



**LAND USE SERVICES DEPARTMENT**  
**PLANNING DIVISION**  
**PLANNING COMMISSION STAFF REPORT**



**HEARING DATE:** January 23, 2014  
Project Description

**AGENDA ITEM # 03**  
Vicinity Map



<b>APN:</b>	0544-311-45
<b>Applicant:</b>	Luis Ramallo (Alien Hotel)
<b>Community:</b>	Baker/1 <sup>st</sup> Supervisorial District
<b>Location:</b>	Extending between Baker Blvd. & Sheridan Ave.
<b>Project No:</b>	P201200246/CF
<b>Staff:</b>	Tracy Creason
<b>Rep:</b>	Steen Design Studio
<b>Proposal:</b>	A) General Plan Amendment from RS-14m to CH on an approximate 1.65 acre portion of the property to eliminate split zoning; B) Revision to add a 25,900-sq.ft. 3-story hotel with restaurant, museum, gift shop & pool/spa, a 5600-sq.ft. 2-story office building with a pool bar, a 7000-sq.ft. 1-story storage building, and a 100-sq.ft. kiosk to the existing retail uses (with existing caretaker residence) on 5.5 acres



11 Hearing Notices Sent On: January 10, 2014  
Field Review: January 15, 2014

Report Prepared By: Tracy Creason  
Reviewed by: Commissioner Coleman

### **SITE INFORMATION**

**Parcel Size:** 5.5 acres  
**Terrain:** Generally flat, with elevations between approximately 936 and 941 feet above mean sea level  
**Vegetation:** Disturbed, developed parcel with minimal installed landscaping

### **SURROUNDING LAND DESCRIPTION:**

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT / OVERLAYS
Site	Alien Jerky retail store; caretaker's residence	CH & RS-14m; AR-3, Biological Resources
North	Storage Yard	CH; AR-3, Biological Resources
South	Vacant; Fast food	CH; Biological Resources
East	Gas Station	CH; AR-4, Biological Resources
West	Motel	RS-14m; AR-4, Biological Resources

	<u>AGENCY</u>	<u>COMMENT</u>
City Sphere of Influence:	None	N/A
Water Service:	Baker CSD	Will continue to serve
Sewer/Septic Service	Baker CSD	Will continue to serve

In accordance with Section 86.12.040 of the Development Code, a disapproval action on this item may be appealed to the Board of Supervisors within 10 days after the Planning Commission action.

## VICINITY MAP

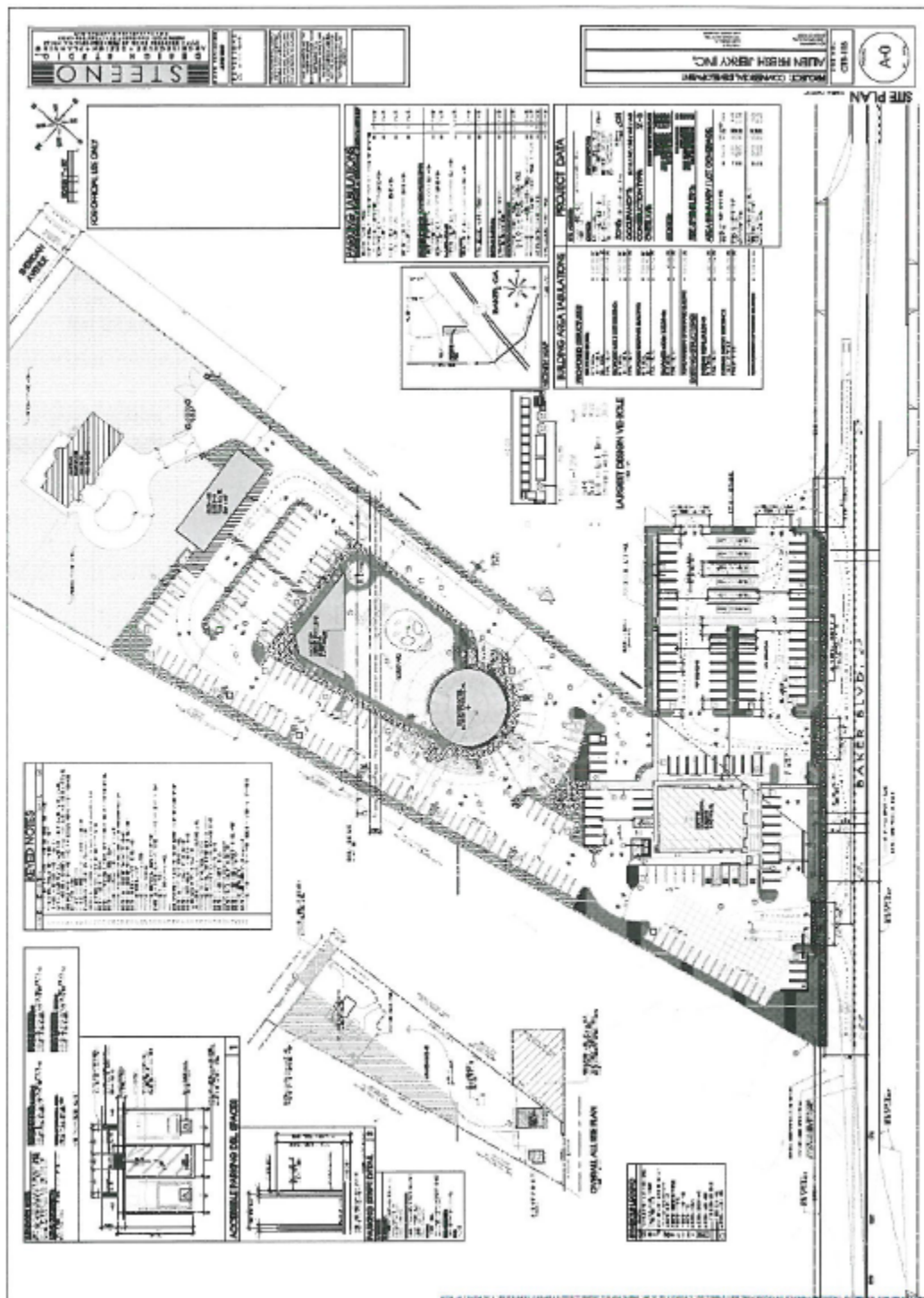


## AERIAL VIEW AND LAND USE ZONING DISTRICT MAP





## SITE PLAN





## **BACKGROUND:**

In 2003, the owner of the subject property processed a Land Use Review application to establish the Alien Jerky retail store. In 2009, Luis Ramallo processed applications, and obtained approval, for a lot line adjustment and a lot merger.

In January 2012, Mr. Ramallo and his representative, Tom Steeno, filed a Pre-application Development Review meeting request to discuss a proposal to add a 25,900-sq.ft. 3-story hotel with restaurant, museum, gift shop & pool/spa, a 5600-sq.ft. 2-story office building with a pool bar, a 7000-sq.ft. 1-story storage building, and a 100-sq.ft. kiosk to the existing retail uses (with existing caretaker residence) on 5.5 acres. Subsequently, Steeno Design submitted a General Plan Amendment (GPA) and a Revision application for the current development proposal.

Location and Setting: The site is located on the north side of Baker Boulevard in the commercial “downtown” of the unincorporated community of Baker. Access to the development is proposed from driveways on Baker Boulevard. The site contains disturbed developed land, with minimal installed landscaping. The site is generally flat, with elevations between approximately 936 and 941 feet above mean sea level. The northerly 331 feet of the parcel is within the Baker Airport Comprehensive Land Use Plan (ACLUP), within the Airport Safety Review Area 3, and the horizontal surface of Runway 33. Although the proposed development is not within this portion of the site, compliance with the ACLUP requirements is included in the conditions of approval.

## **ANALYSIS: GENERAL PLAN AMENDMENT**

Consistency with General Plan Policies: The project site currently supports the Alien Jerky retail store and a caretaker’s residence. The proposed Land Use Zoning District change on a 1.65-acre portion of the site, currently zoned Single Residential – 14,000 minimum parcel size (RS-14m), will eliminate the split zoning and result in the entire property being zoned Highway Commercial (CH), which is the predominant zoning along Baker Boulevard. Additionally, the CH Land Use Zoning District is appropriate for the proposed development.

## **ANALYSIS: CONDITIONAL USE PERMIT**

Project Notice: The original project notifications were mailed to 16 surrounding property owners in October, 2012. Staff received two responses, both expressing concerns about an existing block wall and flooding. Copies of these were sent to the Code Enforcement Division and the Land Development Division for investigation. The Land Development Division reviewed the proposed project and conditioned it appropriately relative to drainage.

Aesthetics/Visual: The current visual character of the site is typical of development in Baker. The Alien Jerky retail store exists on the site. The proposed project will add structures to the existing structure. Landscaping appropriate to this desert setting will be installed along the Baker Boulevard frontage, adjacent to the buildings, and along the side property lines.

Any proposed lighting must comply with the Glare and Outdoor Lighting requirements within the Desert Region, which includes shielding to prevent light trespass and protect the night sky.

Although the site is not adjacent to a scenic corridor, the conditions of approval include requirements for submittal of exterior architectural elevations and landscaping plans. These will help to ensure that the proposed development is an aesthetic enhancement to the area.

**Biological Resources:** Even though the site is within an area known to contain habitat to support Desert Tortoise, it contains no native vegetation, is developed with a commercial use, is adjacent to Baker Boulevard, and is surrounded by commercial development.

**Transportation/Traffic:** Hall & Foreman, Inc. prepared a draft *Traffic Impact Analysis* (TIA) for the proposed project on October 11, 2012. The TIA was updated on January 12, 2013, on May 6, 2013, and again on August 12, 2013 in response to comments from the County Department of Public Works, Traffic Division and Caltrans. Based on the recommendations outlined in the TIA, the applicant shall design Baker Boulevard to provide a two-way left turn lane along the project frontage and provide adequate storage and transitions for vehicles turning left into the project driveways. The applicant shall pay fair share contributions at three intersections: Baker Boulevard at Death Valley Road (State Route 127); Interstate 15 southbound ramp at Death Valley Road; Baker Boulevard at Mojave Pointe Drive. Additionally, the applicant shall submit street improvement plans to the County and Caltrans for an all-way stop control at the intersection of Interstate 15 northbound ramp and Kelbaker Road.

### **ENVIRONMENTAL REVIEW:**

Planning Staff prepared an Initial Study (IS) for the Project pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the California Environmental Quality Act (CEQA) Guidelines. Staff prepared a Notice of Availability and Notice of Intent (NOA/NOI) and mailed it to eight surrounding property owners on November 1, 2013. The Initial Study was circulated through the State Clearinghouse Office of Planning and Research, posted with the Clerk of the Board, and available on the County website for public review. Staff received no responses to the NOA/NOI.

The Initial Study concludes that with incorporation of the traffic mitigation measures the proposed Project will not have a significant effect on the environment. Therefore, a Mitigated Negative Declaration is proposed for adoption by the Planning Commission.

### **SUMMARY:**

The proposed project is consistent with County goals and policies regarding land use, specifically Goal LU 3, which supports commercial development within cities and unincorporated communities, Goal D/LU 3, which strives to ensure that commercial development is compatible with the rural desert character and meets the needs of local residents. Additionally the Project complies with Goal ED 9, which promotes increased capacity to serve tourists within the County's established tourist attractions, specifically Policy ED 9.2 to build on the *Gateway to the Mountains and Deserts* theme. Therefore, Planning Staff recommends approval of the Project.

