



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

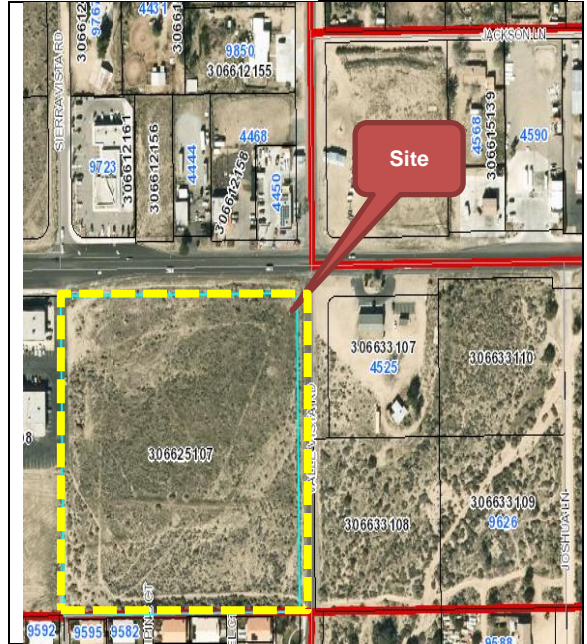
HEARING DATE: December 22, 2016

AGENDA ITEM: 2

Project Description

APN: 3066-251-07
Applicant: VVR, LLC
Community: Phelan
District: First
Location: Southwest corner of Phelan Road and Valle Vista Road.
Project No: P201500032
Staff: John Oquendo
Rep: Steeno Design Studio
Proposal: Conditional Use Permit to establish a commercial shopping center in 8 phases with structures totaling 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet; and Tentative Parcel Map 19590 to create 7 commercial parcels on 8.42 acres

Vicinity Map -



45 Hearing Notices Sent on : December 9, 2016

Report Prepared By: John Oquendo, AICP

SITE INFORMATION:

Parcel Size: 8.42 Gross Acres
Terrain: The site is currently vacant and relatively flat
Vegetation: Native vegetation, scattered Joshua Trees present

SURROUNDING LAND DESCRIPTION:

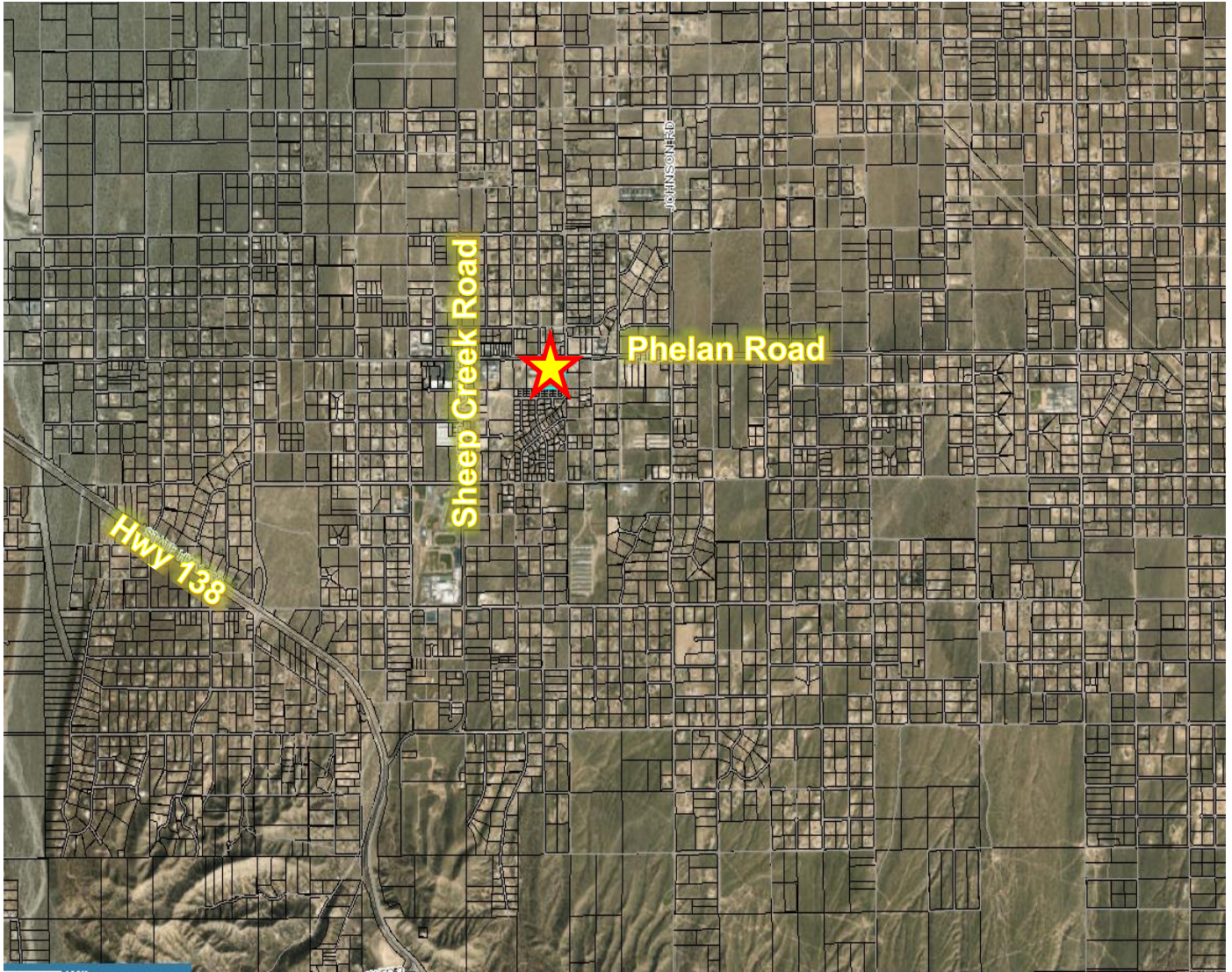
AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	OVERLAYS
Site	Vacant	PH/CG	BIO/FP1/FS-2
North	Commercial Development	PH/CG	BIO/FP1/FS-2
South	Multi-family Development	PH/RM	BIO/FP1/FS-2
East	Single Family Residence	PH/CG	BIO/FP1/FS-2
West	Commercial Development	PH/CG	BIO/FP1/FS-2

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	N/A	N/A
Water Service:	Sheep Creek Water Company	Will Serve Letter Provided
Sewer Service:	Septic/Package Treatment at at Phase 3	Percolation report required

STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the proposed Findings, **APPROVE** the Conditional Use Permit, Tentative Parcel Map, and Variance subject to the attached Conditions of Approval, and **FILE** a Notice of Determination. ¹

