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2016.3.2

Table 3
Construction Related Local Criteria Pollutant Emissions
(Pounds per Day)

Source/Phase	NO _x	CO	PM ₁₀	PM _{2.5}
Site Preparation	31.44	21.57	2.14	1.53
Grading	38.84	29.04	10.31	5.10
Building Construction, Paving, and Architectural Coatings.	27.66	32.76	1.39	1.30
SCAQMD Threshold	170	972	7	4
Significant	No	No	No	No

Source: CalEEMod.2016.3.2

Operational Emissions

The operational mobile source emissions were also calculated using the same CalEEMod program that evaluated construction emissions. Emissions associated with the proposed Project's estimated total daily trips were modeled and are listed in Table 4, which represent operational emissions.

Table 4
Operational Emissions Summary
(Pounds per Day)

Source	VOC	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	9.72	3.28	18.23	0.02	0.35	0.35
Energy	0.09	0.81	0.35	0.00	0.07	0.07
Mobile	2.95	17.48	35.55	0.15	11.08	3.03
Totals (lbs./day)	12.77	21.56	54.22	0.17	11.48	3.43
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Emissions.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5}).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 - (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
 - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
 - (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
 - (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NOX and PM10 levels in the area. Although the proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.

7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

As displayed above, construction and operational emissions are below SCAQMD thresholds. The proposed Project does not exceed applicable SCAQMD regional thresholds during either construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) *Expose sensitive receptors to substantial pollutant concentrations?*
Less Than Significant Impact

The Project operational-sourced emissions would not exceed applicable regional thresholds of significance established by the SCAQMD. Additionally, project-related trips will not cause or result in CO concentrations exceeding applicable state and/or federal standards (CO "hotspots"). Project operational-source emissions would, therefore, not adversely affect sensitive receptors within the vicinity of the project. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*
Less Than Significant Impact

The proposed Project would allow the operation of multiple family condominium development, with a paved parking areas, outdoor activity areas, landscaping, and fencing. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities. Standard construction requirements would minimize odor impacts resulting from construction activity. Any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. In addition, the Project would continue to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project would be less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IV. BIOLOGICAL RESOURCES - Would the project:				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):

Glen Helen Specific Plan; San Bernardino County Biotic Resource Overlay; Submitted Project Materials; Biological Resources Assessment; Site Visit

- a) *Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

Less Than Significant Impact with Mitigation Incorporated

A *Biological Due Diligence Investigation*, prepared by ELMT Consulting, June 9, 2021, evaluated both portions of the Project area in the unincorporated area of the County and the City of Fontana. The Project biologist undertook a site visit on June 3, 2021, and found no native plant communities or natural communities of special concern. The report noted the “project site consisted of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances and existing development.” It also noted the “majority of the site supports disturbed areas that are composed primarily of non-native early successional/ruderal plant species.” (p.2) The report also noted the property provides minimal foraging and cover habitat for species adapted to a high degree of anthropogenic disturbance.

No active bird nests displaying nesting behavior were observed by the Project biologist even though the site visit was conducting during nesting season. The site also contains suitable for habitat for special-status nesting birds, including the burrowing owl and California horned lark, as well as other non-special-status bird species. Nesting bird species with potential to occur within the project are protected by California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513, and by the Migratory Bird Treaty Act (16 USC 703–711). These laws regulate the take, possession, or destruction of the nest or eggs of any migratory bird or bird of prey. The biological report recommended a pre-construction survey for nesting birds prior to any vegetation removal or ground disturbing activities, if construction occurs between February 1 and August 31. A mitigation measure has been recommended to reduce this potential impact to less than significant.

The report also contained information on the potential for burrowing owls. The report noted that:

“No burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation. The project site is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. However, the project site lacks suitable burrows (>4 inches in diameter) capable of providing roosting and nesting opportunities. Further, existing buildings, electrical poles bordering the site further decrease the likelihood that burrowing owls would occur on the project site as these features provide perching opportunities for larger raptor species (i.e., red-tailed hawk [*Buteo jamaicensis*]) that prey on burrowing owls. Based on the results of the field investigation, it was determined that the project site does not provide suitable habitat for burrowing owls and are presumed absent. Focused surveys are not recommended.” (p 4)

BIO-1: Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid

impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist's report shall be filed with the County Planning Division upon completion.

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

No Impact

The Project site is not within a federally designated Critical Habitat, with the closest site being approximately 2.2 miles to the northeast. The site investigation noted the extent of prior site disturbances and that these “disturbances have eliminated, the suitability of the habitat onsite to support special-status plant species and the availability and quality of habitats needed by each species.” (p. 4) The report found all potentially occurring special-status biological resources were either presumed absent or absent based upon site observations and review of available literature research. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact

The *Biological Due Diligence Investigation* stated that no “discernable drainage courses, inundated areas, or wetlands/obligate plant species that would be considered jurisdictional by the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or CDFW were observed within the proposed project site.” (p. 3) The site investigation did not find any special-status plant species. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

No Impact

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors provide opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. Wildlife corridors allow for the dispersal, seasonal migration, breeding,

and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The *Biological Due Diligence Investigation* prepared for the Project area noted the site is surrounded by urban development that has eliminated connection to nearby wildlife corridors. Therefore, implementation of the proposed Project is not expected to disrupt or have any adverse effects on any migratory corridors or linkages that may occur in the general vicinity of the Project Site. No impacts are identified or anticipated, and no mitigation measures are required.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
No Impact

The *Biological Due Diligence Investigation* noted the level of site disturbance. A limited number of trees are scattered around the site, some of which would require permits if they were removed, due to their size/maturity. However, these trees are not unique in their type and are considered properly evaluated for their significance due to the completion of the previously referenced *Biological Due Diligence Investigation*. As such, the remaining trees are not subject to the County's tree preservation requirements.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*
No Impact

The Project site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as discussed in the previously referenced *Biological Resources Assessment*. No impacts are identified or are anticipated, and no mitigation measures are required.

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measure BIO-1 is required as a condition of project approval to reduce these impacts to a level below significant.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontologic Resources overlays or cite results of cultural resource review): **San**

San Bernardino Countywide Plan, 2020; Glen Helen Specific Plan; Archaeological Records Search

a,b) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant Impact

The subject area is highly disturbed and no historical and archaeological resources are anticipated on the property. The area was previously farmed, as displayed in aerial photos from 1938 and 1948 that were accessed through NETRonline, www.historicaerials.com. However, subsequent photos from the same source in 1959 and later displayed a transition away from farming. Buildings that existed as part of the farming activities were removed and subsequent building constructed. A number of buildings currently exist, some of which are boarded up and unoccupied.

An information request was submitted to the South Central Coastal Information Center on July 6, 2021 requesting historical and archaeological information about the property. A response was received on December 21, 2021 that included the following:

There were several improved roads with the project search radius. The Atchison Topeka and Santa Fe R.R. (Southern California Div.) and the Etiwanda Station were present south of the project area. In 1954, there was still no visible development within the project area. There was an increase in a development within the search radius which included several additional roads, many buildings, an intermittent stream, a gravel pit and a mine. The previously mentioned rail line still remained.

The proposed Project site is adjacent to the City of Fontana City Limits. The Fontana General Plan Draft Environmental Impact Report identifies a number of historical properties within the City, generally in the downtown area, although a variety of other sites are also included, such as the former Kaiser Steel Mill. The subject area has no known significant historical or archaeological resources.

Notices were sent to six Tribes requesting comment on the proposed Project. The San Manuel Band of Mission Indians indicated they do not have any concerns about the proposed Project, but requested the following measures:

CUL-1: In the event that 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 standards 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, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Further Tribal information can be found in **Section XVIII Tribal Cultural Resources**. As such, no impacts are identified or anticipated, and no mitigation measures are recommended.

- c) *Disturb any human remains, including those outside of formal cemeteries?*
Less Than Significant Impact

Construction activities, particularly placement of footings, could potentially disturb human remains interred outside of a formal cemetery. No human remains are known to exist on-site. However, the potential exists that human remains may be unearthed during earthmoving activities associated with Project construction. If human remains are discovered during construction activities, the Project Proponent would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097, et. seq., which requires that if the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission, who will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. Mandatory compliance with these provisions of California state law would ensure that impacts to human remains, if unearthed during construction activities, would be appropriately treated. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures CR-1, CR-2, and CR-3 are required as a condition of project approval to reduce these impacts to a level below significant.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: San Bernardino Countywide Plan, 2020; CalEEMod Analysis; Submitted Materials

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact

Electricity

The proposed Project consists of a 112-unit condominium development within the unincorporated area of the County and an adjoining 94 units in the City of Fontana. This type of operation would consume electricity in a manner similar to other residential developments.

The subject property is serviced by Southern California Edison for electric power. In 2018, the Industry sector of the Southern California Edison planning area consumed 18228.339531 GWh of electricity. The proposed Project improvements would not result in a significant increase in electrical demand upon the overall system based upon the number of dwelling units proposed. Utilizing the energy use tabulation in the CalEEMod air quality estimate for 206 dwelling units, the estimated electricity demand for the proposal is 602,672 Kilowatts/year or 0.602672 GWh per year. The estimated increase in electricity demand from implementation of the Project would be insignificant when compared to the existing demand.