**RECOMMENDATION:** That the Planning Commission make the following recommendation to the Board of Supervisors:

- 1) **ADOPT** the Mitigated Negative Declaration and find that the Initial Study was completed in compliance with the California Environmental Quality Act, that it has been reviewed and considered prior to approving the Project and that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of San Bernardino County;
- 2) **ADOPT** the Findings for approval of a General Plan Amendment and a Revision to an Approved Action as contained in the Staff Report;
- 3) **ADOPT** a General Plan Amendment from RS-14m to CH on approximately 1.65 acres;
- 4) **APPROVE** the Revision to an Approved Action to add a 25,900-sq.ft. 3-story hotel with restaurant, museum, gift shop & pool/spa, a 5600-sq.ft. 2-story office building with a pool bar, a 7000-sq.ft. 1-story

storage building, and a 100-sq.ft. kiosk to the existing retail uses (with existing caretaker residence) on 5.5 acres, subject to the conditions of approval contained in the Staff Report;

5) **FILE** a Notice of Determination.

**ATTACHMENTS:**

Exhibit A:	Findings
Exhibit B:	Initial Study
Exhibit C:	Conditions of Approval
Exhibit D:	Correspondence



## **EXHIBIT A**

### **Findings**

## **FINDINGS – GENERAL PLAN AMENDMENT**

General Plan Land Use Zoning District Amendment from RS-14m (Single Residential, 14,000 square foot minimum parcel size) to CH (Highway Commercial) on an approximate 1.65 acre portion of the property to eliminate split zoning.

1. **The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan, or an applicable specific plan.** It is consistent with the following goals and policies of the County General Plan:
  - **Goal LU 3 – The unincorporated communities within the County will be sufficiently served by commercial land uses.**  
Goal Implementation: The amendment would agree with Goal LU 3 by permitting the continuation and expansion of an existing commercial land use.
  - **Goal D/LU 3 – Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.**  
Goal Implementation: The amendment would agree with the Desert Region Goal D/LU 3 by retaining and expanding an existing commercial development that is compatible with the rural desert character. The original retail business was established in 2003 and has thrived. The proposed project expands on the theme of the original Alien Jerky business, which employs local residents.
  - **Goal ED 9 – Promote increased capacity to serve tourists within the County's established tourist attractions to bring more destination spending into San Bernardino County.**
    - **Policy ED 9.2 – Build on the *Gateway to the Mountains and Deserts* theme to attract overnight visitors.**  
Goal and Policy Implementation: The amendment would eliminate the existing split zoning and allow the establishment of the Alien Hotel in the community of Baker, the Gateway to Death Valley. By providing tourist accommodations and a unique attraction, the project will increase tourism in San Bernardino County, especially overnight visitors at the *Desert Gateway* to Death Valley.
2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.** The amendment facilitates the continuation of a Project, which incorporates appropriate conditions of approval to protect and enhance public health and safety, while providing ongoing employment opportunities in the community.
3. **The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.** The proposed amendment enables the existing use to continue. A community benefit will continue from the retention and expansion of employment opportunities. The land use zoning district change will permit the continuation and expansion of a development that will provide road and intersection improvements along Baker Boulevard, which will serve the surrounding community.
4. **The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.** The proposed amendment will continue the CH land use zoning district that exists along a majority of Baker Boulevard.
5. **The proposed land use zoning district change does not conflict with provisions of this Development Code.** The Project site conforms to the size and location criteria specified for the proposed CH land use zoning district. It is a continuation of the adjacent zoning along Baker Boulevard. All development must comply with commercial development standards and land use regulations of the proposed CH land use district.

6. **The proposed land use zoning district change will not have a substantial adverse effect on surrounding property.** As noted in Finding #4, the proposed amendment will continue the CH land use zoning district that exists along a majority of Baker Boulevard. Development standards of the proposed CH land use district will limit the potential for any adverse effects on surrounding properties.
7. **The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.** The Baker Community Services District (CSD) provides water service, sewer service, and trash collection and recycling service to the site. The Baker CSD indicated that they can continue to provide these services to the expanded land uses proposed in this project. San Bernardino County Fire Department and Sheriff Department provide fire and police protection to the site. The County Land Development Division evaluated site drainage and water quality associated with the Project. As part of development, the applicant must install an on-site *StormTech* system to intercept water. Compliance with the best management practices outlined in the Preliminary Water Quality Management Plan is required.
8. **The Environmental Initial Study has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County acting as lead agency for the Project.** The Project will not have a significant adverse impact on the environment. There are mitigation measures related to transportation and traffic. Adoption of a Mitigated Negative Declaration will be part of the recommendation.



## **FINDINGS – REVISION TO AN APPROVED ACTION**

Revision to add a 25,900-square foot, 3-story hotel with restaurant, museum, gift shop & pool/spa, a 5600-square foot, 2-story office building with a pool bar, a 7000-square foot, 1-story storage building, and a 100-square foot kiosk to the existing retail uses (with existing caretaker residence) on 5.5 acres.

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.** The 5.5-acre site is adequate in size and shape to accommodate the proposed uses and buildings. The site plan shows all aspects of the Project, which meets the required loading and parking areas, including accessible spaces, adequate drive aisles, required setbacks, and landscaping.
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 is adjacent to Baker Boulevard, which provides legal and physical access to the site. The conditions of approval include additional road dedication and improvements to Baker Boulevard, road dedication on Sheridan Avenue, and intersection improvements and/or fair share contributions. As part of these improvements, the Project driveways will be redesigned to County standards.
3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance.** The proposed use is consistent with the development allowed in the Highway Commercial (CH) land use zoning district. The Project incorporates landscaped building setbacks to provide a buffer for adjacent property designated as Single Residential, 14,000-square foot minimum parcel size (RS-14m).
4. **The proposed use and manner of development are consistent with the goals, policies, standards and maps of the General Plan and any applicable specific plan or planning area.** The proposed hotel, restaurant, museum, gift shop, office building, storage building, pool/spa, and kiosk are consistent with the goals, policies, standards, and maps of the General Plan and the Development Code. The Project, together with the provisions for its design and improvement, are consistent with both the General Plan's goals and policies and is consistent with the development standards of the CH Land Use Zoning District. The Project is consistent with the following Goals and Policies of the General Plan:
  - **Goal LU 3 – The unincorporated communities within the County will be sufficiently served by commercial land uses.**  
Goal Implementation: The project would agree with Goal LU 3 by permitting the continuation and expansion of an existing commercial land use.
  - **Goal D/LU 3 – Ensure that commercial and industrial development within the region is compatible with the rural desert character and meets the needs of local residents.**  
Goal Implementation: The project would agree with the Desert Region Goal D/LU 3 by retaining and expanding an existing commercial development that is compatible with the rural desert character. The original retail business was established in 2003 and has thrived. The proposed project expands on the theme of the original Alien Jerky business, which employs local residents.
  - **Goal ED 9 – Promote increased capacity to serve tourists within the County's established tourist attractions to bring more destination spending into San Bernardino County.**
    - **Policy ED 9.2 – Build on the *Gateway to the Mountains and Deserts* theme to attract overnight visitors.**

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Goal and Policy Implementation: The project would allow the establishment of the Alien Hotel in the community of Baker, the Gateway to Death Valley. By providing tourist accommodations and a unique attraction, the project will increase tourism in San Bernardino County, especially overnight visitors at the *Desert Gateway to Death Valley*.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.** Water, sewer, trash and recyclable collection will continue to be provided by the Baker CSD. Electricity is supplied by Southern California Edison. A County maintained access road, Baker Boulevard, is adjacent to the project site. Additional road dedication and improvements to Baker Boulevard, road dedication on Sheridan Avenue, and intersection improvements and/or fair share contributions are conditions of approval. As part of these improvements, the Project driveways will be redesigned to County standards.
6. **The lawful conditions stated in the approval are deemed necessary to protect the public health, safety, and general welfare.** All development issues have been evaluated by the appropriate agencies and County staff, and conditions of approval have been required to ensure compliance with applicable development standards, to protect the public health, safety and welfare.
7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.** The proposed buildings do not cause excessive shadow that would impede the use of solar energy systems and their orientation will be conducive to utilizing available solar energy. Sufficient open space exists to consider the use of solar energy systems and passive or natural heating and cooling opportunities.
8. **An Environmental Initial Study / Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and represents the independent judgment of the County acting as lead agency for the Project.** The Project will not have a significant adverse impact on the environment. There are mitigation measures related to transportation and traffic. Adoption of a Mitigated Negative Declaration will be part of the recommendation.

## **EXHIBIT B**

### **Initial Study**



## SAN BERNARDINO COUNTY INITIAL STUDY 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:

<p><b>APN:</b> 0544-311-45-0000</p> <p><b>Applicant:</b> LUIS RAMALLO</p> <p><b>Community:</b> BAKER/1ST SUPERVISORIAL DISTRICT</p> <p><b>Location:</b> EXTENDING BETWEEN BAKER BLVD. &amp; SHERIDAN AVE.</p> <p><b>Project No:</b> P201200246/CF</p> <p><b>Staff:</b> TRACY CREASON</p> <p><b>Rep:</b> STEENO DESIGN STUDIO, INC. – TOM STEENO</p> <p><b>Proposal:</b> A) GENERAL PLAN AMENDMENT FROM RS-14M TO CH TO MIRROR THE PROPERTY BOUNDARY ON APPROXIMATELY 1.65 ACRES; B) REVISION TO ADD A 25,900-SQ.FT. 3-STORY HOTEL WITH RESTAURANT, MUSEUM, GIFT SHOP &amp; POOL/SPA, A 5600-SQ.FT. 2-STORY OFFICE BUILDING WITH A POOL BAR, A 7000-SQ.FT. 1-STORY STORAGE BUILDING, AND A 100-SQ.FT. KIOSK TO THE EXISTING RETAIL USES (WITH EXISTING CARETAKER RESIDENCE) ON 5.5 ACRES</p>	<p><b>USGS Quad:</b> BAKER</p> <p><b>T, R, Section:</b> T14N R9E Sec. 30 SW ¼</p> <p><b>Thomas Bros.:</b> P2971 / GRID: F4</p> <p><b>Planning Area:</b> Desert Region</p> <p><b>LUZD:</b> CH &amp; RS-14M</p> <p><b>Overlays:</b> AIRPORT REVIEW 3 BIOLOGICAL RESOURCES</p>
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### PROJECT CONTACT INFORMATION:

<p><b>Lead agency:</b> County of San Bernardino Land Use Services Department – Planning Division 15900 Smoke Tree Street Hesperia, CA 92345</p> <p><b>Contact person:</b> Tracy Creason, Planner III</p> <p><b>Phone No:</b> 760.995.8143</p> <p><b>E-mail:</b> tcreason@lusc.sbcounty.gov</p> <p><b>Project Sponsor:</b> Luis Ramallo 1813 Palo Alto Circle Las Vegas, NV 89108 Phone: 702.429.1919</p>	<p><b>Fax No:</b> 760.995.8167</p> <p>Steen Design Studio, Inc. – Tom Steeno 11774 Hesperia Road Hesperia, CA 92345 Phone: 760.244.5001</p>
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### PROJECT DESCRIPTION:

The proposed project is a General Plan Amendment to change the zoning from RS-14m to CH on an approximately 1.65-acre portion of the property will eliminate the split zoning on the parcel and mirror the property line and a Revision to add a 25,900-sq.ft. 3-story hotel with restaurant, museum, gift shop & pool/spa, a 5600-sq.ft. 2-story office building with a pool bar, a 7000-sq.ft. 1-story storage building, and a 100-sq.ft. kiosk to the existing retail uses (with existing caretaker residence) on 5.5 acres. The project site lies within the unincorporated portion of the County of San Bernardino, in the community of Baker. The project is located on the north side of Baker Boulevard, extending between Baker Boulevard and Sheridan Street. Access to the project site comes directly from Baker Boulevard, a paved road. The County's General Plan designates the project site as Highway Commercial (CH) and Single Residential, 14,000-sq.ft. minimum parcel size. Properties adjacent to the north, east, and south are zoned CH; property to the west is zoned RS-14m. The site is regulated by the AR-3 Airport Review Overlay and the Biological Resources Overlay. It is approximately 800 feet east of the boundary of the FP-1 Floodplain Overlay.