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

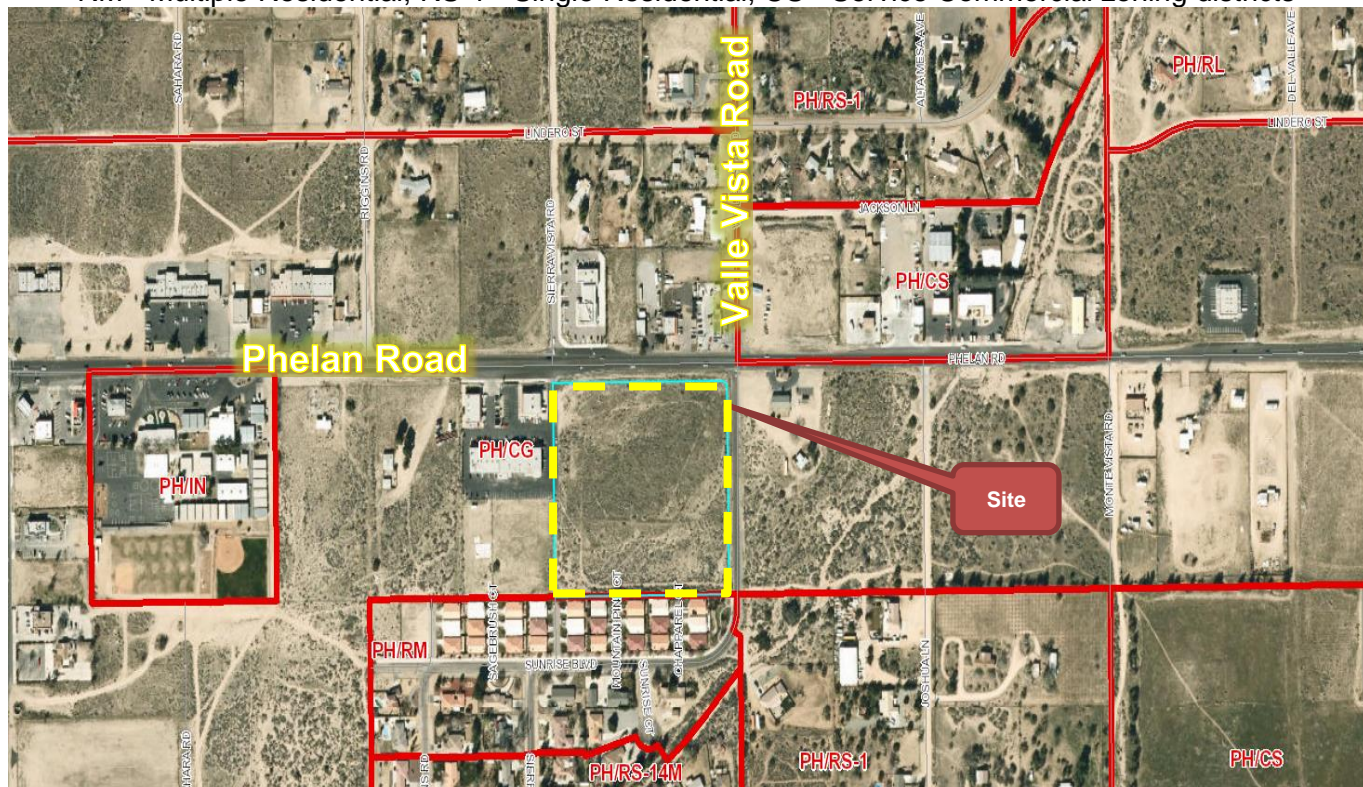
VICINITY MAP:
Aerial view of the Community