Natural Gas

The proposed Project and surrounding area are serviced by Southern California Gas Company. The subject property is primarily vacant. According to the California Energy Commission’s Energy Report, previously referenced in County Initial Studies, the Industry Sector was responsible for 1755.124869 million Therms of natural gas consumption in the SoCalGas Planning Area in 2018. Based upon the energy use tabulation in the CalEEMod air quality estimate, the estimated natural gas demand for the proposal is 3.58214 Therms, which represents an insignificant percentage to the

overall demand in SoCalGas's service area. Therefore, implementation of the Project would not increase the Project site's natural gas demand and result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

b) **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**
No Impact

The proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

The proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions. The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VII. GEOLOGY AND SOILS - Would the project:				

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District):
San Bernardino Countywide Plan, 2020; Glen Helen Specific Plan

- a) i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42

Less Than Significant Impact

The proposed Project is a 112-unit multiple family condominium development on approximately 6.7 acres and an adjoining 94 units in the City of Fontana. The Countywide Plan Map HZ-1, Earthquake Fault Zones, does not display a fault near the subject property. The closest identified fault is approximately 3.5 miles to the northwest of the subject property. According the County's Draft Environmental Impact Report Appendices, Safety Background Figures, the closest fault is identified as the Red Hill-Etiwanda Avenue Fault. It is not noted in Appendix G, Safety Background Report, as one of the prominent active faults in the Valley Region of the County. According to Table 2-4 of the Countywide Safety Background Report, the maximum probable magnitude is 7.0.

Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable

statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with the California Building Codes and Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

ii) Strong seismic ground shaking?

Less Than Significant Impact

According to the Countywide Plan Map HZ-1, the Red Hill-Etiwanda Avenue Fault is closest fault zone to the subject property. As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is intended to preclude significant adverse effects associated with strong seismic ground shaking. Compliance to the CBC would ensure potential impacts are reduced to a less than significant and the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact

Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. According to the Countywide Plan, HZ-2 Liquefaction & Landslides, the subject property is not within an area designated as having the potential for liquefaction. However, even though the site is not identified as having the potential for liquefaction, a soils analysis will be required as part of the grading plan to ensure on-site soils are properly compacted for the proposed residential structures. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

iv) Landslides?

No Impact

Landslides and slope failure can result from ground motion generated by earthquakes. Based upon a field survey of the site no slopes exist on the property. As such, the property would not be subject to slope instability. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

b) Result in substantial soil erosion or the loss of topsoil?

No Impact

The subject property is relatively flat and is not subject to flooding, based upon Countywide Policy Plan Map, NZ-4 Flood Hazards. However, FEMA FIRM Map No. 06071C 8651 H, dated 8/28/2008, displays the area as Zone X. Zone X is defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas

protected by levees from 1% annual chance flood.” Grading of the site will be necessary for final improvements to ensure adequate soil compaction and drainage flows. The location of the Project and its size will necessitate preparation of a drainage study and water quality management plan (WQMP) to respond to construction and operational activities on the property. As such, the development of the proposed Project would not result in substantial soil erosion or loss of topsoil. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

No Impact

As noted previously, the Project site is not known to be subject to liquefaction, subsidence or collapse. However, a soils report will be required as part of grading to evaluate site conditions. No landslides are foreseen due to the relatively flat topography of the site. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Less Than Significant Impact

According to material provided by the U.S. Department of Agriculture, Soil Survey Web Site, site soils consist of Tujunga loamy sand (TuB) and Tujunga gravelly loamy sand (TVC). This soil category is listed as somewhat excessively drained and would not represent a potential for expansive soils. According to the County’s Engineering Geologist, this type of soil is slightly expansive. As surficial soils they are expected to be removed as part of the initial grading process. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

No Impact

The proposed Project will connect to a public sewer system. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No Impact

The San Bernardino Countywide Plan Cultural Resources Section 5.5 of the Countywide Plan Draft Environmental Impact Report (EIR) states, “the Younger Alluvium (Q) across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity, as do the Miocene Marine Sediments (M).” (p. 19) In addition, according to Appendix F: Paleontological Resources Technical Report, contained in the Draft EIR “The Valley Region is characterized by a broad valley floor deposit of Younger Alluvium

(Q), which is likely underlain by Older Alluvium (Qoa) and Pleistocene-Pliocene Nonmarine Sediments (QPc), such the San Timoteo Formation, that also occur as scattered outcrops along the valley margins. A large area of Miocene Marine Sediments (M), including the Vaqueros and Puente Formations, is present in the southwestern corner, whereas the northern margins of the region about the granitic rocks of the San Bernardino Mountains. The Younger Alluvium (Q) across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity, as do the Miocene Marine Sediments (M).” (p. 25)

The Paleontological Resources Technical Report also noted “The depth at which Holocene sediments are old enough to preserve fossil resources (i.e., more than 5,000 years old) or transitions to Older Alluvium is highly variable and often unknown for any specific area. One study of inland valley fossil deposits in Riverside and San Bernardino counties identifies this transition as relatively shallow in many areas, with fossil-bearing sediments occurring as little as 1.5 m (5 feet) below the surface (Reynolds and Reynolds, 1991). These deposits are mapped as covering large surface areas across the Valley, East Desert, and North Desert Regions, and as scattered deposits in the Mountain Region.” (p. 13)

It is not envisioned that substantial excavation greater than five feet of the site will be necessary due to the type of use proposed. As such, it is unlikely paleontological resources would be uncovered on the property. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:
 San Bernardino Countywide Plan, 2020; Submitted Project Materials; Air Quality and Greenhouse Gas Emissions Impact Analysis (CalEEMod) provided by applicant.***

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant Impact

According to CEQA Guidelines Section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” In addition, CEQA Guidelines section 15064.7 provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

The Global Warming Solutions Act of 2006 requires that by the year 2020, the Greenhouse Gas (GHG) emissions generated in California be reduced to the levels of 1990. Emissions were estimated using the CalEEMod version 2016.3.2.

Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: Carbon dioxide (CO₂), Methane (CH₄), and Nitrous oxide (N₂O). The Proposed Project would not generate Fluorinated gases, as defined by AB 32, only the GHGs (CO₂, CH₄, and N₂O) that are emitted by construction equipment. SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project’s emissions in relation to the thresholds. A threshold of 10,000 MTCO₂E per year has been adopted by SCAQMD for industrial type projects.

In September 2011, the County adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (GHG Plan). The GHG Plan presents a comprehensive set of actions to reduce the County’s internal and external GHG emissions to 15% below 2007 levels by 2020, consistent with the AB 32 Scoping Plan. This Plan was updated in 2021. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process the County will implement CEQA and require new development projects to quantify the project’s GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. This occurs through a screening process that involves accumulating an adequate number of points through the use of various construction methods and equipment use. If this point level is achieved, then no additional analysis is required. The applicant achieved over 100 points. However, the applicant also prepared a GHG analysis as part of their Air Quality evaluation. As shown in Table 5, the proposed Project’s emissions would exceed the County’s 3,000 MTCO₂e threshold of significance, without mitigation utilizing the CalEEMod program. However, inclusion of CalEEMod mitigation incorporated into the CalEEMod program, this number was reduced below 3,000 MTCO₂e. These measures included the sites proximity to existing public transportation. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Table 5
 Project Related Greenhouse Gas Annual Emissions with Mitigation
 (Metric Tons per Year)**

Source/Phase	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area ¹	47.99	0.0	0.0	48.34
Energy ²	509.85	0.1	0.0	512.09
Mobile ³	1,694.45	0.09	0.0	1,696.73
Solid Waste ⁴	4.81	0.28	0.0	11.92
Water and Wastewater ⁵	77.91	0.37	0.0	89.39
Construction ⁶	36.88	0.0	0.0	41.27
Total GHG Emissions	2,371.89	0.84	0.00	2,393.44⁷
County Threshold	3,000			
Significant	No			

Notes:

- ¹ Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.
- ² Energy usage consists of GHG emissions from electricity and natural gas usage.
- ³ Mobile sources consist of GHG emissions from vehicles.
- ⁴ Waste includes the CO₂ and CH₄ emissions created from the solid waste placed in landfills.
- ⁵ Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
- ⁶ Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009. Source: CalEEMod Version 2016.3.2.
- ⁷ Sequestration has been incorporated into the final total and reduced the estimated CO₂e generated.

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*
Less Than Significant Impact

The proposed Project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Any project that does not exceed 3,000 MTCO₂e per year will be considered to be consistent with the County's GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Policy Plan, 2020; Department of Toxic Substances Control, EnviroStor Program; Submitted Project Materials

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact

The proposed Project is a 112-unit multiple family condominium development that that will connect with 93 additional proposed units in the City of Fontana on adjoining parcels. This proposal involves both a tentative tract map and conditional use permit. Hazardous or toxic materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to

the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant.

The operational activities of the proposed development involve the routine transport or use of hazardous materials, but only the types of products typically used in the construction and on-going maintenance of residential properties, including landscaping. No significant adverse impacts or anticipated and no mitigation measures are required.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant Impact

As stated in response (a) above, hazardous or toxic materials transported in association with construction of the proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Operational activities would continue to include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials is considered less than significant and no mitigation measures are required.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact

The closest school to the Project site is Almond Elementary School, approximately 660 feet or 0.125 miles east of the Project site. No hazardous materials beyond that typically used in the construction and operation of residential development would be emitted as a result of the proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact

The subject property is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system, based upon an on-line review of the Web Site September 29, 2021. The closest identified site involves a voluntary cleanup site located approximately 0.7 miles to the southeast, as part of an existing reclamation facility. EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous

materials sites are located within or near the vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

Less Than Significant Impact

The subject property is located approximately 5.75 miles from the Ontario International Airport. As shown on the San Bernardino Countywide Policy Plan Map, HZ-9 Airport Safety & Planning Areas, the Project site is approximately two miles from the boundary of the Airport Safety Review Area. As such, the Project Site is not located within close proximity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

No Impact

The closest designated evacuation route to the subject property is Foothill Boulevard, based upon a review of the Countywide Plan PP-2 Evacuation Routes. Banana Avenue also provides adjacent accessible routes away from the property. Therefore, operations and construction of the proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the subject property does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less Than Significant Impact

The Project site is located within a very urbanized area. As identified by San Bernardino Countywide Policy Plan, HZ-5 Fire Hazards Severity Zones, the subject property and surrounding area is not located within a designated Very High Fire hazard. Pockets of High and Moderate Zones exist in the general area, with the closest one approximately 0.9 miles to the west. All proposed buildings would be required to comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department.