**ENVIRONMENTAL/EXISTING SITE CONDITIONS:**

The project site is developed with the Alien Jerky retail store and a caretaker's residence. Properties on all sides contain development, although the small property directly across Baker Boulevard is vacant. The site is partially paved and cleared of all vegetation. The property is generally flat with on-site elevations ranging from approximately 936 feet above mean sea level (AMSL) to 941 AMSL. Although the site is regulated by the Biological Resources Overlay, it contains no native vegetation and is developed as indicated above.

AREA	EXISTING LAND USE	ZONING/OVERLAY DISTRICTS
Site	Alien Jerky retail store; caretaker's residence	CH & RS-14m / AR-3, Biological Resources
North	Storage Yard	CH / AR-3, Biological Resources
South	Vacant; Fast food	CH / Biological Resources
East	Gas Station	CH / AR-4, Biological Resources
West	Motel	RS-14m / AR-4, Biological Resources

**Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.):**

Federal: Army Corps of Engineers, US Fish and Wildlife Service

State of California: Regional Water Quality Control Board – Lahontan Region; California Department of Fish and Wildlife; California Department of Transportation; Mojave Desert Air Quality Management District

County of San Bernardino: Land Use Services – Code Enforcement, Building and Safety; Public Health – Environmental Health Services; Public Works – Roads/Drainage, Traffic, Surveyor; County Fire

Local: Baker Community Service District



**EVALUATION FORMAT:**

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on 18 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 Impact with Mitigation	Less than Significant Impact	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. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
3. 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 mitigation measures)
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (Listing 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.

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INITIAL STUDY

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Luis Ramallo

P201200246/CF

January, 2013; Revised/Updated June 2013, October 2013

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would 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"/> Aesthetics               | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Geology /Soils                     |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials    | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use/ Planning       | <input type="checkbox"/> Mineral Resources                | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population & Housing     | <input type="checkbox"/> Public Services                  | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation & Traffic | <input type="checkbox"/> Utilities / Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will 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 will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ 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.
- ☐ 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.

Signature: (prepared by) Tracy Creason, Senior Planner

Date

Signature: Heidi Duron, Supervising Planner

Date

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. <b>AESTHETICS</b> - 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would 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):

- I a) **Less Than Significant Impact.** Although a majority of Interstate 15 from its junction with Interstate 215 to the Nevada state line is designated as a scenic corridor, the portion within the community of Baker where there is commercial or industrial development is excluded from that designation. To insure that the proposed development is an aesthetic enhancement to the area, the conditions of approval include the requirement that the applicant submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. Landscaping in compliance with the State Water Model Ordinance and the County Development Code (Code) is also a requirement in the conditions of approval.
- I b) **Less Than Significant Impact.** The proposed project will not substantially damage scenic resources, including, but not limited to rock outcroppings and historic buildings within a state scenic highway. The site is not adjacent to a state scenic highway and there are no rock outcroppings or historic buildings on the project site. No protected plants or trees exist on the project site. Prior to any construction, County Building & Safety conducts a pre-construction survey to confirm the absence of such resources.
- I c) **Less Than Significant Impact.** The proposed project will not substantially degrade the existing visual character or quality of the site and its surroundings because the project is consistent with the existing visual character of the area. To insure that the proposed development is an aesthetic enhancement to the area, the conditions of approval include the requirement that the applicant submit exterior architectural elevations of the proposed development for review and approval by the Planning Division prior to issuance of building permits. Landscaping in compliance with the State Water Model Ordinance and the Code is also a requirement in the conditions of approval.
- I d) **Less Than Significant Impact.** The proposed project will not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. Any proposed on site lighting must comply with the Glare and Outdoor Lighting – Valley and Desert Region Code requirements, which include shielding to prevent light trespass and protect the night sky.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b> - 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 Department 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):

- II a-e) **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the maps prepared, pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are currently no agricultural uses on the site. The site is not



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INITIAL STUDY

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under a Williamson Act land conservation contract. The nearest boundary of the San Bernardino National Forest is approximately 75 miles southwest of the property. The site, along the commercial strip on Baker Boulevard within the High Desert of San Bernardino County, contains existing structures and no vegetation.

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



Luis Ramallo

P201200246/CF

January, 2013; Revised/Updated June 2013, October 2013

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may 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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors 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):

- III a) **Less Than Significant Impact.** The North Desert portion of the County of San Bernardino is part of the Mojave Desert Air Basin (MDAB) and the Mojave Desert Air Quality Management District (MDAQMD) and is at times adversely impacted by polluted air trapped by an inversion layer. Wind conditions and temperature variations result in the air quality being better at night and during the winter months than during summer days. According to the MDAQMD web site, the MDAQMD is downwind of the Los Angeles basin, and to a lesser extent, is downwind of the San Joaquin Valley. Prevailing winds transport ozone and ozone precursors from both regions into and through the MDAB during the summer ozone season. Local MDAQMD emissions contribute to levels that may exceed established levels for ozone, but the MDAB would be in attainment of both standards without the influence of this transported air pollution from upwind regions. The Air Quality Management Plan (AQMP) for the MDAB sets forth a comprehensive program that will lead the MDAB into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections. The proposed project is consistent with the underlying General Plan designation on the majority of the property. The General Plan Amendment to change the zoning from RS-14m to CH on an approximately 1.65-acre portion of the property will eliminate the split zoning on the parcel and mirror the property line.

This project will incrementally contribute to the amount of greenhouse gases in the environment. But when compared to the overall environment, this project's contribution to global warming will be insignificant. It is a policy of the County of San Bernardino to encourage efficient use of energy resources and the use of alternate energy sources. The Air Quality Plan used the underlying zoning as the baseline. The Mojave Desert Air Quality Management District received the project notice and responded that they had no comments or concerns about the proposal.

The May 2013 TIA Update estimated the project will generate 544 daily primary trips, with 45 Friday PM Peak Hour primary trips, and 55 Sunday Mid-day Peak Hour primary trips. The project will not contribute to the degradation of local or regional air quality. The site will be paved, dust proofed, and landscaped to Code standards, resulting in little or no wind-blown dust or particulate matter. Additional paving on Baker Boulevard to match the existing paving will also be required.

- III b) **Less Than Significant Impact.** The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed uses do not exceed thresholds of concern. The site will be paved and landscaped resulting in little or no wind-blown dust or particulate matter. Additional paving on Baker Boulevard will be required, and will thus reduce potential for wind-blown dust and particulate matter.
- III c) **Less Than Significant Impact.** The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors), because the proposed uses do not exceed established thresholds of concern.
- III d) **Less Than Significant Impact.** The project will not expose sensitive receptors to substantial pollutant concentrations, because there are no identified concentrations of substantial pollutants associated with the project. This site is located approximately 3/10 of a mile southeast of the school complex – Baker Elementary, Junior High, and High School – which are located at 72100 School House Lane, Baker, CA 92309.
- III e) **Less Than Significant Impact.** The project will not create odors affecting a substantial number of people because there are no identified potential uses that will result in the production of objectionable odors.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 ☒): Desert Tortoise Category 3

- IV a) **Less Than Significant Impact.** Although the site is regulated by the Biological Resources Overlay and is located within designated Desert Tortoise habitat, it contains no native vegetation and is developed with the Alien Jerky retail store and a caretaker's residence. Another retail building and another caretaker's residence were previously on the site, but were demolished. The site is surrounded by development on all sides and is adjacent to Baker Boulevard. It is within the commercial district of the community of Baker.
- IV b) **Less Than Significant Impact.** This project will not 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 Game or US Fish and Wildlife Service. No riparian habitat or protected wetlands exist on or near the site.

- IV c) **Less Than Significant Impact.** This project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means, because the project is not within an identified protected wetland. No riparian habitat or protected wetlands exist on or near the site.
- IV d) **Less Than Significant Impact.** This project will not 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, because there are no such corridors or nursery sites within or near the project site. As mentioned, the property is adjacent to Baker Boulevard and within the commercial district of the community of Baker.
- IV e) **No Impact.** This project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because there are no such plants on the site. Regardless, prior to issuance of any building permits County Building and Safety conducts a pre-construction inspection to verify the location of any proposed construction.
- IV f) **No Impact.** This project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, because no such plan has been adopted on the project site. The Mojave National Preserve exists on the east side of Interstate 15, but does not cover the commercial district of the community of Baker.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES - Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §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) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred 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 Paleontological ☐ Resources overlays or cite results of cultural resource review):

- V a) **Less Than Significant Impact.** This project will not impact nor cause a substantial adverse change in the significance of a historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5.
- V b) **Less Than Significant Impact.** This project will not cause a substantial adverse change to an archaeological resource because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project that requires the developer to contact the San Bernardino County Museum for determination of appropriate measures, if any finds are made during project construction.
- V c) **Less Than Significant Impact.** This project will not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, because no resources have been identified on the site. To further reduce the potential for impacts, a condition shall be added to the project that requires the developer to contact the County Museum for determination of appropriate measures, if any finds are made during project construction.
- V d) **Less Than Significant Impact.** This project will not disturb any human remains, including those interred outside of formal cemeteries, because no such burial grounds are identified on this project site. If any human remains are discovered during construction of this project, the developer is required to contact the County Coroner, County Museum for determination of appropriate measures, and a Native America representative, if remains are determined to be of Native American origin.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS - Would the project:</b>				
a) Expose people or structures to 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

**SUBSTANTIATION** (Check ☐ if project is located in the Geologic Hazards Overlay District):

- VI a) **Less Than Significant Impact.** (i-iv) The project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; i) rupture of a known earthquake fault, ii) strong seismic ground shaking, iii) Seismic-related ground failure, including liquefaction or iv) Landslides, because there are no such geologic hazards identified in the immediate vicinity of the project site. The nearest known earthquake fault is approximately 21 miles northwest of the site. The project shall be reviewed and approved by County Building and Safety with appropriate seismic standards implemented in the construction of the project to insure that structures can endure a seismic event.
- VI b) **Less Than Significant Impact.** The project will not result in substantial soil erosion or the loss of topsoil because the site will be developed, paved, and landscaped. Erosion control plans must be submitted, approved, and implemented.

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- VI c) **No Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result in on or off site landslide, lateral spreading, subsidence, liquefaction, or collapse.
- VI d) **No Impact.** The project site is not located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property.
- VI e) **No Impact.** The method of sewage disposal shall be by the Baker Community Service District. Approvals from County Environmental Health Services and the Lahontan Regional Water Quality Control Board are required.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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## VII. 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:

- VII a,b) **Less Than Significant Impact.** As discussed in Section III of this document, the proposed project is consistent with the underlying General Plan designation on the majority of the property. The General Plan Amendment to change the zoning from RS-14m to CH on an approximately 1.65-acre portion of the property will eliminate the split zoning on the parcel and mirror the property line. The Air Quality Plan used the underlying zoning as the baseline to evaluate impacts.

On December 6, 2011, the San Bernardino County Board of Supervisors adopted the County Greenhouse Gas (GHG) Emissions Reduction Plan. As part of the GHG Plan, sample project sizes that exceed the 3000 Metric Tons of CO<sub>2</sub> equivalents (MTCO<sub>2</sub>e) level were established. The threshold for general commercial office space is 162,000 square feet. The threshold for retail space is 160,000 square feet. The threshold for sit down restaurants is 8,200 square feet. GHGs and criteria pollutants associated with a 31 room hotel, an office building, a storage building and the existing retail use will remain below the established threshold. For this reason, it is unlikely that this project would impede the state's ability to meet the reduction targets of AB32.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:</b>				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

- VIII a) **Less Than Significant Impact.** The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, because none of the uses proposed are subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Prior to occupancy, the operator must submit a Business Emergency/Contingency Plan to the Hazardous Materials Division of the County Fire Department.