of Phelan and Project Site



(Imagery ©2016 LUS GIS Viewer)

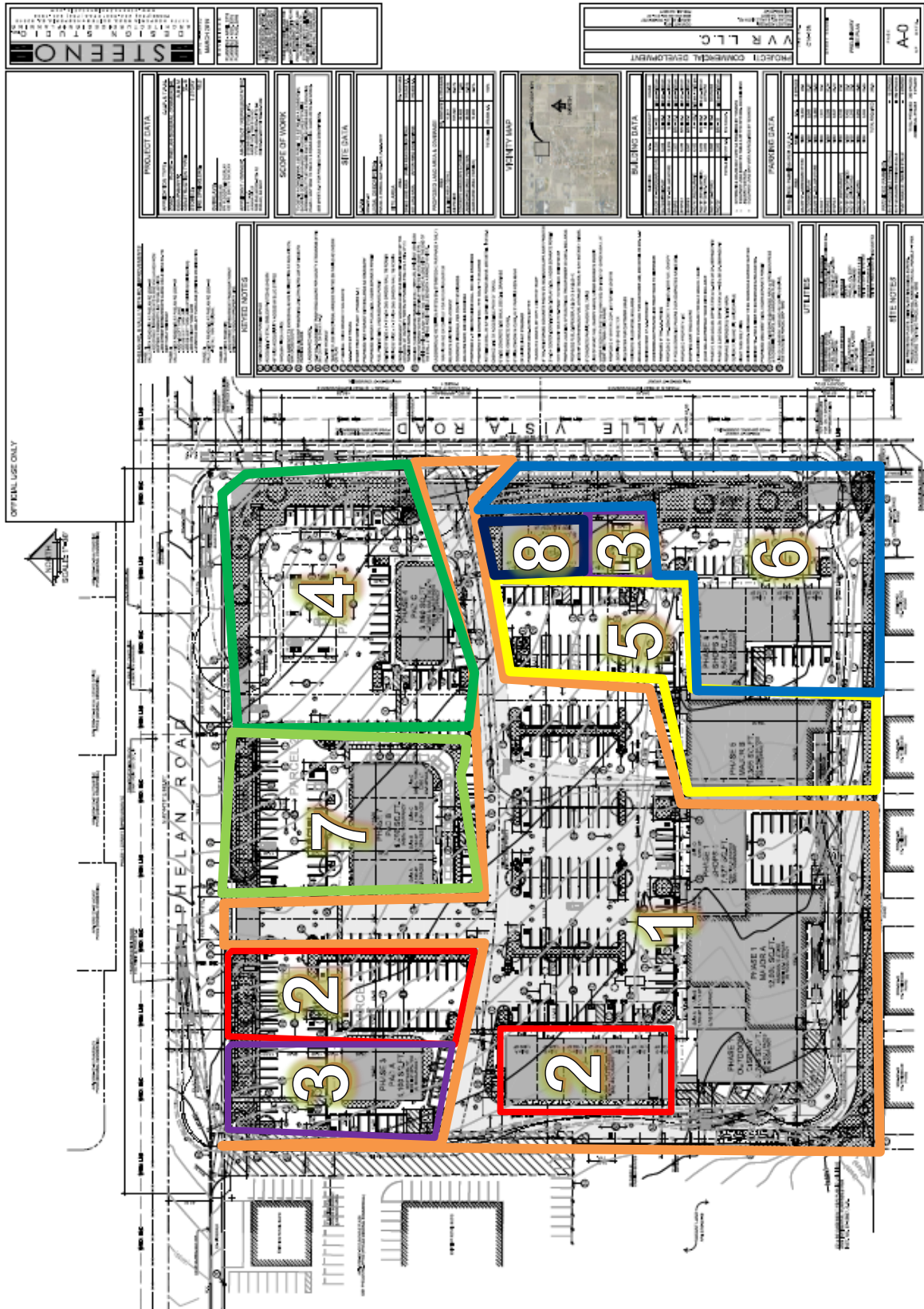
OFFICIAL LAND USE DISTRICT MAP:

LUS GIS Viewer showing the Project site zoned CG General Commercial, and bounded by RM - Multiple Residential; RS-1 - Single Residential, CS - Service Commercial zoning districts

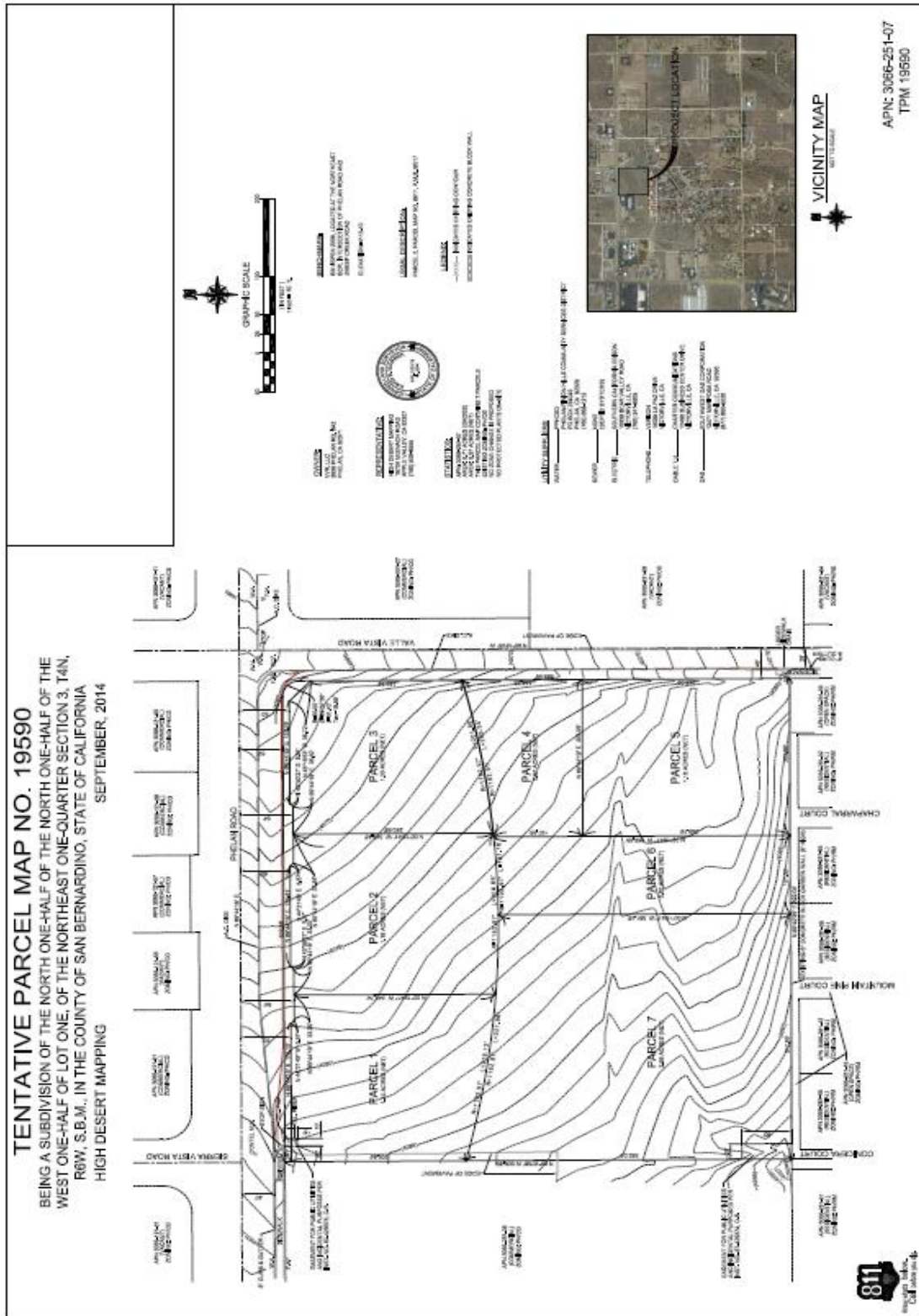


(Imagery © 2016 Google Earth)

SITE PLAN:



PARCEL MAP:



SITE PHOTOS:

The Project site is currently vacant. The site is adjacent to either vacant, residential, or commercial lots. The view below shows the corner view of the lot from intersection of Phelan and Valle Vista Roads.



The street view below is facing south on Phelan Road



The view below is facing north from Valle Vista Road



Southwest view from Valle Vista



PROJECT DESCRIPTION AND BACKGROUND:

The proposed project (Project) is a Conditional Use Permit to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and a decrease to the truck drive aisle from 40 feet to 26 feet, and Tentative Parcel Map 19590 to create seven commercial parcels on 8.42 acres. The Project site lies within the unincorporated portion of the County of San Bernardino in the community of Phelan. The Project is located at the southwest corner of Phelan Road and Valle Vista Road. The site is regulated by the Floodplain 1 and Fire Safety 2 Overlay Districts. The Phase layout is depicted on the site plan exhibit included in this staff report. Of note are Phase 1, which includes the 12,000 SF anchor tenant with multiple shops, Phase 3 which includes the construction of the package treatment plant for the center (onsite treatment will be utilized for the first two phases), Phase 4 which consists of the gas station at the corner of the development, and Phase 7 which consists of shops and a drive-thru restaurant.

The subject property is bounded on the north by Phelan Road, a major arterial road, according to the County Master Plan of Highways, and on the east by Valle Vista Road, a local road. A total of four (4) driveways are proposed off of Valle Vista Road and Phelan Road. The site is relatively flat and currently vacant and undeveloped. On-site vegetation consists of a mixed desert shrub community with scattered Joshua Trees.

ANALYSIS:

Project Development. The subject property is located in the Phelan/Pinon Hills Community Plan/General Commercial (PH/CG) Land Use Zoning District. Pursuant to Chapter 82.05 (Commercial Land Use Zoning Districts) of the San Bernardino County Development Code (Development Code), commercial shopping centers are permitted to be developed in the CG zone subject to a Conditional Use Permit.

The site design generally addresses all applicable Countywide Development standards. The site contains ample parking and the layout has been reviewed for compliance with County requirements. A Variance has been requested by the developer due to the site configuration constraints pertaining to access aisle requirements for multiple-axle trucks as well as minimum landscaping percentage. Staff supports the request and a discussion pertaining to the justification of the Variance can be found in the Variance Findings, Exhibit A. The plan depicts a typical commercial development layout, with multitenant shops, two major tenants, as well as standalone single tenants. The two-way truck access is proposed along the interior edges of the Project site. Typical range of onsite and offsite improvements (landscaping, road improvements, onsite flat work, etc.) will be constructed with the phased implementation of the Project.