Due to the location of the proposed use, it would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Project WQMP; Submitted Project Materials;

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less Than Significant Impact

The proposed Project would disturb more than one-acre and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one-acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a SWPPP.

The purpose of a SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and 2) identify, construct and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction.

A revised preliminary Water Quality Management Plan (WQMP) prepared by Azar Engineering, has been reviewed and approved by the Land Development Divisions and is summarized below. The Project proponent is responsible for the implementation of the provisions of the WQMP and will ensure that the plan is amended as appropriate to reflect up-to-date conditions of the site consistent with the County's Municipal Storm Water Management Program and the intent of the NPDES Permit for San Bernardino County and the incorporated cities of San Bernardino County within the Santa Ana Region.

Implementation of the proposed Project would dramatically increase the impervious surface of property, due to its current undisturbed condition. Utilizing information contained in the WQMP, the proposed Project has one (1) Drainage Area with stormwater runoff collected and conveyed through a CDS Separator before directing it to an underground/detention system via catch basins located within the proposed drive aisles and area drain system within the landscaped areas. The underground infiltration/detention system will be open bottomed to promote infiltration and groundwater recharging. The underground detention/infiltration system constructed using Brentwood System modules with a debris shield. Pretreatment will be provided by catch basin inserts located within the main drive aisle. During larger storm events and when the infiltration/detention system has reached capacity, stormwater will bypass to a proposed underground storm drain system and convey offsite via parkway drains to the public right-of-way of Banana Avenue. Post-development drainage from the adjoining two subdivisions to the north, TTM 20382 and 20397, will be conveyed to this subdivision within the unincorporated area, TTM 20016.

Based upon the amount of water traversing the site, along with the amount of impervious surface, drawdown rate based upon soil conditions, and runoff coefficient, the computed design capture volume of the proposed drainage system is 45,453 cubic feet, which will be achieved using the a proposed drainage vault system under the southerly parking area. The estimated required capture rate noted in the WQMP is 43,711 cubic feet. As such, the proposed Project would not generate additional drainage flows during peak periods for downstream properties. Based upon the amount

of volume capture of runoff and the design of the infiltration system to ensure pollutants do not discharge downstream, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less Than Significant Impact

The Project site is directly served by the Fontana Water Company (FWC), which is part of the San Gabriel Valley Water Company. FWC has the following existing water supplies:

- Surface water diverted from Lytle Creek, treated at the Summit Plant.
- Untreated SWP surface water purchased from the Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD), treated at the Summit Plant.
- Recycled water purchased from IEUA.
- Groundwater pumped from FWC-owned and operated wells from the underlying Chino Basin, Rialto-Colton/No Man's Land Basins, and Lytle Basin.

As noted in **Section XIX Utilities and Service Systems**, FWC plans to expand the capacity of the Summit Plant to increase the imported supply purchased and treated in an effort to reliably meet current and future water demands. "FWC's drought risk was specifically assessed between 2021 and 2025, assuming that the next five years are dry years. In each case, water supplies comfortably meet water demands. This remains true whether the drought occurs in 2021, 2045, or any year between." (*San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan*, p. ES-3)

The additional structures and site improvements would increase the Project site's water demand. However, the proposed land use is consistent with the County's Policy Plan Medium Density (5 to 20 units per acre) and substantially less than the City of Fontana General Plan Land Use Map Walkable Mixed Use Corridor and Downtown (24-39 units per acre), and therefore would not result in a substantial adverse effect on groundwater supplies. The proposed Project design is intended to retain stormwater flows during peak periods at a rate that exceeds the projected runoff rate from the property in its current condition. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

- i) *Result in substantial erosion or siltation on- or off-site;*
Less Than Significant Impact

The Preliminary Drainage Study and Preliminary Water Quality Management Plans were approved on December 13, 2021. The Drainage Study indicated stormwater flows through the site will be reduced from 26.47 cubic feet per second (cfs) to 23.55 cfs. As noted in the WQMP and based upon the site topography, the site drains to the south. This general drainage pattern will not be altered with implementation of the proposed Project. Site runoff will be conveyed by surface flow to a drainage inlet system that feeds an underground pipe retention/infiltration/vault system at the southerly end of the site under the proposed parking area. The site is relatively flat and borders portions of two streets. Full retention of the amount of stormwater runoff is proposed with the site design infiltration system. The computed capture rate noted in the WQMP is 43,711 Cubic Feet and the total retention volume from the low impact development (LID) infiltration best management practices (BMPs) is greater at 45,453 cubic feet. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*
Less Than Significant Impact

As noted in subsection ai) above, the design volume of the proposed infiltration basin system is greater than the computed capture rate, based upon identified design standards for the area. As such, the proposed Project would not increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*
Less Than Significant Impact

As stated in the WQMP, the proposed infiltration basin is anticipated to achieve a complete on-site retention of the site's computed capture rate. As such, with adherence to the respective WQMP design criteria, the proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- iv) *Impede or redirect flood flows?*
Less Than Significant Impact

The subject property is within an identified flood hazard area. The San Bernardino Countywide Policy Plan Map HZ-4 Flood Hazards, displays the subject property as not within a 100 (Zone A) or 500 year (Zone X) flood plain. However, this area represents a gap in the mapping, which is clarified using the County's arcgis system that identifies the area as Zone X, FEMA Map No. 06071C8651H. FEMA FIRM Map Number 06071C8651H Panel 8651 of 9400, revised 08/28/2008, displays the subject site in Zone X (Other Flood Areas) described as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less

than 1 square mile; and areas protected by levees from 1% annual chance flood. As noted in other portions of this document, the projected runoff volume for the Project site based upon the proposed design features and site characteristics will be captured by the proposed infiltration basin at the southerly end of the property. Therefore, with adherence to the WQMP, the proposed Project is not anticipated to impede or redirect flood flows. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*
No Impact

Tsunamis are large waves generated in open bodies of water by fault displacement due to major ground movement. Due to the Project Site's distance from the Pacific Ocean, tsunamis are not potential hazards in the vicinity of the Project Site. Therefore, the risk of release of pollutants of by flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*
Less Than Significant Impact

The WQMP prepared and which has received preliminary approval as part of this proposal complies with the requirements of the San Bernardino County and the NPDES Areawide Stormwater Program. The proposed Project would adhere to each PWQMP's BMPs, regional and local water quality control and/or sustainable groundwater management plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI.	LAND USE AND PLANNING – Would the project:				
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Submitted Project Materials

a), b) *Physically divide an established community?*

Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact

The Project site is located just south of Foothill Boulevard, a major east/west thoroughfare in the City of Fontana. Most of the surrounding properties in the area are developed with residential uses. The proposed private internal roadway system will link to subdivisions in the City of Fontana and ultimately provide a through connection from Foothill Boulevard to Banana Avenue. As such, the property will be a residential use within a predominately residential area and be a self-contained development, similar to other condominium developments. As such, development of the subject property would not divide an established community.

The City of Fontana Draft EIR contains the following documentation with respect to critical habitat:

“Within City boundaries, USFWS-designated Critical Habitat occurs for SBKR and coastal California gnatcatcher. SBKR Critical Habitat is present in the foothills of the San Gabriel Mountains in the northern portion of the City, and coastal California gnatcatcher Critical Habitat is present in the Jurupa Hills in the southern portion of the City. Other Critical Habitat in the vicinity of the Planning Area includes that for mountain yellow-legged frog (*Rana muscosa*) in Day Canyon Wash and its tributaries in the San Gabriel Mountains approximately 3 miles to the west-northwest of the City and for southwestern willow flycatcher (*Empidonax traillii extimus*) and Santa Ana sucker (*Catostomus santaanae*) along the Santa Ana River approximately two miles to the east-southeast of the City.” (p.5.3-36)

As such, the Project site is not within an area identified for mitigating environmental effects nor is it part of a Critical Habitat area.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay):

San Bernardino Countywide Plan, 2020; California Department of Conservation, Mineral Land Classification

- a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*
Less Than Significant Impact

According to the California Department of Conservation, Mineral Land Classification map, the Project site occurs in the Southwestern San Bernardino Valley region, specifically in OFR (Open File Report) 1994-0008. As shown on an exhibit in the report, the Project site and surrounding area are located within Mineral Resource Zone 3 (MRZ-3). This zone identifies areas of known or inferred mineral deposits that may qualify as mineral resources. The subject property is of limited size and adjacent to a mobile home park and detached single family subdivisions within a highly urbanized area. This location and surrounding uses are not compatible with mineral resource extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*
Less Than Significant Impact

The Project site occurs in an area designated as Mineral Resource Zone 3 (MRZ-3). The State *Guidelines for Classification of and Designation of Mineral Lands* generally defines MRZ-3 as either:

- MRZ-3a: Areas containing known mineral deposits that may qualify as mineral resources.
- MRZ-3b: Areas containing inferred mineral deposits that may qualify as mineral resources.

The County Policy Plan and City of Fontana General Plan designate the property for residential use. Approval of the Tentative Tract Map and Conditional Use Permit would authorize the use of the property for a multiple family condominium development. The Project site is not located within a planning area designated for mining. Therefore, the proposed Project would not result in the loss of availability of a locally important mineral resource recovery site, since the area is not intended for that type of use. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>SUBSTANTIATION:</i> (Check if the project is located in the Noise Hazard Overlay District <input type="checkbox"/> or is subject to severe noise levels according to the General Plan Noise Element <input type="checkbox"/>):				
San Bernardino Countywide Plan, 2020; Submitted Project Materials				

Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent Continuous Sound Level (L_{eq}), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA). The L_{eq} is the average of the sound level energy for a one-hour period and employs an A-weighted decibel correction that corresponds to the optimal frequency response of the human ear. The CNEL is based upon 24 one-hour L_{eq} measurements.

The background ambient noise levels in the Project study area are dominated by the transportation-related noise associated with the adjacent surface streets and background residential land use from nearby properties.

Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise sensitive residential receiver locations in proximity to the Project site include single family tract housing to the south and east, a mobile home park to the west, and a single family residence to the north. The Project site is approximately 600 feet south of Foothill Boulevard, a major east/west transportation corridor.

Policy Plan Figure HZ-7 Existing Noise Contours displays the unincorporated portion of the property as 60 dBA. This level of noise is consistent with the County's Development Code requirements of 60 dBA for residential exterior noise levels. Policy Plan Figure HZ-8 Future Noise Contours does not note a change in the projected noise levels for that area. That portion of the property within the City of Fontana would be subject to greater noise levels and would be the responsibility of the City to address potential design features to maintain noise levels within acceptable levels.

It is not expected that the amount of noise generated by vehicle trips from this residential land use would cause notable noise levels that would be unusual for a residential area.

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*
Less Than Significant Impact

County Development Code Section 83.01.090, Vibration, establishes standards for acceptable vibration levels: temporary construction, maintenance, repair, or demolition activities between 7 a.m. and 7 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited. Potential impacts due to noise would be short-term and temporary during construction. Vehicle use during Project operation are also exempt from the County vibration standards. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?*
No Impact

The Project Site is located approximately 2.2 miles northeast of the Ontario International Airport Safety Review Area, as displayed on San Bernardino Countywide Plan HZ-9

Airport Safety and Planning Areas. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan 2020; Submitted Project Materials

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*
No Impact

The proposed Project site is designated for residential development in both the County of San Bernardino Land Use Element of the Countywide Plan and the City of Fontana General Plan. The Project site is adjacent to and will obtain access to existing paved roadways when ultimately developed. As such, it would not induce unplanned population growth in the area due to the existing Plans adopted by both the County and City. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*
No Impact

The Project site is has several residences on the property. One is boarded up and unoccupied. The other residence has occupants. Once the site is developed the current residents will have the opportunity to utilize the 112-unit multiple family development or those portions of the adjoining development that represent the extension of the Project in the City of Fontana. As such, implementation of the proposed Project would not displace a substantial number of people or housing, although the proposal would provide significant opportunity for any displaced residents. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
San Bernardino Countywide Plan 2020; Submitted Project Materials

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*
Fire Protection?
Less Than Significant Impact

The Project site is located approximately 400 feet south of San Bernardino County Fire Station No. 73, located at the intersection of Foothill Boulevard and Banana Avenue. Response times in the range of five to eight minutes are considered maximum in the

case of structural fires. A longer response time will result in the loss of most of the structural value. Fire station organization, physical/environmental conditions, distance, grade and road conditions affect response times.

Due to the close proximity of the station, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Police Protection?

Less Than Significant Impact

Personnel organization, distance, grade and road conditions as well as other physical factors influence response times by law enforcement. The unincorporated portions of San Bernardino County within the Fontana area are served by the San Bernardino's County Sheriff Department (SBCSD). The County operates a Station at 17780 Arrow Route, approximately 4.6 miles from the project site. Response times to the area are depended upon the type of calls for service. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Demand for service at the site is not expected to be significant nor unusual. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Schools?

No Impact

The Project site is within the Fontana Unified School District boundaries. School districts are permitted to require payment of developer fees, along with the issuing of bonds, to pay for expansion of schools to meet the construction of classrooms for students. The collection of these funds would provide adequate compensation under the law to meet the potential impact of development upon the school district. The Fontana District has adopted developer impact fees of 4.08/sq. ft. Therefore, the collection of applicable development impact fees, consist with the requirements of State law, would address any potential impacts related to school facilities and no mitigation measures are required.

Parks?

No Impact

The proposed Project would allow for the development of a 112-unit multiple family condominium development. The County development standards require the establishment of private open space for individual dwellings and common areas for joint use. The purpose of the design is to provide easily accessible open space and recreational areas for residents. The County of San Bernardino provides a number of regional recreational facilities totaling 8,515 acres.

The Countywide Plan Draft EIR notes the "population of the incorporated and unincorporated areas is forecasted to reach 2,744,578 in 2040. The amount of regional parkland in the county is 8,515 acres, which is sufficient for the parkland needs of about 3.4 million people if based on the 2007 General Plan standard of 2.5 acres per 1,000 residents. Upon adoption of the proposed Countywide Plan [which has occurred], the standard for regional parkland would be replaced by an emphasis on maintaining and

improving existing facilities and the coordination with other jurisdictions to provide regional park land (Policy NR-3.6, Regional park land). Accordingly, no new and/or expanded facilities would need to be developed due to Countywide Plan buildout, and no additional impacts would occur.” (p. 5.15-13)

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Other Public Facilities?

No Impact

The proposed Project would result in an increased residential population and an increase in the work force as the Project due to the new multiple family condominium units. However, the other types of public facilities affected, such as municipal/county offices or water and sewer facilities, would not be significant to the extent existing facilities would be overburdened or the potential impact would not be mitigated through either a standard construction or fee payment process. Therefore, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. No impacts are identified or anticipated, and no mitigation measure is required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
San Bernardino Countywide Plan 2020; Glen Helen Specific Plan; Submitted Project Materials

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

No Impact

Demands for recreational facilities are generated by the populations in the facilities' service areas. The County's total 49,680 projected growth in population in unincorporated areas, as referenced in the previous section, would increase the use of existing regional park and recreational facilities. Regional parks, however, are also used and funded by those in incorporated jurisdictions. According to the Countywide Draft EIR, Recreation Section, the unincorporated growth represents a two percent increase of potential users on existing regional park facilities, with an average annual growth rate of 0.10 percent over the planning horizon of 24 years. This incremental level of growth would not lead to substantial physical deterioration of existing park and recreational facilities.

The Draft EIR also noted "The population of the incorporated and unincorporated areas is forecasted to reach 2,744,578 in 2040. The amount of regional parkland in the county is 8,515 acres, which is sufficient for the parkland needs of about 3.4 million people if based on the 2007 General Plan standard of 2.5 acres per 1,000 residents. In the updated Countywide Policy Plan, the standard for regional parkland would be replaced by an emphasis on maintaining and improving existing facilities and the coordination with other jurisdictions to provide regional park land (Policy NR-3.6, Regional park land). Accordingly, no new and/or expanded facilities would need to be developed due to Countywide Policy Plan buildout, and no additional impacts would occur." (p. 5.15-14) Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

No Impact

The proposed Project includes private open space for each proposed condominium unit and common open space areas with small gathering areas with benches, pathways, a tot lot, outdoor exercise area, and a community structure. Section 84.16.070 of the County Development Code requires developments with greater than 100 dwelling units to provide a minimum of 10 points based upon the type of recreational facilities provided on the property. The application has provided a tot lot that includes multiple play structures with climbing nets and a tire swing, an outdoor exercise area with equipment, a community structure (in lieu of a community room), and passive recreation areas with walking paths throughout the site. These features exceed the 10 point requirement and would reduce the need to utilize recreational outside the Project site.

Implementation of policies listed in the Countywide Goals and Policies of the Recreation Element in the Countywide Policy Plan would ensure impacts to parks are less than significant and no mitigation measures are required. The proposed Project is not anticipated to require construction or expansion of additional recreational facilities.

Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
San Bernardino Countywide Plan; Trip Generation Assessment; Project Application Materials

a,b) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?*
Less Than Significant Impact

A *Trip Generation Vehicle Miles Traveled (VMT) Analysis*, dated October 3, 2021, was prepared for the Project by TJW Engineering, Inc. The report is available for review at the County of San Bernardino Land Use Services Department and is summarized herein. The propose of the assessment was to determine whether additional traffic analysis was necessary for the proposed Project based on the County’s Transportation Impact Study Guidelines. The trip generation rates used for the analysis were based upon information collected by the Institute of Transportation Engineers (ITE), as provided in their Trip Generation Manual (10th Edition, 2017). The analysis projected a

total of 74 total AM peak hour trips and 93 PM peak hour trips, with 1,120 total daily trips.

The traffic study also referenced use of the County of San Bernardino Transportation Impact Study Guidelines (July 2019), which provides guidelines for CEQA analysis including screening criteria and requirements for VMT assessment of land use projects. The VMT guidelines provide several screening criteria for projects including Transit Priority Area (TPA) Screening, Low VMT Area Screening, and Project Type Screening. The County’s Traffic Impact Analysis Guidelines indicates projects located within a Transit Priority Area (TPA) may be presumed to have a less than significant impact to VMT. Based on the San Bernardino County Transportation Authority VMT Screening Tool, the Project is within a half-mile area of Foothill Boulevard (a transit priority area). Therefore, the project is screened out from VMT analysis and presumed to have a less than significant impact to VMT. Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
No Impact

The Project site is relatively flat and adjoins several streets with good line of sight visibility. The Project does not include a geometric design feature or incompatible use that would substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in inadequate emergency access?*
Less Than Significant Impact

As required by the County, the Project would provide three driveways with a minimum width of 26 feet to allow for emergency access. The proposed Project would be subject to any conditions required by the San Bernardino County Fire Department to maintain adequate emergency access. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | | |
|-----|--|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| i) | Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coastal Information Center, California State University, Fullerton; Submitted Project Materials

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*

Less Than Significant Impact

Based upon the response received from the South Central Coastal Information Center (SCCIC) no significant resources were identified for the property and an area within one-quarter mile. The response from SCCIC included a review of materials from the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Built Environment Resources Directory (BERD) listings.