- VIII b) **Less Than Significant Impact.** The project will not 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, because any proposed use or construction activity that might use hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department. Typical hotel cleaning supplies and pool/spa chemicals are anticipated to be the only potentially hazardous materials used on site.
- VIII c) **Less Than Significant Impact.** The project uses will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within  $\frac{1}{4}$  mile of an existing or proposed school, because the project does not propose the use of hazardous materials within  $\frac{1}{4}$  mile of an existing or proposed school. The closest schools are Baker Elementary, Junior High, and High School, all of which are located at 72100 School House Lane, Baker, CA 92309, and are approximately  $\frac{3}{10}$  of a mile to the northwest of the proposed project site.
- VIII d) **Less Than Significant Impact.** The project site is not included on the San Bernardino County list of hazardous materials sites compiled pursuant to Government Code 65962.5 and will not create a significant hazard to the public or environment.
- VIII e) **Less Than Significant Impact.** The Baker Airport is located at 7070 Summit Valley Road in Baker, CA, which is approximately 1.2 miles northwest of the site. This airport is used primarily as an emergency airfield. The northerly 331 feet of the parcel is within the Baker Airport Comprehensive Land Use Plan (ACLUP), within the Airport Safety Review Area 3, and the horizontal surface of Runway 33. The proposed development is not within this portion of the site. If any future structures are proposed within this portion of the site, they cannot exceed an elevation of 1,070 feet AMSL. Any proposal for highly reflective roof surfaces or use of radio frequencies requires analysis to confirm consistency with the ACLUP. A condition of approval to comply with the ACLUP is required and included as part of this proposal.
- VIII f) **Less Than Significant Impact.** The closest private airstrip is Zzyzx Airstrip, which is approximately 8.5 miles southwest of the project site. The project site is not within the vicinity or approach/departure flight path of this airstrip.
- VIII g) **Less Than Significant Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, because the project has adequate access from two or more directions.
- VIII h) **Less Than Significant Impact.** Prior to any construction occurring on any parcel, the applicant shall contact the County Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<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, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structure, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SUBSTANTIATION

ALR Engineering & Testing completed a Preliminary Hydrology Study on August 13, 2012, which was revised January 14, 2013. Patel & Associates, Inc. prepared a Preliminary Water Quality Management Plan (WQMP) in August 2012, which was revised by ALR Engineering & Testing in January 2013.

- IX a) **Less Than Significant Impact.** The Baker Community Service District provides water and sewer to the property. The project will not violate any water quality standards or waste discharge requirements because the required sewer systems must be approved by the County Environmental Health Services based on requirements by the Lahontan Region of the Regional Water Quality Control Board.
- IX b) **Less Than Significant Impact.** The project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources, as Baker Community Service District has given assurance that it has adequate water service capacity to serve the project demand, in addition to the provider's existing commitments.
- IX c) **Less Than Significant Impact.** According to the Hydrology Study, the project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion or siltation on- or off-site. The Hydrology Study states that "the offsite water follows Sheridan Avenue and drains to an existing San Bernardino County Drainage Easement west of the project. ... The parcel receives no off site flow from any direction. All water falling on site will remain on site and be intercepted by a **StormTech System**." The project does not propose any alteration to a drainage pattern, stream, or river. Submittal and implementation of an erosion control plan is required within the conditions of approval by the Building and Safety Division.
- IX d) **Less Than Significant Impact.** As stated in IX c) above, the project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The project does not propose any alteration to a drainage pattern, stream, or river. County Public Works has reviewed the proposed project drainage and all necessary drainage improvements both on and off site have been required as conditions of the project.
- IX e) **Less Than Significant Impact.** The project will 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, because County Public Works has reviewed the proposed project drainage and has determined that the proposed systems are adequate to handle anticipated flows. There will be adequate capacity in the local and regional drainage systems, so that downstream properties are not negatively impacted by any increases or changes in volume, velocity or direction of stormwater flows originating from or altered by the project. Adherence with the requirements of the Hydrology Study and the Best Management Practices (BMPs) outlined in the Preliminary WQMP will be part of the conditions of approval.
- IX f) **Less Than Significant Impact.** The project will not otherwise substantially degrade water quality, because appropriate measures relating to water quality protection, including erosion control measures are required. As stated in IX e) above, adherence with the BMPs contained in the Preliminary WQMP are required.

- 
- IX g) **Less Than Significant Impact.** The project will not place unprotected housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary, Flood Insurance Rate Map, or other flood hazard delineation map, because the project has been reviewed by County Public Works.
- IX h) **Less Than Significant Impact.** The project will not place within a 100-year flood hazard area structures which would impede or redirect flood flows.
- IX i) **No Impact.** The project site is not within any locally identified Flood Plain, so will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- IX j) **No Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow, because the project is not adjacent to any body of water that has the potential of seiche or tsunami nor is the project site in the path of any potential mudflow.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>X. LAND USE AND PLANNING</b> - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- X a) **Less Than Significant Impact.** The project will not physically divide an established community, because the project is a logical and orderly extension of the planned land uses and development that are established within the surrounding area. A reciprocal access agreement was recorded as document number 2013-0001489 to insure an additional access point from Baker Boulevard. A Commercial Land Lease and an amendment to the lease authorize the project to use a portion of APNs 0544-311-33 and 0544-311-34 for parking. The proposed development conforms to the Highway Commercial (CH) Land Use Zoning District, which allows the various uses proposed as part of this project, including various lodging, retail, and restaurant services. The parcel is approximately 5.5 acres.
- X b) **Less Than Significant Impact.** The project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect because the project is consistent with all applicable land use policies and regulations of the County Code, the General Plan, and the Baker community. The project complies with all hazard protection, resource preservation, and land use modifying Overlay District regulations.
- X c) **No Impact.** The project will not conflict with any applicable habitat conservation plan or natural community conservation plan, because there is no habitat conservation plan or natural community conservation plan within the area surrounding the project site and no habitat conservation lands are required to be purchase as mitigation for the proposed project. The Mojave National Preserve exists on the east side of Interstate 15, but does not include the commercial district in the community of Baker.

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



APN: 0544-311-45-0000

## INITIAL STUDY

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Luis Ramallo

P201200246/CF

January, 2013; Revised/Updated June 2013, October 2013

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES</b> - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

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

- XI a) **No Impact.** The project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, because there are no identified important mineral resources on the project site.
- XI b) **No Impact.** The project will not 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, because there are no identified locally important mineral resources on the project site.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XII. NOISE</b> - Would the project:				
a) Exposure of persons to or generation of noise levels 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, 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"/>

**SUBSTANTIATION** (Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):

- XII a) **Less Than Significant Impact.** County Environmental Health Services has required a preliminary acoustical checklist be prepared to evaluate noise and verify compliance with established standards. The project will not expose persons to or generate noise levels in excess of standards established in the San Bernardino County General Plan or noise ordinance because the project is required to comply with the noise standards of the County Development Code, section 83.01.080. No noise exceeding these standards is anticipated to be generated by the proposed uses.
- XII b) **Less Than Significant Impact.** The project will not create exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels, because the project is required to comply with the vibration standards of the County Development Code, section 83.01.090. No vibration exceeding these standards is anticipated to be generated by the proposed uses.
- XII c) **Less Than Significant Impact.** The project, which is in the commercial district of the community of Baker, will not generate a substantial permanent increase in ambient noise levels in the project vicinity above levels existing or allowed without the project, because the project is required to comply with the noise standards of the County Development Code and no noise exceeding these standards is anticipated to be generated by the project.



- XII d) **Less Than Significant Impact.** During construction of the project, noise generated may increase the existing ambient noise levels periodically. Once completed, the project will not generate a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. Adherence with the noise standards of the County Development Code is a condition of approval.
- XII e) **Less Than Significant Impact.** As mentioned in the Hazards and Hazardous Materials Section of this document, the project is approximately 1.2 miles southeast of the Baker Airport, which is located at 7070 Summit Valley Road in Baker. The northerly 331 feet of the parcel is within the Baker Airport Comprehensive Land Use Plan (ACLUP), within the Airport Safety Review Area 3, and the horizontal surface of Runway 33. The proposed development is not within this portion of the site. If any future structures are proposed within this portion of the site, they cannot exceed an elevation of 1,070 feet AMSL. Any proposal for highly reflective roof surfaces or use of radio frequencies requires analysis to confirm consistency with the ACLUP. A condition of approval to comply with the ACLUP is required and included as part of this proposal. Because this airport is used primarily as an emergency airfield, it will not expose people residing or working in the project area to excessive noise levels.
- XII f) **No Impact.** The project is not within the vicinity of a private airstrip. The closest private airstrip is Zzyzx Airstrip, which is approximately 8.5 miles southwest of the project site.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING</b> - Would the project:				
a) Induce substantial 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION**

- XIII a) **Less Than Significant Impact.** The development project will not induce substantial population growth in the area either directly or indirectly. The project will serve the existing population and in the area and the traveling public. Jobs created would most likely be absorbed by the employment needs of the existing residents of the area. The proposed motel unit provides temporary, overnight lodging.
- XIII b) **No Impact.** The proposed uses will not displace substantial numbers of existing housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal. The site is currently developed with a retail structure and a caretaker's residence. These existing uses will remain.
- XIII c) **No Impact.** The proposed uses will not displace substantial numbers of people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents. The site is currently developed with a retail structure and a caretaker's residence. These existing uses will remain.

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

#### XIV. 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:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### SUBSTANTIATION

- XIV a) **Less Than Significant Impact.** The proposed project will not 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, including fire and police protection, schools, parks, or other public facilities. Various lodging, retail, and restaurant services will be provided by this project. Construction of the project will increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project. The Baker CSD currently provides services to the community and will continue to provide them. The traveling public, which will be the majority users of the proposed project, will not impact governmental facilities.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XV. RECREATION</b>				
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 would 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 checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

- XV a) **No Impact.** This project will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated. The project will not generate any new residential units and the impacts generated by the employees of this project will be minimal. Its purpose is to serve the needs of the existing residents of the area and persons traveling throughout the Baker community.
- XV b) **Less Than Significant Impact.** This project includes an on-site swimming pool and spa for patrons of the hotel. It will not require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment, because the type of project proposed will not result in an increased demand for off-site recreational facilities.

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



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC - Would the project:</b>				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### SUBSTANTIATION

Hall & Foreman, Inc. completed a draft Traffic Impact Analysis (TIA) for the proposed project on October 11, 2012. The TIA was updated on January 21, 2013, on May 6, 2013, and again on August 12, 2013 in response to comments from the County Department of Public Works, Traffic Division, and Caltrans.

- XVI a) **Less Than Significant Impact with Mitigation Incorporated.** The May 2013 TIA Update estimated the project will generate 544 daily primary trips, with 45 Friday PM Peak Hour primary trips, and 55 Sunday Mid-day Peak Hour primary trips. The August 12, 2013 revised Traffic Study determined that the applicant needs to provide a two way left turn lane along the Project frontage, along with adequate storage and transitions for left-turning vehicles at Project driveways. The revised Traffic Study also concluded that the Project will impact three intersections – Baker Boulevard at Death Valley Road aka State Route 127, Interstate 15 Southbound Ramps at Death Valley Road aka State Route 127, and Baker Boulevard at Mojave Pointe Drive. When building permits are issued for the Project, the fair share contributions toward intersection improvements at the three intersections listed above will be required. The Project's fair shares are 6.5 percent, 7.9 percent, and 1.9 percent, respectively. These fair share fees are estimated based on current improvement costs but will be calculated at the time of building permit issuance. Identified improvements include signalizations and turn lanes. **See Mitigation Measures XVI a-1 through a-3.**

- XVI b) **Less Than Significant Impact with Mitigation Incorporated.** The existing level of service [LOS] at the intersections analyzed in the May 2013 TIA Update range from LOS B to LOS F. The County standard is LOS C, while the Caltrans standard is LOS D. With incorporation of the Mitigation Measures discussed in XVI a, the Project will not exceed, either individually or cumulatively, a standard established by the county congestion management agency for designated roads or highways. County Public Works Department, Traffic Division and Caltrans have reviewed the traffic generation of the proposed Project and anticipate that proposed intersection improvements will ease the existing traffic congestion. **See Mitigation Measures XVI a-1 through a-3**
- XVI c) **No Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. Although the Baker Airport is within approximately 1.2 miles of the proposed project, it operates primarily as an emergency airfield. There is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed uses and no new air traffic facilities are proposed.
- XVI d) **No Impact.** The project will not substantially increase hazards due to a design feature or incompatible uses, because the project site is adjacent to an established road that is accessed at points with good site distance and properly controlled intersections. There are no incompatible uses proposed by the project that will impact surrounding land uses.
- XVI e) **No Impact.** The project will not result in inadequate emergency access, because there are a minimum of two access points.
- XVI f) **No Impact.** The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. This project will have no impact on alternative methods of transportation. The Barstow Area Transit provides bus service to Barstow, Daggett, Hinkley, and Newberry Springs, but not to Baker. The proposed project will not impact alternative methods of transportation in this community as none currently exist.