Parcel Map. Tentative Parcel Map 19590 proposes to subdivide the property into individual lots for separate ownership of portions of the development. This arrangement of separate ownership is typical for commercial development, with access and parking shared through reciprocal easements. The proposed lot configuration meets Development Code requirements for new commercial lots. The layout of the subdivision is depicted above in the Parcel Map figure.

Phasing. The physical configuration of the proposed phasing is depicted above in the Site Plan Figure. The table below summarizes each phase and corresponding road improvements. A separate site plan is attached as Exhibit D of this staff report for additional detail.

Project Phasing

Phase	Description	Off-Site/Road Improvements
1	Major A Tenant (12,000 SF w/ 5,243 SF Outdoor Display), Shops (7,527 SF)	Phelan Rd road improvements from western PL to Valle Vista Rd; Valle Vista Rd road improvements to north driveway
2	Shops (9,285 SF)	Add NB, SB, EB Left Turn Lanes; Add WB Right Turn Lane; Lengthen WB Left Turn Lane
3	Dine-in Restaurant (4,100)	Install Traffic Signal; Install Package Treatment Plant
4	C-Store and Gas Station (3,960 SF)	-
5	Major B Tenant (12,355 SF)	-
6	Shops (9,547 SF)	Remaining Valle Vista Rd Improvements to southern PL
7	Shops and Drive Thru Restaurant (8,800 SF)	-
8	Shops (5,000 SF)	-

Traffic. The Project evaluation included the preparation and submittal of a Traffic Impact Analysis (TIA) which has been reviewed and approved by the San Bernardino County Department of Public Works, Traffic Division. The TIA assesses the potential impacts the Project may have upon traffic volumes and roadway improvements in the area, and traffic impacts for the following Project milestones: the initial opening date with partial occupancy in 2017, the final opening date with full occupancy projected in 2024, and the Horizon Year of 2035 per County Policy.

As regional access to the Project is provided by SR-138 and the I-15 Freeway, the TIA identifies several local roads that will be affected by the proposed development. The proposed development is projected to generate a total of approximately 8,895 daily vehicle trips, 268 of which will occur in the morning peak hour, and 453 of which will occur in the evening peak hour. Project-related vehicle trips contribute to degraded levels of service at three intersections: Clovis Road at Phelan Road, Sierra Vista Road and Phelan Road, Valle Vista Road at Phelan Road.

In relation to impacts on the local roadway system, the Project is within the boundary of the High Desert Local Area Transportation Facilities Fee Plan. Prior to occupancy or final inspection, the required fees for the proposed commercial development are required to be paid. Payment of this fee is a standard requirement for any proposal within the boundary of the Local Area Transportation Facilities Fee Plan Area. Along with the payment of the Local Transportation fee, a fair share contribution to the required improvements at Phelan Road and Clovis Road has been identified in the traffic study as a measure required to mitigate Project-related impacts.

Finally, specific road improvements have also been stipulated as requirements from the Traffic Division for the implementation of the Project. In order to accommodate the proposed 8-phase implementation of the Project, fair share contribution payments and Project-related road improvements have been separated into a corresponding 8-phase sequence.

PUBLIC NOTICES:

The Planning Division sent Project notices to surrounding property owners within the required radius of the site in compliance with the initial Project noticing and the 10-day public hearing notification requirements. One request for notification of the decision for the Project has been received from a property owner at 4435 Sunrise Boulevard in Phelan. In addition, a legal advertisement was published in the local newspaper on December 9, 2016, publicizing the Planning Commission hearing. No Comments were received in response to the hearing notification.

ENVIRONMENTAL REVIEW:

An Initial Study (IS) was prepared to evaluate the environmental impacts of the Project. Although potentially significant impacts were identified in the areas of air quality and traffic, the mitigation measures incorporated as part of the Project's conditions of approval will reduce the impacts to less than significant. Thus, staff is recommending adoption of a Mitigated Negative Declaration (MND) in conjunction with the approval of the Project.