No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

Less Than Significant Impact with Mitigation Incorporated

On July 9, 2021, the County of San Bernardino distributed notification pursuant to AB52 to the following six tribes: Gabrieleno Band of Mission Indians - Kizh Nation, San Gabriel Band of Mission Indians, Soboba Band of Luiseño Indians, Morongo Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and San Manuel Band of Mission Indians. The only comments received were from the San Manuel Band of Mission Indians on July 16, 2021. The Tribe indicated that “The proposed

project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department’s present state of knowledge, SMBMI does not have any concerns with the project’s implementation, as planned, at this time.” The following measures were requested for incorporation into the document:

TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures TCR-1 and TCR-2 are required as a condition of project approval to reduce these impacts to a level below significant.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

San Bernardino Valley Municipal District Urban Water Management Plan 2015; Submitted Project Materials; Glen Helen Specific Plan

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*
Less Than Significant Impact

Water

The Fontana Water Company would provide water service to the Project site and operates various pumping, transmission, and treatment facilities to provide water service to its customers. Both local surface water from Lytle Creek and imported State Water Project (SWP) water is treated at FWC's Summit Surface Water Treatment Plant (Summit Plant). Local groundwater is pumped from various wells and disinfected, and in some locations is treated at on-site treatment facilities to remove perchlorate or Volatile Organic Compounds (VOCs). FWC operates a network of water pipelines, reservoirs, and pumping facilities to deliver this treated drinking water to its customers.

The Project will connect to an existing water line operated by the Fontana Water Company in compliance with their existing requirements.

Wastewater Treatment

The proposed Project will connect to the City of Fontana sewer line and utilize treatment facilities operated by the Inland Empire Utilities Authority (IEUA).

Storm Drainage

The site design will reflect the existing drainage patterns of the Project site. The Project will maximize roof drainage to landscaped areas and downspouts will discharge onto paved surface and routed to underground infiltration system. All on site water will be collected and treated in underground infiltration system.

Electric Power

The Project will connect to the existing Southern California Edison electrical distribution facilities available near the project site.

Natural Gas

The Project will connect to the existing Southern California Gas natural gas distribution facilities near the Project site.

Conclusions

The installation of the above-described facilities as proposed by the Project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout this Initial Study/Mitigated Negative Declaration. In instances where significant impacts have been identified, Mitigation Measures have been required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study/Mitigated Negative Declaration would not be required.

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Less Than Significant Impact

The Project site will be provided water by the Fontana Water Company (FWC). FWC is a division of the San Gabriel Valley Water Company and is a retail water supplier for the City of Fontana, and portions of the City of Rialto, City of Rancho Cucamonga, and adjacent unincorporated areas of San Bernardino County. FWC operates within the service area of the Inland Empire Utilities Agency (IEUA) and the San Bernardino Valley Municipal Water District (SBVMWD) wholesale water agencies. FWC purchases imported water supplies from IEUA and SBVMWD, both wholesale water agencies.

Projected future water demands have been estimated based on the anticipated growth, as defined by population projections for FWC's service area. FWC assumes per capita water use will remain substantially lower than the historical baseline (1999-2008) water use, but will increase slightly from current recorded usage due to recovery from the 2012-2016 drought conservation efforts. Based on these factors, water demands in the FWC water service area are expected to increase approximately 42 percent (from 2020

levels) by 2045, which represents a more than 10 percent decrease in the 2040 projected water demand from FWC's 2015 UWMP.

FWC has the following existing water supplies:

- Surface water diverted from Lytle Creek, treated at the Summit Plant.
- Untreated SWP surface water purchased from the Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD), treated at the Summit Plant.
- Recycled water purchased from IEUA.
- Groundwater pumped from FWC-owned and operated wells from the underlying Chino Basin, Rialto-Colton/No Man's Land Basins, and Lytle Basin. Three of the basins are adjudicated, which includes the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one un-adjudicated basin known as the No Man's Land Basin.

To reliably meet current and future water demands, FWC plans to expand the capacity of the Summit Plant to increase the imported supply purchased and treated. "FWC's drought risk was specifically assessed between 2021 and 2025, assuming that the next five years are dry years. In each case, water supplies comfortably meet water demands. This remains true whether the drought occurs in 2021, 2045, or any year between." (*San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan*, p. ES-3)

Chino Basin

The Chino Basin is the main source of water for FWC and is an adjudicated basin. According to the DWR [Department of Water Resources] Bulletin 118 (California's Groundwater), DWR has not identified the Chino Basin as one of the basins being in "*critical condition of overdraft*."

Rialto-Colton Basin

FWC pumps groundwater from seven active wells in the Rialto-Colton Basin, which is an adjudicated basin. DWR has also not identified the Rialto-Colton Basin as one of the basins being in "*critical condition of overdraft*."

Lytle Basin

FWC pumps groundwater from ten active wells in the Lytle Basin. The Lytle Basin is an adjudicated basin and DWR has also not identified the Lytle Basin as one of the basins being in "*critical condition of overdraft*."

No Man's Land Basin

The Water Company's previous UWMP identified the No Man's Land Basin and the Rialto-Colton Basin as separate groundwater basins with separate production rights. On February 3, 2021, the FUWC, West Valley Water District, City of Rialto, and City of Colton entered into the Rialto Basin Groundwater Council (RBGC) Framework Agreement, for the purpose of groundwater management and coordination in the Rialto

Basin. However, the Rialto Basin Groundwater Council (RBGC) Framework Agreement incorporates the FWC production right from No Man's Land Basin into the Rialto Basin groundwater production limitations.

FWC pumps groundwater from three active wells in the No Man's Land Basin. The No Man's Land Basin is not an adjudicated basin. DWR has also not identified the No Man's Land Basin as one of the basins being in "*critical condition of overdraft*." Average groundwater production of approximately 4,000 AFY from the No Man's Land Basin is estimated to be available for pumping and diversion by FWC during normal, single dry and multiple dry years in the next twenty years.

The adopted groundwater management plans for the adjudicated Chino Basin, Rialto-Colton Basin, and Lytle Creek Region are contained within the Chino Basin Judgment, Rialto-Colton Basin Court Decree, and McKinley Decree, respectively. FWC has the legal right to pump groundwater from these basins. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

Less Than Significant Impact

As noted previously in subsection a) above, the Inland Empire Utilities Agency (IEUA) would serve the proposed Project for wastewater treatment. The City of Fontana would operate the wastewater collection lines in the street. According to a sewer availability letter from the City, dated August 17, 2017, an existing public sewer main is located approximately 200 feet from the property. One of two treatment plants could service the property. The IEUA Web Site, accessed on January 18, 2022, states that "Regional Water Recycling Plant No. 1 (RP-1) is located in the city of Ontario and has been in operation since 1948. The plant has undergone several expansions to increase the design hydraulic domestic sewage (wastewater) treatment capacity to 44 million gallons per day. The plant serves areas of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga, Upland, and solids removed from RP-4, located in Rancho Cucamonga. The plant treats an average influent wastewater flow of approximately 28 million gallons per day." "Regional Water Recycling Plant No. 4 (RP-4) is located in the city of Rancho Cucamonga and has been in operation since 1997. The plant has undergone an expansion to increase the design hydraulic domestic sewage (wastewater) treatment capacity to 14 million gallons per day. The plant serves areas of Fontana, Rancho Cucamonga and San Bernardino County. The plant treats the liquid portion of an average influent wastewater flow of approximately 10 million gallons per day." As such, adequate capacity exists to provide for the proposed Project and no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Less Than Significant Impact.

Construction Waste

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The California Green Building Standards Code (CALGreen), requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

Operational Waste

Waste generated during the operation of the Project is estimated to be 10.58 metric tons per year, although this can be reduced with mitigation to 2.645 metric tons (utilizing the requirements of AB 341 that requires jurisdictions to divert 75 percent of their waste from landfills), based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model which can be used to estimate solid waste generation rates for various types of land uses for analysis in CEQA documents.

Solid waste generated in the Fontana area is generally transported to the Mid-Valley Landfill. According to the Cal Recycle Facility/Site Summary Details website accessed on January 17, 2022 the Mid-Valley Landfill has a maximum capacity of 101,300,000 CY and a remaining capacity of 61,219,377, with a ceased operation date of 4/1/2045. As such, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less Than Significant Impact

The County of San Bernardino Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan (waste management plan). A project's waste management plan consists of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Solid Waste Management Division. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
County of San Bernardino Countywide Plan 2020; Submitted Project Materials

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*
No Impact

The routes nearest to the Project site that are paved and suitable in the event of an evacuation are Banana Avenue, which provides direct access to the subdivision in the unincorporated portion of the County, and Foothill Boulevard, which is related to the Project through the adjoining subdivisions proposed by the applicant in the City of Fontana. The closest designated evacuation route is Foothill Boulevard, approximately 600 feet north of the Unincorporated portion of the property, as displayed on the San Bernardino Countywide Plan Map PP-2 Evacuation Routes. Therefore, operations and construction of the Proposed Project would not interfere with the use of this route during an evacuation.

During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities, although County Fire Station No. 73 is located just north of the property at the southeast corner of Banana Avenue and Foothill Boulevard. Continued operations at the Project site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

Less Than Significant Impact

The Project site is relatively flat and located within an urbanized area with commercial and residential uses. Fire safety areas are prone to wildfires and require additional development standards. However, the Project site and its vicinity are located more than a mile from an identified from a high fire hazard area, as displayed on the San Bernardino Countywide Plan Map HZ-5 Fire Hazard Severity Zone. Any very high fire hazard areas are located significantly further away.

The Project site would be developed as a multiple family residential condominium project. The property would be substantially improved with residential structures, landscaping, and paving. Although wildfire hazards exist within the broader urban area, the immediate area has a significant level of urban development and minimal vegetation, except for annual grasses on some properties. As such, the risk to persons or property is minimal. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

No Impact

The Project site would be improved as a multiple family residential condominium development, with associated improvements, such as paving and landscaping. The proposed Project does not include the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, no impacts are identified, and no mitigation measures are required.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

No Impact

The Project site and its immediate vicinity are relatively flat, therefore post-fire slope instability related to flooding or landslides is not anticipated to affect the subject property. The implementation of associated storm water BMPs will ensure that the proposed Project appropriately conveys storm water runoff without affecting upstream

or downstream drainage characteristics. As a result, the proposed Project would not expose people or uses to significant risks, such as downslope flooding or landslides. The Project site is within FEMA designated Zone X (shaded and unshaded) and the lowest floors to the elevated one foot above the highest adjacent ground as required by FEMA regulations. No significant impacts are identified or anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or</i> | | | | |

endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact

A *Biological Due Diligence Investigation*, prepared by ELMT Consulting, June 9, 2021, evaluated both portions of the Project area in the unincorporated area of the County and the City of Fontana. The Project biologist undertook a site visit on June 3, 2021, and found no native plant communities or natural communities of special concern. The report noted the “project site consisted of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances and existing development.” It also noted the “majority of the site supports disturbed areas that are composed primarily of non-native early successional/ruderal plant species.” (p.2) In addition the report noted the property provides minimal foraging and cover habitat for species adapted to a high degree of anthropogenic disturbance.