The following mitigation measures are required as conditions of project approval to reduce any potential impacts to a level below significance.

### ***[Mitigation Measure XVI a-1]***

Based on the revised Traffic Study dated August 12, 2013 from Hall and Foreman, Inc., the applicant shall design Baker Boulevard to provide a Two Way Left Turn Lane along the project frontage and provide adequate storage and transitions for vehicles turning left into the project driveways.

### ***[Mitigation Measure XVI a-2]***

The total fair share contribution for this project is required by the revised Hall and Foreman, Inc. Traffic Study dated August 12, 2013. The study concluded that the additional traffic generated by this project will have an impact at three intersections:

- **Baker Boulevard/Death Valley Road (State Route 127):** The applicant is required to pay a fair share contribution towards the installation of a traffic signal and towards the construction of a northbound left-turn lane, a southbound left-turn lane, an additional westbound left-turn lane, and a northbound free right turn lane. The project's fair share percentage is 6.5 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$600,000 for the improvements at the intersection of Baker Boulevard and Death Valley Road (State Route 127). When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

- Interstate 15 Southbound Ramps/Death Valley Road (State Route 127): The applicant is required to pay a fair share contribution towards the construction of two additional lanes to accommodate a southbound right-turn lane at the Interstate 15 Freeway Southbound Ramp and a northbound right-turn lane at the intersection with Baker Boulevard. The project's fair share percentage is 7.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$200,000 for the improvements at the intersection of Interstate 15 Southbound Ramps/Death Valley Road. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

- Baker Boulevard/Mojave Pointe Drive: The applicant is required to pay a fair share contribution towards the installation of a traffic signal. The project's fair share percentage is 1.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$400,000 for the improvements at the intersection of Baker Boulevard and Mojave Pointe Drive. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

### ***[Mitigation Measure XVI a-3]***

The applicant shall submit street improvement plans to the County and Caltrans for an all-way stop control at the intersection of Interstate 15 Northbound Ramps and Kelbaker Road.

Implementation of the above mitigation measures shall reduce traffic impacts to below a level of significance.



	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) 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"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION**

- XVII a) **Less Than Significant Impact.** The proposed project will not exceed wastewater treatment requirements of the Regional Water Quality Control Board, *Lahontan* Region, as determined by County Public Health – Environmental Health Services. The Baker CSD provides sewer services to the project site and the general area.
- XVII b) **Less Than Significant Impact.** The proposed project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Baker Community Service District will serve the water and sewer needs of the project. The Lahontan Region of the State Regional Water Quality Control Board oversees the sewer system operated by the Baker CSD. Based on a telephone conversation with Mike Coony from the Lahontan Region's Victorville office, the Baker CSD sewer facility is operational and has no established limit to the quantity of wastewater it can accept.
- XVII c) **Less Than Significant Impact.** The proposed project will not require or result in the construction of new storm water drainage facilities or expansion of existing facilities that cause significant environmental effects. As stated in the Hydrology and Water Quality Section of this document, the Hydrology Study states that "all water falling on site will remain on site and be intercepted by a **StormTech** System." County Public Works has determined that there is sufficient capacity in the existing storm water system to absorb any additional storm water drainage caused by the project.



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- XVII d) **Less Than Significant Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources. The local water purveyor, Baker CSD, has given assurance that it has adequate water service capacity to serve the projected demand for the project, in addition to the provider's existing commitments.
- XVII e) **Less Than Significant Impact.** The Baker CSD provides sewer services, a system which the Lahontan Region of the State Regional Water Quality Control Board oversees. Based on a telephone conversation with Mike Coony from the Lahontan Region's Victorville office, the Baker CSD sewer facility is operational and has no established limit to the quantity of wastewater it can accept.
- XVII f) **Less Than Significant Impact.** The proposed project is served by the Baker CSD, which provides trash collection services. The community of Baker has a transfer station for interim storage of trash and recyclables. Solid waste is transported from the Baker transfer station to the Barstow Sanitary Landfill, which has sufficient permitted capacity to accommodate the proposed project's future solid waste disposal needs.
- XVII g) **Less Than Significant Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste, construction waste diversion, and recycling.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to 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, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### SUBSTANTIATION

- XVIII a) **Less Than Significant Impact.** The project does not appear to have the potential to significantly degrade the overall quality of the region's environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population or drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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. Although the site is regulated by the Biological Resources Overlay, it contains no native vegetation and is developed with an existing retail structure and a caretaker's residence. To further reduce the potential for impacts to archeological, paleontological, and/or historical resources, a condition shall be added to the project that requires the developer to contact the San Bernardino County Museum for determination of appropriate measures, if any finds are made during project construction.
- XVIII b) **Less Than Significant Impact with Mitigation Incorporated.** The project may have impacts that are individually limited, but cumulatively considerable. Although the sites of projects in the area to which this project would add cumulative impacts have both existing and planned infrastructure, the existing level of service on the local roads is insufficient, especially during peak travel times for tourists and recreational enthusiasts along Interstate 15 stopping in Baker. County Public Works Department, Traffic Division and Caltrans have reviewed the traffic generation of the proposed Project and anticipate that proposed intersection improvements will ease the existing traffic congestion. **See Mitigation Measures XVI a-1 through a-3**
- XVIII c) **Less Than Significant Impact.** The project will not result in environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. Construction of the proposed commercial development will not cause substantial environmental effects. Adherence with the following mitigation measures will reduce potential impacts to a level less than significant. At a minimum, the Project will be required to meet the conditions of approval in order for the Project to be implemented. It is anticipated that all such conditions of

approval will further insure that no potential for adverse impacts will be introduced by construction activities, or land uses authorized by the Project approval.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measures listed this section are required as conditions of project approval to reduce these impacts to a level below significant.

#### **XIX. MITIGATION MEASURES**

(Any mitigation measures which are not "self-monitoring" shall have a Mitigation Monitoring Reporting Program prepared and adopted at time of project approval)

**SELF MONITORING MITIGATION MEASURES:** (Condition compliance will be verified by existing procedure.)

##### ***[Mitigation Measure XVI a-1]***

Based on the revised Traffic Study dated August 12, 2013 from Hall and Foreman, Inc., the applicant shall design Baker Boulevard to provide a Two Way Left Turn Lane along the project frontage and provide adequate storage and transitions for vehicles turning left into the project driveways.

##### ***[Mitigation Measure XVI a-2]***

The total fair share contribution for this project is required by the revised Hall and Foreman, Inc. Traffic Study dated August 12, 2013. The study concluded that the additional traffic generated by this project will have an impact at three intersections:

- Baker Boulevard/Death Valley Road (State Route 127): The applicant is required to pay a fair share contribution towards the installation of a traffic signal and towards the construction of a northbound left-turn lane, a southbound left-turn lane, an additional westbound left-turn lane, and a northbound free right turn lane. The project's fair share percentage is 6.5 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$600,000 for the improvements at the intersection of Baker Boulevard and Death Valley Road (State Route 127). When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

- Interstate 15 Southbound Ramps/Death Valley Road (State Route 127): The applicant is required to pay a fair share contribution towards the construction of two additional lanes to accommodate a southbound right-turn lane at the Interstate 15 Freeway Southbound Ramp and a northbound right-turn lane at the intersection with Baker Boulevard. The project's fair share percentage is 7.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by

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a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$200,000 for the improvements at the intersection of Interstate 15 Southbound Ramps/Death Valley Road. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

- Baker Boulevard/Mojave Pointe Drive: The applicant is required to pay a fair share contribution towards the installation of a traffic signal. The project's fair share percentage is 1.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$400,000 for the improvements at the intersection of Baker Boulevard and Mojave Pointe Drive. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

***[Mitigation Measure XVI a-3]***

The applicant shall submit street improvement plans to the County and Caltrans for an all-way stop control at the intersection of Interstate 15 Northbound Ramps and Kelbaker Road.



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## **GENERAL REFERENCES**

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500)

California Department of Water Resources, *California's Ground Water Bulletin #118 Update*, 2003

CEQA Guidelines, Appendix G

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County of San Bernardino Museum, Archaeological Information Center

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County of San Bernardino, Countywide Integrated Waste Management Plan, 2007 Fire-Year Review Report, December 2007

County of San Bernardino, *County of San Bernardino 2007 Development Code*

<http://cms.sbcounty.gov/lus/Planning/DevelopmentCode.aspx>

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County of San Bernardino, General Plan, Land Use Element Map

County of San Bernardino Hazard Overlay Map DI-16-B. <http://www.sbcounty.gov/Uploads/lus/HazMaps/DI-16B.pdf>

County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998

County of San Bernardino, *San Bernardino County Storm Water Program, Model Water Quality Management Plan Guidance*, May 1, 2012.

County of San Bernardino Road Planning and Design Standards, [http://www.co.san-bernardino.ca.us/dpw/transportation/tr\\_standards.asp](http://www.co.san-bernardino.ca.us/dpw/transportation/tr_standards.asp)

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Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Mojave Desert Air Quality Management District, *Mojave Desert Planning Area – Federal Particulate Matter (PM<sub>10</sub>) Attainment Plan*, July 1995

Mojave Desert Air Quality Management District, *Rule 403.2 Fugitive Dust Control for the Mojave Desert Planning Area*, 1996. <http://222.mdaqmd.ca.gov>

Mojave Desert Air Quality Management District, *2004 Ozone Attainment Plan*

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Mojave Desert Air Quality Management District, *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*, June 2007

### **PROJECT SPECIFIC REFERENCES**

ALR Engineering & Testing, *Preliminary Hydrology Study*, APN 0544-311-45, August 13, 2012; revised January 14, 2013.

ALR Engineering & Testing, *Preliminary Water Quality Management Plan*, August 2012, revised 1-21-13

Hall & Foreman, Inc., *Traffic Impact Analysis – Draft Report*, October 11, 2012

Hall & Foreman, Inc., *Traffic Impact Analysis – Updated Draft Report*, January 21, 2013

Hall & Foreman, Inc., *Traffic Impact Analysis – Updated Draft Report*, May 6, 2013

Hall & Foreman, Inc., *Traffic Impact Analysis – Updated Draft Report*, August 12, 2013

Patel & Associates, Inc., *Preliminary Hydrology Study*, APN 0544-311-45, August 13, 2012

Patel & Associates, Inc., *Water Quality Management Plan (WQMP)*, August 2012

Telephone conversations with Mike Coony, Lahontan Region, State Regional Water Quality Control Board, June 18, 2013



## **EXHIBIT C**

### **Conditions of Approval**

**APN: 0544-311-45**

Luis Ramallo (Alien Hotel)

P201200246/CF

Baker/1<sup>st</sup> Supervisorial District

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## CONDITIONS OF APPROVAL

### GENERAL REQUIREMENTS

#### Conditions of Operation and Procedure

*[Not subject to Condition Compliance Release Form (CCRF) signatures]*

#### LAND USE SERVICES – Planning Division 760.995.8140

1. **Project Description.** The County conditionally approves the proposed Revision to an Approved Action (RMC) to add a 25,900-square foot, 3-story hotel with restaurant, museum, gift shop, and pool/spa, a 5,600-square foot, 2-story office building with a pool bar, a 7,000-square foot, 1-story storage building, and a 100-square foot kiosk to the existing retail uses (with an existing caretaker's residence) on 5.5 acres in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the California Fire Code (CFC), the following conditions of approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). Reciprocal parking and access for the proposed project include portions of APN 0544-311-33 and APN 0544-311-34.