No active bird nests displaying nesting behavior were observed by the Project biologist even though the site visit was conducting during nesting season. Nesting bird species with potential to occur within the project are protected by California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513, and by the Migratory Bird Treaty Act (16 USC 703–711). These laws regulate the take, possession, or destruction of the nest or eggs of any migratory bird or bird of prey. The biological report recommended a pre-construction survey for nesting birds prior to any vegetation removal or ground disturbing activities, if construction occurs between February 1 and August 31. A mitigation measure has been recommended to reduce this potential impact to less than significant.

The *Biological Due Diligence Investigation* noted the subject area was highly disturbed and research through the South Central Coastal Information Center on potential historical or archaeological resources did not identify the site as historically or archaeologically significant. Historical aerial photography noted the area was farmed, but within the last 60 years transition away from that activity. Information in the City of Fontana General Plan Draft Environmental Impact Report noted historical sites within the City, such as the downtown, and other features, such as the Kaiser Mill, but nothing within the Project area. The San Manuel Band of Mission Indians requested mitigation measures in the event any inadvertent finds were uncovered. However, the Tribe indicated in their e-mail response to the County that “SMBMI does not have any concerns with the project’s implementation.” As such, the Project would not adversely affect important examples of the major periods of California history or prehistory.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Less Than Significant Impact

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant,

developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), generally state:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As concluded in the *Trip Generation and VMT Screening Analysis*, the proposed Project is anticipated to generate 93 daily trips, which is below the County threshold levels for analysis and, as such, would not be cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Similarly, the pollutant emissions from the proposed Project are below SCAQMD thresholds and therefore, the proposed Project would be in compliance SCAQMD's AQMP. In addition, greenhouse gas emissions from the Proposed Project are below County thresholds based upon the County screening tables and a separate Greenhouse Gas analysis utilizing the CalEEMod program with standard measures recognized by the South Coast Air Quality Management District. Therefore, air quality and greenhouse gas impacts would not be cumulatively considerable.

Impacts associated with the proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study have been found to be less than significant impact based upon the completion of individual studies for biological resources, air quality and greenhouse gases, and trip generation and prior evaluations for historical and cultural resources. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*
Less Than Significant Impact

The Project site is not located in an area that is susceptible to geologic hazards, with the exception of ground shaking during a geological event. The California Building Code and applicable fire codes would ensure appropriate construction techniques were utilized to adequately protect future occupants.

Therefore, implementation of the proposed Project would not have environmental effects that would cause substantial adverse effects on human beings. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented, including recommended mitigation measures that would be incorporated as conditions of approval. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, and current or future land uses authorized by the Project approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

MITIGATION MEASURES/CONDITIONS OF APPROVAL

Any mitigation measures, which are not “self-monitoring”, shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval. Condition compliance will be verified by existing procedures. (CCRF)

Biological Measure

BIO-1: Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist’s report shall be filed with the County Planning Division upon completion.

Cultural Measures

CUL-1: In the event that 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 standards 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, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

CUL-2: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

CUL-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

Tribal Cultural Measures

TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information

regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

GENERAL REFERENCES

California Department of Conservation, California Important Farmland Finder.
<https://maps.conservation.ca.gov/agriculture/#webmaps>

California Department of Conservation, Mineral Land Classification map, Open File Report 1994-0008.

California Department of Resources Recycling and Recovery (CalRecycle), Solid Waste Facilities, <https://www.calrecycle.ca.gov/>

California Department of Toxic Substances Control, EnviroStor Database.
<https://www.envirostor.dtsc.ca.gov/public/>

California Energy Commission, California Energy Consumption Database. Accessed January 29, 2020 from <https://ecdms.energy.ca.gov/Default.aspx>

County of San Bernardino. Development Code.
<http://cms.sbcounty.gov/lus/Planning/DevelopmentCode.aspx>

County of San Bernardino. Countywide Plan, 2020. <http://countywideplan.com/>

County of San Bernardino. Fire Stations. <https://sbcfire.org/firestations/>

San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan. [FWC-2020-UWMP-June-2021-Final.pdf \(fontanawater.com\)](https://fontanawater.com/FWC-2020-UWMP-June-2021-Final.pdf)

California Department of Conservation, Mineral Land Classification map, Open File Report 1994-0008

PROJECT-SPECIFIC REFERENCES

Biological Due Diligence Investigation, ELMT, June 9, 2021 Assessment, LSA, July 2021.

Custom Soil Resource Report for San Bernardino County Southwestern Part, California, August 15, 2021.

Preliminary Water Quality Management Plan for Serena Village, Azar Engineering; December 13, 2021.

Serena Village Air Quality and Greenhouse Gas Impact Study, MD Acoustics, May 5, 2021.

Tract 20016 (TRSTY-2021-00023) Trip Generation Vehicle Miles Traveled (VMT) Analysis, County of San Bernardino, TJW Engineering, Inc., October 13, 2021

EXHIBIT B

Mitigation Monitoring and Reporting Program

Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration
Mco Development – Tentative Tract Map and
Conditional Use Permit
PROJ-2020-00230

Prepared by:



County of San Bernardino, Land Use Services Department

385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415-0182
Contact: Jim Morrissey, Planner

JULY 2022

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1 Introduction

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the County of San Bernardino (County) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Star Point Properties Sixth Street Warehouse Project when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, California 92415

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2 Mitigation Monitoring and Reporting Program Table

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<i>Biological Resources</i>				
<p>BIO-1 Migratory Bird Survey Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist's report shall be filed with the County Planning Division upon completion.</p>	Prior to Land Disturbance or Grading Permit	Project applicant	County of San Bernardino	
<i>Cultural Resources</i>				
<p>CR-1 A). In the event that 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 standards 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, the San Manuel Band of Mission Indians Cultural Resources</p>	During Construction	Project applicant and their construction contractor/consultant	County of San Bernardino	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.				
CR-1 B). If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.	During Construction	Project applicant and their construction contractor/consultant	County of San Bernardino	
CR-1 C). If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	During Construction	Project applicant and their construction contractor/consultant	County of San Bernardino	
<i>Tribal Cultural Resources</i>				
TCR-1: Inadvertant Finds. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment.	Prior to issuance of Land Disturbance or Grading Permit	Project applicant and their construction contractor/consultant	County of San Bernardino	



Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.</p>				
<p>TCR-2: Documents and Records Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.</p>	On-Going	Project applicant	County of San Bernardino	

EXHIBIT C

Findings

FINDINGS: CONDITIONAL USE PERMIT. Conditional Use Permit (CUP) to construct a 112-unit multiple family condominium project on two separate parcels totaling approximately 6.7 acres.

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,** because the subject property is generally rectangular in configuration and of adequate size to accommodate all required features, except for the depth of landscaping located between the southerly property line, which is at an angle, and required parking area adjacent to a single family residential and multiple family zone. A variance is necessary to reduce the amount of this landscape area between the parking spaces and adjoining block wall. Approval of this variance would allow the development to comply with other adopted design criteria, such as the amount of parking required, building height, site access, and Building Code standards.
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 Project site has primary access from Banana Avenue and secondary access from Foothill Boulevard through the adjoining and associated project in the City of Fontana. Additional street dedication is required along Banana Avenue to reflect adopted County roadway standards and design criteria. Both roadways are paved and provide adequate capacity for planned uses.
3. **The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.** The proposed Project has access to adjoining paved roadways. The proposed building height is limited to two stories, which, when combined with on-site management oversight, would minimize the potential for noise, light, and glare to extend beyond the property line. The conditions of approval will ensure that the Project will conform to performance standards, including those for noise and vibration, thereby reducing potential impacts to the nearby residences, including the installation of a solid block wall along the southerly and easterly property lines. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.
4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the County General Plan** including, but not limited to, the following:

Policy LU-2.4 Land Use Map consistency.

We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.

Policy Implementation: The proposed Project is a permitted use, subject to a Conditional Use Permit, within the RM (Multiple Residential) Zone. The proposed Project will be required to comply with the development criteria of the RM Zone, with the completion of a variance for the depth of landscaping along the southerly property line.

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 neighborhood. We also require that new residential development are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Policy Implementation: The proposed Project is adjacent to the City of Fontana to the north and adjoins several subdivisions of a similar design style currently being processed by the applicant. The proposed use is a multiple family development, which is a logical land use type based upon the property's close proximity to Foothill Boulevard, which is a major east/west thoroughfare, and the higher density residential and commercial land uses planned by the City of Fontana along that thoroughfare and adjoining the subject property.

Policy LU-1.2 Infill development

We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.

Policy Implementation: The subject property is partially improved with some structures and surrounded by urban use. County Fire Station No. 73 is located approximately 400 feet north of the Project site at the southeast corner of Banana Avenue and Foothill Boulevard and water and sewer facilities exist within the adjoining streets. Public utilities are easily accessible and available to the site.

- 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.** The developer will be required to construct appropriate road improvements, provide adequate water and sewer facilities, and extend adequate utilities to the property, in accordance with the conditions of approval. Fire and Sheriff's Department services are currently provided to the area.

6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare**, because the conditions of approval ensure appropriate site improvements, street design, traffic improvements, and utilities are incorporated into the new development to meet projected needs. In addition, the conditions will ensure the Project will meet the adopted County performance standards for noise, lighting, and Project operation.
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**, because the proposed Project has a number of separate buildings that could provide for solar facilities, depending upon its feasibility to incorporate this feature into the Project.

FINDINGS: VARIANCE

Major Variance for the reduction in the width of the landscape area along the southerly property line, between the proposed parking lot and adjoining residential district from 10 feet minimum to 4'0" feet minimum.

1. **The granting of the Variance will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems** because the proposed use would reduce the amount of landscaping along the southerly property, but maintain a six foot high block wall that would shield adjoining residential areas from vehicle headlights and noise. The southerly property line is also angular and increases in width as it proceeds east to west, whereby the landscape area increases to meet the required depth. The proposed Project buildings have the ability to utilize solar facilities, depending upon the feasibility of that operation as it relates to the needs of the facility.
2. **There are exceptional or extraordinary circumstances or conditions applicable to the subject property or to the intended use that do not apply to other properties in the same vicinity and land use zoning district**, because the southerly property line is at an angle, which slopes slightly to the south (expanding the Project site) as one moves toward the west, but slightly narrows the site at the east or Banana Avenue side of the property. Projects are typically designed at right angles to reflect building alignments, parking spaces, and drive aisles. This property configuration would require the Project to provide increased landscaping at one end of the development that is beyond the required amount for a portion of the property to overcome the narrowing effect at the easterly frontage of the property. The result of this change in width is any improvement along the southerly side of the property, such as the proposed parking and drive aisle alignment, must veer away from the property line due to different angle, thereby creating a change in landscape depth. In addition, the Project provides a six foot high block wall to separate and shield adjoining properties from the proposed Project site.

3. **The strict application of the land use zoning district deprives the subject property of privileges enjoyed by other properties in the vicinity or in the same land use zoning district**, because the existing property configuration is only known to occur on this property, with the only other parcel within the RM District adjoining the Project site to the south currently developed with a single-family residence. The installation of a required block wall along the southerly property line would continue to shield adjoining properties from perimeter parking on the subject site and not affect adjoining residential uses.
4. **Granting of the Variance is compatible with the maps, objectives, policies, programs, and general land uses specified in the General Plan and any applicable specific plan**, because the County General Plan encourages new multiple family housing and environmentally suitable development and the use is consistent with the development objectives of the Multiple Residential Land Use Zoning District.

FINDINGS: TENTATIVE TRACT MAP

SBCC 87.02.060 Tentative Tract Map to create 112 condominium lots on approximately 6.7 acres.

1. **The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan.** The Countywide Plan designates the Project site Medium Density Residential, 5 to 20 dwelling units per acre. The proposed Project density is 16.7 dwelling units per acre. The adjoining roadway will be improved consistent with the County standards and the property is not within a community plan or specific plan area.
2. **The site is physically suitable for the type and proposed density of development.** The property has a minimal downward slope to the south and is within an existing developed area with adjoining single-family subdivisions, trailer park, and commercial uses. Primary access will be available through Banana Avenue, an improved paved roadway. Route 66, Foothill Boulevard, is to the north and will provide a secondary access through an adjoining subdivision. Water and sewer services and utilities are readily available to the property.
3. **The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.** A *Biological Due Diligence Investigation* was conducted for the property and no special status plant or wildlife species, including burrowing owls were identified and no active nests or birds displaying nesting behavior were found. The property has been disturbed with a number of buildings on the property and the recent removal of ground cover. A mitigation measure has been recommended to undertake a nesting bird survey prior to land disturbance, consistent with the provisions of the Migratory Bird Treaty Act.

Findings

PROJ-2020-00230/CUP/TTM

APN: 0230-031-20 and 21

Planning Commission Hearing: July 7, 2022

4. **The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.** The proposed development meets the requirements of the County's Development Code for minimum lot size and Project design for a condominium style development and is consistent with the Countywide Policy Plan density range of 5 to 20 dwelling units per acre. The condominium design reflects a multiple family housing development style and necessitates approval of a Conditional Use Permit to evaluate common open space, recreational facilities, vehicle access, and building design features.
5. **The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision. This finding may also be made if the review authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision.** No easements currently traverse the property.
6. **The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.** The City of Fontana indicated the subdivision is within 200 feet of sanitary sewer facilities operated by the City.
7. **The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.** The proposed lot size and Project design provides housing that can use natural heating and cooling, while complying with the requirements of the California Building Code.
8. **The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.** The proposed design, density, and building placement are consistent with the Countywide Plan and County Development Code for Project design, density range, and development criteria required by the County Traffic and Building and Safety Divisions, and the County Fire Department and subject to approval of the major variance.

Findings
PROJ-2020-00230/CUP/TTM
APN: 0230-031-20 and 21
Planning Commission Hearing: July 7, 2022

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been determined to not have a significant adverse impact on the environment with the implementation of all the required Mitigation Measures. A Mitigated Negative Declaration (MND) has been adopted and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk of the Board of Supervisor. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT D

Conditions of Approval



Conditions of Approval

Record: PROJ-2020-00230

System Date: 05/10/2022

Record Type: Project Application

Primary APN: 0230031210000

Record Status: In Review

Application Name: CONCURRENT FILING -
CONDITIONAL USE PERMIT AND
TENTATIVE TRACT MAP



Conditions of Approval

Description:

CF - TENTATIVE TRACT MAP - PROPOSED 112 UNIT MULTI-FAMILY RESIDENTIAL

Informational

Land Use Services – Planning

1. Subdivisions - Development Impact Fees: Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
2. Revisions: 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.
3. Subdivisions- Condition Compliance: Condition compliance confirmation for purposes of Final Map recordation will be coordinated by the County Surveyor.
4. Subdivisions - Project Approval Description (TT/TPM): Tentative Tract Map No. 20016 is a 112-multiple family condominium development on 6.7 acres and may be recorded in compliance with the conditions of approval, the approved stamped tentative map, and the required Composite Development Plan. The Project is located on the west side of Banana Avenue approximately 600 feet south of Foothill Blvd., in the Fontana area of San Bernardino County
5. Subdivisions - Indemnification: 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.
6. Subdivisions - Project Account (TT/TPM): The Project account number is PROJ-2020-00230. 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 expenses 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 \$500.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.



Conditions of Approval

7. Subdivisions - Additional Permits: The property owner, developer and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include: FEDERAL: STATE: COUNTY: LOCAL:
8. Subdivisions - State and Federal Endangered Species Act: This approval does not relieve the property owner or project proponent of responsibility to comply with State and Federal Endangered Species Acts. If any sensitive species are identified during grading, building or land disturbing activity, all on-site activities must cease, the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) (as applicable) must be contacted to discuss specific mitigation measures and to obtain the necessary incidental take permits. Proof of an incidental take permit from the appropriate agency, or letter stating a permit is not required, must be furnished to the Planning Division. All mitigation measures must be agreed upon and implemented prior to construction activity resuming.

On-Going

Land Use Services - Planning

9. Extension of Time: Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
10. Underground Utilities : No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.

Prior to Recordation

Land Use Services - Building and Safety

11. Geotechnical (Soil) Report Required: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the final map.
12. Demolition Permit Required Before Recordation: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.

Land Use Services - Land Development

13. Road Dedication/Improvements: The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California. Banana Avenue (Collector Street – 66'): •Road Dedication. A 3-foot grant of easement is required to provide a half-width right-of-way of 33 feet. •Street Improvements. Design curb and gutter with match up paving 22 feet from centerline. •Sidewalks. Design sidewalks per County Standard 109 Type "C". •Driveway Approach. Design driveway approach per 2010 Caltrans Driveway Standard Detail A87A (W=12' min – 26' max) and located per San Bernardino County Standard 130.
14. Slope Easements: Slope rights shall be dedicated, where necessary.



Conditions of Approval

15. Improvement Securities: Any required public road, drainage, WQMP, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
16. Road Standards and Design: All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

Public Works Department – Surveyor’s Office

17. Subdivision Map Act Compliance: A Tentative and Final Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
18. Non-Interference Letter: Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
19. Easements of Record: Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
20. Final Map Review: Review of the Final Map by our office is based on actual cost, and requires an initial \$8,000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
21. Title Report: A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.
22. Final Monumentation: Final Monumentation, not set prior to recordation, shall be bonded for with a cash deposit to the County Surveyor's Office as established per the current County Fee Ordinance on file with the Clerk of the Board.

END OF CONDITIONS



Conditions of Approval

Record: PROJ-2020-00230

System Date: 05/10/2022

Record Type: Project Application

Primary APN: 0230031210000

Record Status: In Review

Application Name: CONCURRENT FILING -
CONDITIONAL USE PERMIT AND
TENTATIVE TRACT MAP

Description:

CF - CONDITIONAL USE PERMIT - PROPOSED 112 UNIT MULTI-FAMILY
RESIDENTIAL

Informational

Land Use Services – Planning

1. Project Approval Description (CUP/MUP): This Conditional Use Permit is conditionally approved to proposing a Conditional Use Permit, in conjunction with a Tentative Tract Map, to construct 112 condominium units in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), 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: The Project site is located on the west side of Banana Avenue approximately 600 feet south of Foothill Blvd., in the Fontana area of San Bernardino County, adjacent to the Fontana City Limits.
3. Clear Sight Triangle: Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
4. Continuous Effect/Revocation: 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.
5. Revisions: 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.



Conditions of Approval

Record: PROJ-2020-00230

System Date: 05/10/2022

County Fire - Community Safety

6. Permit Expiration: Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
7. Additional Requirements: 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.
8. Access – 150+ feet : Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
9. Jurisdiction: The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.
10. Private Road Maintenance : The applicant shall construct and maintain all such roads. In addition, the applicant shall provide to the Fire Department a signed maintenance agreement as detailed in the General Requirement conditions for ongoing road maintenance and snow removal (where applicable). This shall include all primary and secondary access routes that are not otherwise maintained by a public agency.
11. Sprinkler Installation Letter: The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.
12. Access – 30% slope : Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.