The developer shall provide a copy of the approved conditions and the 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 Site with APN: 0544-311-45 and Project Number: P201200246.

2. **Concurrently Filed Application:** The project proposal also includes a General Plan Land Use Zoning District Amendment (GPA) from Single Residential, 14,000-square foot minimum parcel size (RS-14m) to Highway Commercial (CH) to mirror the property boundary and eliminate the split zoning on an approximately 1.65-acre portion of the property.
3. **Project Location.** The project site is located on the north side of Baker Boulevard, extending between Baker Boulevard and Sheridan Street, approximately 610 feet southwest of the intersection of Baker Boulevard and Mojave Pointe in the unincorporated community of Baker; First Supervisorial District.
4. **Development Standards/CH.** The project site is located in the Desert Region and will be within the Highway Commercial (CH) land use zoning district. SBCC Section 82.05.060 lists the CH Development Standards.
5. **Revisions.** Any proposed change to the approved use/activity on the site; or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures, building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants (clients and/or employees); or a proposed change in the conditions of approval, including operational restrictions from those shown either on the approved site plan and/or in the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
6. **Continuous Effect/Revocation.** All conditions of approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
7. **Developer Defined.** The term "developer" as used in these conditions of approval for this project and for any development of this project site, includes all of the following: the applicant, the property owner, the subdivider and any lessee, tenant or sub-tenant, operator and/or any other agent or other interested party of the subject project and/or project site and/or any heir or any other successor in interest in the project site or project land use by sale or by lease of all or of a portion of the project site or project land uses and/or any other right given to conduct any land use in any or all of the project structures or any area on the project site.

8. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its “indemnities” (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 the 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’s 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 indemnitee’s “passive” negligence but does not apply to the indemnitee’s “sole” or “active” negligence” or “willful misconduct” within the meaning of Civil Code Section 2782.

9. Expiration. This project permit approval shall expire and become void if it is not “exercised” within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
- the permittee has commenced actual construction or alteration under a validly issued Building Permit, or
  - 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]

Occupancy of completed structures and operation of the approved 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:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is 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 the expiration date. The developer is responsible for initiation of any Extension of Time application.

10. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include 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)
11. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

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12. Project Account. The Job Costing System (JCS) account number is P201200246. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 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. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
  13. Condition Compliance. In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through County Planning in accordance with the directions stated in the Approval letter. County Planning shall release their holds on each phase of development by providing to County Building and Safety the following:
    - Grading Permits - a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
    - Building Permits - a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
    - Final Occupancy - a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.
  14. 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 include:
    - a) FEDERAL: US Fish & Wildlife, Army Corps of Engineers, Federal Aviation Administration
    - b) STATE: State Fish & Wildlife, Lahontan RWQCB, Mojave Desert AQMD
    - c) COUNTY: Land Use Services – Planning, Building and Safety, Code Enforcement; Public Health – Environmental Health Services; Special Districts; Public Works; County Fire; and Hazardous Materials
    - d) LOCAL: Baker Community Services District (CSD)
  15. 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:
    - 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.
    - Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
    - 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.
    - Dust control. The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
    - Erosion control. The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
    - 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.
    - 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.
    - 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.
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- 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.
  - 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.
  - 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 County Planning 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.
  - 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.
16. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in SBCC Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
- Odors: No offensive or objectionable odor.
  - Emissions: No emission of dirt, dust, fly ash and other forms of particulate matter.
  - Smoke: No smoke of a greater density than that described in No. 2 on the Ringelmann Chart, as published currently by the United States Bureau of Mines, shall be emitted from any project source.
  - Radiation: No dangerous amount of radioactive emissions.
  - Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
  - Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.
17. Clear Sight Triangle. Signs and other structures located within the clear sight triangle, shall comply with the height and location requirements specified by the SBCC or as otherwise required by the County Traffic Division.
18. Water Conservation. Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.
19. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
20. Signs. This conditional approval does not include signs. The developer must apply for any free-standing or attached sign, which must comply with and be permitted in accordance with SBCC §83.13, Sign Regulations.

#### LAND USE SERVICES – Building and Safety Division 760.995.8140

21. Plans. Submit plans and obtain separate building permits for any required walls, retaining walls, or trash enclosures.
22. Disabled Access. The applicant shall provide disabled parking in each parking area to serve each accessible building or area.

#### LAND USE SERVICES – Code Enforcement Division 760.995.8140

23. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the County will charge the property owner for such enforcement activities in accordance with the SBCC Schedule of Fees.

**Mitigation Measures are bolded**



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24. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES – Land Development Division – Drainage Section 909.387.8311

25. 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 that will not adversely affect adjacent or downstream properties at the time the site is developed.
26. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
27. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that 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.

LAND USE SERVICES – Land Development Division – Road Section 909.387.8311

28. Road Standards. All required street improvements shall comply with the latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans.

PUBLIC HEALTH – Environmental Health Services [DEHS] 800.442.2283

29. Noise. Noise level shall be maintained at or below SBCC Standards, §83.01.080. For information, contact DEHS at 800.442.2283.
30. Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual or other impacts and environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least one time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least two times per week, or as often as necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with SBCC Chapter 8, §33.0830 et. seq. For information, call DEHS/LEA at 800.442.2283.

PUBLIC WORKS – Solid Waste Management 909.386.8701

31. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.
32. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates four or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of five or more must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.

PUBLIC WORKS – Traffic Division 909.387.8186

33. Backing onto Roadway. Project vehicles shall not back out into the public roadway.

COUNTY FIRE DEPARTMENT – Community Safety Division 760.995.8190

34. Fire 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 developer shall contact the Fire

**Mitigation Measures are bolded**

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Department for verification of current fire protection requirements. All new construction shall comply with the current CFC requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

**PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY,  
The Following Shall Be Completed**

LAND USE SERVICES – Building and Safety Division 760.995.8140

35. Demolition Permit. Obtain a demolition permit for any building or structure to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
36. Geotechnical Report. The developer shall submit a geotechnical (soil) report to the Building and Safety Division for review and approval prior to issuance of grading permits.
37. Geology Report. When earthwork quantities exceed 5,000 cubic yards, the developer shall submit a new or updated engineering geology report to the Building and Safety Division for review and approval prior to issuance of grading permits.
38. Storm Water Management Plan. The developer shall submit a San Bernardino County Storm Water Management Plan to the Building and Safety Division for review and approval prior to issuance of grading permits.
39. SWPPP. The developer shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the Building and Safety Division prior to issuance of grading permits.
40. Erosion Control Plan. The developer shall submit an erosion control and sediment plan and permit application to the Building and Safety Division for review and approval prior to any land disturbance.
41. Tree Removal Plan. A preconstruction inspection, tree removal plan and permit in compliance with the County's Plant Protection and Management Ordinance, shall be approved prior to any land disturbance and/or removal of any trees or plants.
42. Grading Plans. The developer shall submit grading plans to the Building and Safety Division for review and approval prior to grading and/or land disturbance.
43. NPDES Permit. A National Pollutant Discharge Elimination System (NPDES) permit – Notice of Intent (NOI) is required on all grading of one acre or more prior to issuance of a grading/construction permit. Contact the Regional Water Quality Control Board (RWQCB), Lahontan Region, for specifics.
44. RWQCB Permit. Prior to permit issuance, CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID#. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one acre of land total.

LAND USE SERVICES – Planning Division 760.995.8140

45. Cultural Resources. The project is not expected to have an impact on cultural or paleontological resources. However, the following procedures shall be implemented in the event that potentially sensitive cultural resources are uncovered during earthmoving and/or construction. The developer/property owner shall submit a letter to County Planning agreeing to adhere to the following requirements and shall include a note on the grading plans and in all construction contracts/subcontracts a provision that the project contractors shall also adhere to the following requirements:
  - In the event archaeological, paleontological and/or historical resources, including pottery, middens or human remains, are uncovered during earthmoving activities, all work in that area shall cease immediately and a qualified archeologist shall be retained to access the findings, and if necessary provide appropriate disposition of the resources. Earthmoving shall be diverted temporarily around the deposits until they have been evaluated,

**Mitigation Measures are bolded**

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recorded, excavated, and/or recovered as necessary. Earthmoving shall be allowed to proceed on the site when the archaeologist, in consultation with the appropriate Native American Tribe(s) and the County of San Bernardino Museum, determines the resources are recovered to their satisfaction.

- If possible human remains are encountered during any earthmoving activities, all work shall stop in the area in which the find(s) are present, and the San Bernardino County Coroner must be notified. State law dictates that the Native American Heritage Commission (NAHC) shall be notified in the event that remains are determined to be human and of Native American decent, in accordance with California Public Resources Code Section 5097.98.

46. Grading Plans. The developer shall submit three sets of grading plans to the Planning Division for review and approval.
47. DCP. The developer shall submit a Dust Control Plan (DCP) to County Planning, which meets the requirements of the Mojave Desert Air Quality Management District (MDAQMD) and which the MDAQMD has approved.
48. MDAQMD. The developer shall submit verification to County Planning that project design and construction adhere with the requirements of the MDAQMD, including compliance with all MDAQMD regulations (i.e., Rules 201, 203, 401, 403.2, 404), proper maintenance of vehicles, implementation of the MDAQMD-approved DCP, and suspension of all construction during high wind or second stage smog events.
49. GHG. The developer shall submit verification to County Planning that project design and construction adhere to the requirements contained in the January 2012 County of San Bernardino Greenhouse Gas Emissions Reduction Plan [GHG Plan] (found at <http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHG.pdf>).

#### LAND USE SERVICES – Land Development Division – Drainage Section 909.387.8311

50. Drainage Facility Design. A Registered Civil Engineer shall investigate and design adequate drainage facilities to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. The drainage study received on 2/19/2013 has not been approved. Please submit a revised drainage study.
51. Topo Map. The developer shall provide a topographic map to facilitate the design and review of necessary drainage facilities.
52. Grading Plans. The developer shall submit grading plans to the Land Development Division, Drainage Section for review and obtain approval. The Land Development Division will collect a \$520 deposit for grading plan review at the time of submittal.
53. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
54. Permit. A permit, or authorized clearance, shall be obtained from County Public Works prior to issuance of a grading permit by County Building and Safety.
55. Streambed Alteration Agreement. California Department of Fish and Wildlife must be notified if the drainage course of any streambed on this property is to be altered or encroached. A streambed alteration agreement (SAA) or verification of consultation with no SAA requirement shall be provided prior to grading.

#### COUNTY FIRE DEPARTMENT – Community Safety Division 760.995.8190

56. Water System Commercial. 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 Appendix IIIA of the CFC.

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PUBLIC WORKS – Surveyor 909.387.8149

57. **Monumentation.** If any activity on this project will disturb any land survey monumentation, including be 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 (Section 8771(b) Business and Professions Code).
58. **Record of Survey.** A Record of Survey/Corner Record shall be filed in the following instances:
- Legal descriptions or construction staking based upon a field survey of the boundary or building setbacks
  - Monuments set to mark the property lines
  - Pursuant to applicable sections of the Business and Professions Code

PUBLIC WORKS – Solid Waste Management 909.386.8701

59. **C&D Plan – Part 1.** The developer shall prepare, submit, and obtain approval from Solid Waste Management Division (SWMD) of a “Construction Waste Management Recycling Plan (C&D Plan), Part I” for each phase of the project. The C&D Plan shall list the types and volumes of solid waste materials expected to be generated from demolition, grading, and construction. The Plan shall include options to divert materials for reuse or recycling from landfill disposal by a minimum of 50 percent of total volume. Forms can be found on our website at [www.sbcounty.gov/dpw/solidwaste](http://www.sbcounty.gov/dpw/solidwaste). A review fee must be submitted with the C&D Plan.

Upon completion of construction, the developer shall complete SWMD's C&D Plan Part 2. This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification reuse of materials on site.

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed

SPECIAL DISTRICTS DEPARTMENT 909.387.5530

60. **ACLUP compliance.** A portion of this project site lies within the Baker Airport Comprehensive Land Use Plan (ACLUP), within the Safety Review Area 3, and the horizontal surface of Runway 33. Any structures proposed within the Safety Review Area cannot exceed an elevation increase of 150 feet above the elevation of Runway 33, which is 920 feet above mean sea level (amsl). Any structures that might exceed 1,070 feet amsl should be coordinated with the FAA through the Form 7460 process for the review of potential obstructions to airspace. Forms and information can be found at <http://oeaaa.faa.gov/oeaaa/external/portal.jsp>. Although the ACLUP refers to residential, lodging, and retail uses proposed on site as “Normally Acceptable” below the horizontal surface when height restrictions are followed, any proposal for highly reflective roof surfaces or use of radio frequencies should be disclosed so that adequate analysis can be conducted. If adequate analysis does not occur, such uses are inconsistent with the ACLUP. Please contact County Special Districts at 909.387.5530 for additional information.

LAND USE SERVICES – Building and Safety Division 760.995.8140

61. **Avigation Easement.** An Avigation Easement shall be granted to the appropriate airport and recorded prior to the issuance of building permits for all construction in the AR overlay areas. Plans submitted in the AR overlays shall conform to the interior noise levels as per San Bernardino County standards.
62. **Erosion Control Devices.** Prior to issuance of building permits, the developer shall install erosion control devices at all perimeter openings and slopes. No sediment is to leave the job site.

**Mitigation Measures are bolded**

**APN: 0544-311-45**

Luis Ramallo (Alien Hotel)

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63. Erosion Control Plantings. The developer shall install all erosion control planting, landscaping and devices upon completion of rough grading.
  64. Site Drainage/Runoff. The developer shall ensure that all runoff be held to pre-development levels, per Section 82.13.080 of the San Bernardino County Development Code.
  65. Compaction Report. Upon completion of rough grading and prior to footing excavations, the developer shall submit a compaction report to the Building and Safety Division for review and approval.
  66. Building Plans. Any building, sign, or structure to be constructed or located on site will require professionally prepared plans approved by the Building and Safety Division. Submit plans for review and approval, obtain permits, and call for proper inspections.
  67. Wall Plans. Submit plans and obtain permits for all fences greater than six feet in height and for any walls required by the Planning Division.
  68. Disabled Path of Travel. Provide a path of travel from the disabled parking spaces up to the primary entrance of each accessible building or area.
  69. Disabled Parking Spaces. Provide van accessible parking spaces for the disabled. One in every eight accessible spaces, but not less than one in each parking area, shall be served by an access aisle 96 inches wide and shall be designated Van Accessible. The words "**NO PARKING**" shall be painted on the ground within each eight-foot loading area as specified in the California Building Code.
  70. Green Building Measures. The developer shall design all new buildings to include the "Green Building Measures" as outlined in the California Green Building Standards Code.

#### LAND USE SERVICES – Land Development Division – Road Section 909.387.8311

71. Road Dedication and Improvements. Prior to issuance of building permits, the developer shall submit for review and obtain approval from the Land Use Services Department the following dedications, plans, and permits for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California. These shall be submitted to the Land Development Division, located at 385 N. Arrowhead Avenue, San Bernardino, CA 92415-0187.

#### **Baker Boulevard (Major Highway – 104') [conditions 72-75 apply to Baker Blvd. only]**

72. Road Dedication. A 2-foot grant of easement is required to provide a half-width right-of-way of 52 feet along the entire frontage.
73. Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
74. Sidewalks. Design sidewalks per County Standard 109 type C.
75. Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and locate per Standard 130.

#### **Sheridan Avenue (Local – 44') [condition 76 applies to Sheridan Ave. only]**

76. Road Dedication. A 44-foot grant of easement is required to provide a full-width right-of-way on 44 feet along the property frontage.



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77. Road Design. Road sections within and/or bordering the project site shall be designed and constructed to Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the Master Plan of Highways.
78. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction.
79. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole that would affect construction, and any such utility shall be relocated as necessary without cost to the County.
80. Encroachment Permits. Prior to installation of road and drainage improvements, a permit is required from County Public Works, Transportation Operations Division-Permit Section. Telephone (909) 387-8039. Permits shall be required from other agencies as well, prior to work within their jurisdictions.
81. 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. A written report shall be submitted to the Transportation Operations Division – Permit Section of County Public Works, prior to any placement of base materials and/or paving.
82. 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.
83. Open Roads/Cash Deposit. Existing County roads that will require reconstruction shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
84. Street Gradients. Road profile grades shall not be less than 0.5 percent unless the engineer, at the time of submittal of the improvement plans, provides justification to the satisfaction of the Department of Public Works confirming the adequacy of the grade.
85. Two Access Points. A minimum of two points of ingress/egress are required or an alternative approved by County Fire Department.

PUBLIC WORKS – Traffic Division 909.387.8186

86. Turn Lane. Based on the revised Traffic Study dated August 12, 2013 from Hall and Foreman, Inc., the applicant shall design Baker Boulevard to provide a Two Way Left Turn Lane along the project frontage and provide adequate storage and transitions for vehicles turning left into the project driveways.
87. Fair Share. The total fair share contribution for this project is required by the revised Hall and Foreman, Inc. Traffic Study dated August 12, 2013. The study concluded that the additional traffic generated by this project will have an impact at three intersections:
  - **Baker Boulevard/Death Valley Road (State Route 127):** The applicant is required to pay a fair share contribution towards the installation of a traffic signal and towards the construction of a northbound left-turn lane, a southbound left-turn lane, an additional westbound left-turn lane, and a northbound free right turn lane. The project's fair share percentage is 6.5 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$600,000 for the improvements at the intersection of Baker Boulevard and Death Valley Road (State Route

Mitigation Measures are bolded

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**127). When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.**

- **Interstate 15 Southbound Ramps/Death Valley Road (State Route 127):** The applicant is required to pay a fair share contribution towards the construction of two additional lanes to accommodate a southbound right-turn lane at the Interstate 15 Freeway Southbound Ramp and a northbound right-turn lane at the intersection with Baker Boulevard. The project's fair share percentage is 7.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$200,000 for the improvements at the intersection of Interstate 15 Southbound Ramps/Death Valley Road. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

- **Baker Boulevard/Mojave Pointe Drive:** The applicant is required to pay a fair share contribution towards the installation of a traffic signal. The project's fair share percentage is 1.9 percent for the cost of these improvements.

The total fair share contribution will be based on the fair share percentages listed above and the estimated contribution costs at the time of application for a building permit and shall be paid by a cashier's check made out to the Department of Public Works. At the present time, the estimated construction cost is \$400,000 for the improvements at the intersection of Baker Boulevard and Mojave Pointe Drive. When an application for a building permit is filed, this amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index.

88. **All-way stop.** Based on the revised Traffic Study dated August 12, 2013 from Hall and Foreman, Inc., the applicant shall install all-way stop controls at the intersection of Interstate 15 Northbound Ramps and Kelbaker Road. Therefore, the applicant shall submit for review and obtain approval from Caltrans and the Department of Public Works for street improvement plans to install all-way stop control at this intersection.

PUBLIC HEALTH – Environmental Health Services [DEHS] 800.442.2283

89. Water. Water purveyor shall be Baker CSD.

90. Water Letter. The applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall reference Assessor's Parcel Number (APN): 0544-311-45. For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at 800.442.2283.

91. Sewer. The method of sewage disposal shall be Baker CSD.

92. Sewer Letter. The applicant shall procure a verification letter from the sewer agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the water agency. The letter shall reference APN: 0544-311-45.

93. Acoustical Study. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards, SBCC §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 with

**Mitigation Measures are bolded**

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noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 800.442.2283.

94. Food Plans. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at 800.442.2283.
95. Pool Plans. Plans for swimming pools and associated restroom facilities shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at 800.442.2283.

#### COUNTY FIRE DEPARTMENT – Community Safety Division 760.995.8190

96. 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. All fire hydrants shall be spaced no more than 300 feet apart (as measured along vehicular travel-ways) and no more than 300 feet from any portion of a structure.
97. Access Requirements. The applicant shall submit emergency/evacuation road access plans to the Fire Department for review and approval.
98. Fire Department Access. The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
99. Single Story Road Access. All buildings or structures shall have access provided by approved roads, alleys, and private drives with a minimum 26-foot unobstructed width and vertically to 14 feet 6 inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
100. Multi-Story Road Access. Buildings or structures three stories in height or more shall have a minimum access of 30 feet unobstructed width and vertically to 14 feet 6 inches in height.
101. 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 three sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacturer's specification sheets. The contractor shall submit plans showing the type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
102. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at the 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.
103. Hood and Duct Suppression. An automatic hood and duct fire extinguishing system is required. A Fire Department approved designer/installer shall submit three sets of detailed plans (minimum 1/8" scale) with manufacturer's specification sheets to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
104. High-Piled Storage. The applicant shall submit an application for high-piled storage (internal storage over 12 feet in height), three sets of detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S-2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal.
105. Class I Standpipe System. A Class I standpipe system is required. A Fire Department approved fire sprinkler contractor shall submit three sets of hydraulic calculations and detailed plans to the Fire Department for review and approval, showing the type of storage and use with the applicable protection system. Commercial and industrial buildings in excess of 200,000 square feet with an interior area less than 400 feet in width, shall be equipped with a

**Mitigation Measures are bolded**

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Class I standpipe system located at every other access door with a maximum of 300 foot spacing. Buildings with an interior area greater than 400 feet in width shall be equipped with a Class I standpipe system located at every access door with a maximum of 100 foot spacing. Standpipe connections shall be configured to reach any portion of interior space within 200 feet in any direction of travel. This system shall be calculated to provide 250 gallons per minute (gpm) at 100 psi per hose outlet from an adjacent fire sprinkler riser with two hand lines flowing. The two most hydraulically remote outlets are to be included in the design for a total flow of 500 gpm minimum per system. A Fire Department approved fire sprinkler contractor shall submit four sets of hydraulic calculations and detailed plans showing type of storage and use with the applicable protection. The required fees shall be paid at the time of plan submittal.

106. Fire Alarm. A manual, automatic, or manual and automatic fire alarm system complying with the CFC, NFPA, and all applicable codes is required. The developer shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
107. 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 to 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.
108. Primary Access Paved. Prior to building permits being issued for any new structure, the primary access road shall be paved or an all-weather surface shall be installed as specified in general requirements.
109. Secondary Access Paved. Prior to building permits being issued for any new structure, the secondary access road shall be paved or an all-weather surface shall be installed as specified in general requirements.
110. Building Plans. The developer shall submit at least three complete sets of building plans to the Fire Department for review and approval.
111. Building Plans – Hazardous Materials Approval. The developer shall contact the San Bernardino County Fire Department/Hazardous Materials Division, 909.386.8401, for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

#### LAND USE SERVICES – Planning Division 760.995.8140

112. Elevations. In order to improve views along Baker Boulevard the developer shall submit exterior elevations of the proposed structures for review and approval by the Planning Division.
113. Landscape Plans. The applicant shall submit to the Planning Division for review and obtain approval of three sets of a Landscape Documentation Package, prepared by a Certified Landscape Professional in compliance with SBCC §83.10, Landscape Standards. At a minimum, landscaping shall be along Baker Boulevard, adjacent to the structures, within the parking lots, and along the perimeters of the property. Planting plans shall utilize indigenous plant material, when possible, to minimize water consumption. The required planting plans and irrigation plans shall comply with Regional Landscaping Standards for the Desert Region.
114. MDAQMD. The developer shall provide verification of compliance with the MDAQMD Best Available Control Technology (BACT) to County Planning. These BACT must offset any new emissions so that there is no net gain in emissions within the air basin.
115. GHG. The developer shall submit verification to County Planning that project design and construction adhere to the requirements contained in the January 2012 County of San Bernardino Greenhouse Gas Emissions Reduction Plan [GHG Plan] (found at <http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHG.pdf>).