Land Use Services - Land Development

13. Tributary Drainage: Adequate provisions should be made to intercept and conduct the tributary off site
- on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
14. Erosion Control Installation: 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.



Conditions of Approval

15. Additional Drainage Requirements: 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.
16. BMP Enforcement: In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.
17. Continuous BMP Maintenance: The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.

On-going

Land Use Services - Planning

18. Construction Hours: 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. Cultural Resources: 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.
20. Extension of Time: Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
21. Lighting: 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.
22. Underground Utilities: No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
23. Back Out Into Public Roadways: Project vehicles shall not back out into the public roadway.



Conditions of Approval

24. On-going Condition: TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.
25. On-going Condition: TCR-2: Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.
26. Additional Permits : The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:
27. GHG - Operational Standards: 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. 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.
28. Construction Noise : 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.
29. Project Account: The Project account number is PROJ-2020-00230. 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 \$2,000.00 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.



Conditions of Approval

30. **Continuous Maintenance** : 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.
31. **Expiration**: This project permit approval 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.

Public Health– Environmental Health Services

32. **Refuse Storage and Disposal**: All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the



Conditions of Approval

premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq.

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

Land Use Services – Land Development

34. WQMP Inspection Fee: The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
35. WQMP: A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP 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. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>).
36. On-site Flows: On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
37. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 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. Road Dedication/Improvements: The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California. Banana Avenue (Collector Street – 66’):
•Road Dedication. A 3-foot grant of easement is required to provide a half-width right-of-way of 33 feet. •Street Improvements. Design curb and gutter with match up paving 22 feet from centerline. •Sidewalks. Design sidewalks per County Standard 109 Type “C”. •Driveway Approach. Design driveway approach per 2010 Caltrans Driveway Standard Detail A87A (W=12’ min – 26’ max) and located per San Bernardino County Standard 130.
39. Slope Easements: Slope rights shall be dedicated, where necessary.
40. Soils Testing: Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
41. Construction Permits: Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
42. Maintenance Bond: Once all required public road, drainage, WQMP, and/or utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.



Conditions of Approval

43. Road Standards and Design: All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
44. Street Gradients: Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
45. Transitional Improvements: Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
46. Street Type Entrance: Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
47. Project Specific Conditions: Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Department of Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
48. Project Specific Conditions: Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Department of Public Works.

Prior to Land Disturbance

Land Use Services - Building and Safety

49. Wall Plans: Submit plans and obtain separate building permits for any required retaining walls.
50. Geotechnical (Soil) Report Required Before Grading: 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.
51. Demolition Permit Required Before Grading: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.

Land Use Services - Land Development

52. Grading Plans: Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. 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.
53. Regional Board Permit: 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.
54. NPDES Permit: 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.



Conditions of Approval

55. FEMA Flood Zone: The project is located within Flood Zone X-Shaded and X-Unshaded according to FEMA Panel Number 06071C8651H dated 8/28/2008 and FEMA Panel Number 06071C8635J dated 9/26/2016. Flood Zone X- Shaded will require the lowest floor of structure to be elevated 1 feet above highest adjacent ground in compliance with FEMA/SBC regulations. No elevation requirements for Flood Zone X-Unshaded. The requirements may change based on the most current Flood Map prior to issuance of grading permit.
56. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which 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.
57. WQMP Inspection Fee: The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
58. WQMP: A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP 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. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>)
59. San Sevaine Fee: The project site is located within the San Sevaine Drainage Fee area and is subject to a fee of \$4,405 per net developed acre that is to be paid prior to issuance of any grading or building permit. (SBC Ord, No. 3358). Total net developed acreage is 2.63 acres and the fee shall be \$11,585.15.

Public Works – Surveyor’s Office

60. Corner Records Required Before Grading: 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.
61. Monument Disturbed by Grading: 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.

Land Use Services – Planning

62. Grading/Land Disturbance Condition: BIO-1: Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a preconstruction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist’s report shall be filed with the County Planning Division upon completion.



Conditions of Approval

63. Grading/Land Disturbance Condition: CUL-1: In the event that 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 standards 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, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.
64. Grading/Land Disturbance Condition: CUL-2: If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
65. Grading/Land Disturbance Condition: CUL-3: If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
66. Air Quality: Although the Project does not exceed South Coast Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the South Coast Air Basin is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures: a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities. 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday. 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion. 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour. b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NOX and PM10 levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements: 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
67. Diesel Regulations: The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. South Coast Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.



Conditions of Approval

68. GHG - Construction Standards: 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 flag person 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.

Public Health– Environmental Health Services

69. Vector Control Requirement: The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

Prior to Issuance

County Fire - Community Safety

70. Building Plans: Building plans shall be submitted to the Fire Department for review and approval.
71. Combustible Protection: Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
72. Fire Fee: The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
73. Fire Flow Test: Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.



Conditions of Approval

74. **Access:** The development shall have a minimum of 3 points 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.
75. **Haz-Mat Approval:** 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.
76. **Hydrant:** Your project meets fire flow however the fire hydrant shown in your submittal is in excess of the required spacing and/or a substandard fire hydrant. You will be required to install an approved fire hydrant within 300 feet (as measured along vehicular travel- ways) from the driveway on the address side of the proposed structure. This requirement shall be completed prior to combination inspection by Building and Safety.
77. **Primary Access Paved:** Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.
78. **Secondary Access Paved:** Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
79. **Solar:** Solar / Photovoltaic System Plans. Plans shall be submitted online through EZOP to the Fire Department for review and approval. Plans must be submitted and approved prior to Conditional Compliance Release of Building.
80. **Surface:** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
81. **Water System:** Prior to any land disturbance, the water 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 California Fire Code. The Fire Flow for this project shall be: 1500 GPM for a two hour duration at 20 psi residual operating pressure. Fire Flow is based on a 7457 sq. ft. structure.
82. **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 job site.
83. **Water System Commercial:** A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.

Land Use Services - Building and Safety

84. **Temporary Use Permit:** 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.



Conditions of Approval

85. Construction Plans: 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.

Land Use Services - Land Development

86. Construction Permits: Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
87. Regional Transportation Fee: This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Fontana Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$4,671 per unit for Multi Family Use, which includes the 112 units per the site plan dated May 26, 2021. Therefore, the estimated Regional Transportation Fees for the Project is \$523,152.00. The current Regional Transportation Development Mitigation Plan can be found at the following website: <http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

Public Works – Surveyor's Office

88. Monument Disturbed by Grading: 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.
89. Corner Records Required Before Grading: 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:
- Monuments set to mark property lines or corners;
 - 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;
 - Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

Land Use Services – Planning

90. Signs: All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:
- All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
 - All sign lighting shall not exceed 0.5 foot-candle.
 - No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
 - Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.



Conditions of Approval

Public Health– Environmental Health Services

91. Preliminary Acoustical Information: 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.
92. Water and Sewer - LAFCO: Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to EHS verification of Local Agency Formation Commission (LAFCO) approval of either: 1. Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, 2. Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133.
93. Sewer Service Verification Letter: Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
94. Sewage Disposal: Method of sewage disposal shall be sewer service provided by City of Fontana or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
95. Existing Wells: 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.
96. Water Service Verification Letter: Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice.
97. Water Purveyor: Water purveyor shall be Fontana WC or EHS approved.
98. Demolition Inspection Required: All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any premises. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

Public Works – Traffic

99. Improvements: The applicant shall design their street improvement plans to include the following:
 - Driveways on Banana Avenue.
 - ✓ The northerly driveway shall be an emergency vehicle access only.
 - ✓ The southerly driveway shall be an exit only. Developer shall install outside the public road right-of-way and maintain, at all times, the appropriate retroreflective signage to clearly communicate and enforce this restriction.



Conditions of Approval

Prior to Final Inspection

County Fire - Community Safety

100. Combustible Vegetation: 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.
101. 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 (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.
102. Fire Alarm - Manual: A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The 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.
103. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
104. Fire Lanes: The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
105. Fire Sprinkler-NFPA #13 : An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
106. Hydrant Marking : Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.
107. 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.
108. Key Box : An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
109. Override Switch : Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required.



Conditions of Approval

110. Roof Certification: A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
111. Street Sign: This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.

Prior to Occupancy

County Fire - Community Safety

112. Inspection by the Fire Department: Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

Land Use Services - Land Development

113. WQMP Improvements: All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.
114. Drainage Improvements: 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.
115. Structural Section Testing: Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Department of Public Works, for Banana Avenue only. Structural section for the private roads shall be submitted to Land Development.
116. Road Improvements: Condition of Road Improvements. At the time of occupancy for all structures, the condition of all required on-site and off-site improvements shall be acceptable to County Department of Public Works.
117. Structural Section Testing: A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
118. LDD Requirements: Landscape Maintenance. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by the County Department of Public Works/Current Planning, maintained by the adjacent property owner or other County-approved entity.
119. Road Improvements: All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.



Conditions of Approval

Land Use Services – Planning

120. Condition Compliance: Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.
121. Fees Paid: 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- 2020-00230.
122. Installation of Improvements: All required on-site improvements shall be installed per approved plans.
123. Landscaping/Irrigation: 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.
124. Screen Rooftop: All roof top mechanical equipment is to be screened from ground vistas.
125. Shield Lights: 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).
126. GHG - Installation/Implementation Standards: 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.

Public Works - Traffic

127. Roadway Improvements. The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.



Conditions of Approval

Record: PROJ-2020-00230

System Date: 06/28/2022

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	http://cms.sbcounty.gov/lus/Home.aspx	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	https://www.sbcounty.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	http://cms.sbcounty.gov/dpw/Home.aspx	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	https://wp.sbcounty.gov/dph/programs/ehs/	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	http://www.sbclaico.org/	
Special Districts	Water and Sanitation	(760) 955-9885
	Administration,	
	Park and Recreation,	
	Roads, Streetlights, Television Districts, and Other	(909) 386-8800
External Agencies (Caltrans, U.S. Army, etc.)	See condition text for contact information...	