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**PRIOR TO FINAL INSPECTION OR OCCUPANCY,  
The Following Shall Be Completed**

**PUBLIC HEALTH – Environmental Health Services [DEHS] 800.442.2283**

116. **Certificate of Use.** Prior to occupancy of a newly constructed or remodeled apartment complex, hotel, motel, resort, pursuant to San Bernardino County Code 33.101 et seq., a Certificate of Use request shall be submitted to the DEHS. For information, call DEHS/Community Environmental Health at 800.442.2283.

**LAND USE SERVICES – Building and Safety Division 760.995.8140**

117. **Lighting Plans.** The developer shall submit an outdoor lighting plan and obtain permits prior to installation of lighting standards.
118. **Sign Lighting.** Sign lighting shall comply with California Energy regulations and the SBCC.
119. **Final Occupancy.** Prior to occupancy, all Planning Division requirements and sign-offs shall be completed.
120. **Building Occupancy.** Any building without specified tenants and uses may receive final inspection for construction purposes **only**. A Tenant Improvement that identifies the tenant and proposed uses shall be submitted and approved prior to occupancy being granted.

**LAND USE SERVICES – Land Development Division – Road Section 909.387.8311**

121. **Road Improvements.** All required on-site and off-site improvements shall be completed by the applicant, then inspected and approved by County Public Works.
122. **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.
123. **Parkway Planting.** Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

**PUBLIC WORKS – Traffic Division 909.387.8186**

124. **Turn Lane.** The applicant shall widen and restripe Baker Boulevard to provide a Two Way Left Turn Lane along the project frontage and provide adequate storage and transitions for vehicles turning left into the project driveways.
125. **All Way Stop.** The applicant shall install all-way stop controls at the intersection of Interstate 15 Northbound Ramps and Kelbaker Road per the street improvement plans, which were submitted and approved prior to issuance of building permits.

**COUNTY FIRE DEPARTMENT – Community Safety Division 760.995.8190**

126. **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 where 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 feet from the hydrant and at least six feet high above the adjacent road.
127. **Material Identification Placards.** The applicant shall install Fire Department approved material identification placards on the outside of all building and/or storage tanks that store or plan to store hazardous or flammable materials in all



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locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an NFPA 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.

128. Commercial Addressing. Commercial and industrial developments of 100,000 square feet or less shall have the street address installed on the building with numbers that are a minimum six inches in height and with a three-quarter 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 200 feet or more from the roadway, additional non-illuminated, contrasting six inch numbers shall be displayed at the property access entrances.
129. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved Fire Department Knox<sup>®</sup> Lock.
130. Fire Extinguishers. Hand portable fire extinguishers are required. The Fire Department shall approve the location, type, and cabinet design.
131. Fire Lanes. The developer 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 and/or private roads in accordance with the approved plan.
132. Permanent Street Sign. Prior to final inspection and occupancy of the first structure, a permanent street sign shall be installed.

#### COUNTY FIRE DEPARTMENT – Hazardous Materials Division 909.386.8401

133. Emergency/Contingency Plan. Prior to occupancy, the operator shall submit a Business Emergency/Contingency Plan for emergency release or threatened release of hazardous materials and wastes or a letter of exemption. For information, contact the Office of the Fire Marshal, Hazardous Materials Division at 909.386.8401.
134. Permits. Prior to occupancy, the applicant/operator shall be required to apply for one or more of the following: a Hazardous Material Handler Permit, a Hazardous Waste Generator Permit and/or an Underground Storage Tank Permit. For information, contact the Office of the Fire Marshal, Hazardous Materials Division at 909.386.8401.

#### PUBLIC WORKS – Solid Waste Management 909.386.8701

135. C&D Plan – Part 2. The developer shall complete SWMD's C&D Plan Part 2. This summary shall provide documentation of diversion of materials including but not limited to receipts or letters from diversion facilities or certification of reuse of materials on site. The C&D Plan – Part 2 shall provide evidence to the satisfaction of County Solid Waste that demonstrates that the project has diverted from landfill disposal materials for reuse or recycling by a minimum of 50 percent of total volume of all construction waste.

#### LAND USE SERVICES – Code Enforcement Division 760.995.8140

136. Special Use Permit – Landscaping. The developer shall submit an application with the appropriate fees and obtain approval of a Special Use Permit for the confirmation inspections and administration of the surety to guarantee the installation, proper maintenance, and survival of the required landscaping.

#### LAND USE SERVICES – Planning Division 760.995.8140

137. Surety for the Landscaping. Surety in a form and manner determined acceptable to County Counsel and the Land Use Services Director shall be required for all landscape planting and irrigation systems to insure that the landscaping remains in a healthy thriving condition for a minimum of three full years and that the irrigation system continues to

**Mitigation Measures are bolded**

function properly for a minimum of three full years. At a minimum this surety shall be in an amount equal to 120 percent of the cost estimate by a licensed landscape architect and must include material and labor for each landscaped area. Failure to accomplish the screening and other landscape objectives listed in the landscaping conditions for this proposed use shall require additional/replacement plantings or other corrective measures as determined necessary by County Code Enforcement. Also the requirement for the Special Use Permit shall be extended and continue until such time as the objective has been accomplished to the satisfaction of County Code Enforcement and sustained for one year.

OR

The developer shall cause the issuance of a certificate of deposit or an irrevocable letter of credit payable to the County of San Bernardino issued by a bank or savings association authorized to do business in this state and insured by the Federal Deposit Insurance Corporation for the purpose of guaranteeing the landscaping remains healthy and thriving for three growing seasons in a form or manner determined acceptable to County Counsel and the Land Use Services Director in an amount equal to 120 percent of the cost estimate therefor provided by a licensed landscape architect and approved by the Land Use Services Director.

138. Landscaping Installed. All landscaping, dust control measures, all walls/fences, pedestrian walkways, irrigation systems, etc. as delineated on the approved landscape plan shall be installed. The developer shall submit verification as required in SBCC §83.10.100 in the form of a Certificate of Completion prepared by the professional who prepared the plans. Supplemental verification should include photographs.
139. Air Quality & GHG. The developer shall submit evidence to County Planning that all air quality requirements and greenhouse gas reduction measures have been properly installed and implemented.
140. On-site Improvements. Parking and on-site circulation requirements shall be installed per SBCC §83.17, Parking and Loading Standards; including the following:
  - All required off-street parking and loading areas and vehicular access drives shall be surfaced with a minimum of two inches of asphaltic concrete paving to the satisfaction of the Building and Safety Division.
  - All primary vehicular access drives shall be a minimum of 26 feet wide.
  - All parking lot vehicular aisle widths shall be a minimum of 24 feet wide for two-way circulation. Fire Department requirements may be more stringent and require wider widths.
  - All paved parking stalls shall be clearly striped with double or hairpin stripes and permanently maintained.
  - All paved access drives shall have all circulation markings clearly painted and permanently maintained; including arrows painted to indicate the direction of traffic flow.
  - All internal on-site pedestrian crosswalks will be delineated with a minimum 3-inch white or yellow painted line. All pedestrian crossings in public rights-of-way shall be delineated per County Standards.
141. Disabled Access. Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
142. Shield Lights. Any lights used to illuminate the site shall be hooded and designed so as to reflect away from adjoining properties and public thoroughfares.
143. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
144. Trash/Recyclables Receptacles. All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.
145. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number P201200246 shall be paid in full.

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END OF CONDITIONS

## **EXHIBIT D**

### **Correspondence**

**Clark's Mobile Home Park  
57228 Hwy127 #119  
PO Box 69  
Baker, Calif. 92309**

November 2, 2012

**San Bernardino Co. Planning  
385 N Arrowhead Ave. 1<sup>st</sup> Floor  
San Bernardino, Calif. 92415**

RE: Project # P20120<sup>80</sup>246/CF  
Parcel # 0544-311-45

*Creason*

Mr. Ramallo has already built on this property. He installed a block fence around the entire property line. Unfortunately for the residents on the West side of his property, his fence blocked the natural flood channel. As a result of this block wall water from several flash floods this summer have been diverted and have flooded Clark's Mobile Home Park.

Mr. Ramallo needs to address this flood control problem before any further construction is allowed.

**Ann Price  
Manager  
Clark's Mobile Home Park**





**SAN BERNARDINO COUNTY  
LAND USE SERVICES**

**PLANNING PROJECT NOTICE**

385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415-0182

Referral Date:

October 19, 2012

2012 NOV -5 PM 1:45

**ATTENTION PROPERTY OWNERS**

Page 1 of 2

The development proposal listed below has been filed with County Planning. Please comment in the space below. You may attach additional pages as necessary.

Your comments must be received by Planning no later than November 02, 2012 to be sure that they are included in the final project action. However, comments will be taken up to the time of the project decision. Please refer to this project by the Applicant's name and the Assessor Parcel Number indicated below. If you have no comment, a reply is not necessary. If you have any questions regarding this proposal, please contact Planner, TRACY CREASON at (760) 995-8143 or mail your comments to the address above. If you wish, you may also FAX your comments to (909) 387-3223.

ASSESSOR PARCEL NUMBER: 0544-311-45

(See map below for more information)

PROJECT NUMBER: P201200246/CF

APPLICANT: RAMALLO, LUIS

LAND USE DISTRICT (ZONING): CH

IN THE COMMUNITY OF: BAKER/1ST/ SUPERVISORIAL DISTRICT

LOCATED AT: BAKER BOULEVARD AND SHERIDIAN AVENUE, EXTENDING BETWEEN;

PROPOSAL: A) GENERAL PLAN AMENDMENT FROM RS-14M TO CH TO MIRROR THE PROPERTY BOUNDARY ON APPROXIMATELY 1.65 ACRES; B) REVISION TO ADD A 25,900-SQ.FT. 3-STORY HOTEL WITH RESTAURANT, MUSEUM, GIFT SHOP, & POOL/SPA, A 5600-SQ.FT. 2-STORY OFFICE BUILDING WITH POOL BAR, A 7000-SQ.FT. 1-STORY STORAGE BUILDING, AND A 100-SQ.FT. KIOSK TO THE EXISTING RETAIL USES (WITH EXISTING CARETAKER RESIDENCE) ON 5.5 ACRES

If you want to be notified of the project decision, please print your name clearly and legibly on this form and mail it to the address above along with a self-addressed, stamped envelope. All decisions are subject to an appeal period of ten (10) calendar days after an action is taken.  
Comments (If you need additional space, please attach additional pages):

I own the two parcel.  
South of the above  
mentioned property.

I have two concerns

① Flooding - with any  
amount of rain my motel.  
Rms/property is being  
flooded

② We also have a motel, NEXT PROPERTY. I am  
very concerned about competition, in such small city!

SIGNATURE

DATE

11/2/12

AGENCY

K&Y Property Inc.

IF THIS DECISION IS CHALLENGED IN COURT, SUCH CHALLENGE MAY BE LIMITED TO ONLY THOSE ISSUES RAISED IN WRITING AND DELIVERED TO LAND USE SERVICES BEFORE THE PROJECT DECISION IS MADE.

IF A PUBLIC HEARING IS HELD ON THE PROPOSAL, YOU OR SOMEONE ELSE MUST HAVE RAISED THOSE ISSUES AT THE PUBLIC HEARING OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE HEARING BODY AT OR PRIOR TO THE HEARING. DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, TIME RESTRICTIONS MAY BE PLACED ON ORAL TESTIMONY AT ANY PUBLIC HEARING ABOUT THIS PROPOSAL. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

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OCT 30 2012

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PLANNING DIVISION

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- will mail hard copy  
along w/ self-stamped  
Envel!

Susan Kang  
22064 Van Buren St.  
Grand Terrace CA 92313