The MND/IS was posted on the County website on November 4, 2016 for the twenty (20) day review and comment period and a Notice of Availability/Notice of Intent was mailed to property owners within 300 feet of the Project. During the twenty day posting of the MND/IS, no comments were received by staff.

RECOMMENDATION: That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration;
2. **APPROVE** the Conditional Use Permit to establish a commercial shopping center in 8 phases with structures totaling 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet;
3. **APPROVE** Tentative Parcel Map 19590 to create 7 commercial parcels on 8.42 acres;
4. **ADOPT** the attached Findings; and
5. Direct staff to **FILE** the Notice of Determination.

ATTACHMENTS:

- EXHIBIT A: Findings
- EXHIBIT B: Conditions of Approval
- EXHIBIT C: Mitigated Negative Declaration/Initial Study
- EXHIBIT D: Site Plan

EXHIBIT A

Findings

PROJECT FINDINGS

The Conditional Use Permit (CUP) is conditionally approved to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet; and a Tentative Parcel Map 19590 to create 7 commercial parcels on 8.42 subject to the Conditions of Approval and project consistency with the following finding requirements:

CONDITIONAL USE PERMIT

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, open space, setbacks, walls and fences, yards, and other required features pertaining to the application. The 8.42 acre site contains ample area to accommodate the proposed building and site improvements associated with the Project, with the appropriate modification of the standards related to minimum onsite landscape percentage and commercial truck access width. The Project as proposed satisfies all applicable standards and requirements of the San Bernardino County Development Code (Development Code).
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 located on Valle Vista and Phelan Road, which are both County-maintained roads that will provide adequate legal and physical access to the Project site. Access to the Project will occur at four driveways along both Project street frontages.
3. The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance. The Project has sufficiently demonstrated compliance with the appropriate site design requirements and development standards such as setbacks, wastewater improvements, and off street parking. Compliance with these requirements, as well as all applicable conditions of approval, will ensure that the Project will have no substantial adverse effect upon abutting properties. Additionally, the use will not interfere with the present or future ability to use solar energy systems.
4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the San Bernardino County General Plan (General Plan) and any applicable Community or Specific Plan. The Project is consistent with the General Plan as well as the Phelan Community Plan. The Project specifically implements the following goals:

General Plan Goal LU 1: The County will have a compatible and harmonious arrangement of land uses by providing a type and mix of functionally well-integrated land uses that are fiscally viable and meet general social and economic needs of the residents.

- Goal Implementation: The Project as proposed is compatible and harmonious with the surrounding land uses. Potential adverse effects resulting from implementation of the Project have been sufficiently mitigated in the Project design and conditions of approval. Moreover, the Project is found to be a logical continuation of uses in the vicinity, intended to meet the needs of the surrounding residential areas for commercial uses and services.

General Plan Goal LU 9: Development will be in a contiguous manner as much as possible to minimize environmental impacts, minimize public infrastructure and service costs, and further countywide economic development goals.

- Goal/Policy Implementation: The Project is located within a semi-developed area in the unincorporated community of Phelan that contains a mix of commercial uses. Considering features of the site design, the arrangement of land uses within the vicinity, and data included in the supporting studies, the Project is appropriately sited and compatible with the surrounding area.

Phelan Community Plan Goal LU 1: Retain the existing rural desert character of the community.

- Goal Implementation: The Project incorporates rural design features including maintaining native vegetation onsite, a proposed low impact parking design, and other rural design features.
5. There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed Project without significantly lowering service levels. Infrastructure, such as wet and dry utilities and street improvements, has been sufficiently accommodated in the development proposal pursuant to the requirements of the Development Code. Following review of the Project site plan and supporting documents, Staff has concluded that adequate services levels for infrastructure will be maintained when considering the development as proposed.
 6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare. All conditions are proposed to implement requirements of the Development Code and ensure the safe and orderly development of the Project.
 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, through the orientation and design of the proposed structures to take advantage of passive solar heating capabilities. There will be ample area with sun exposure available on the site at full build out of the Project.

ENVIRONMENTAL FINDING

In conformance with the requirements of the California Environmental Quality Act (CEQA), an Initial Study (IS) was prepared to evaluate the environmental impacts of the Project. Although significant impacts were identified in the areas of air quality and traffic, the mitigation measures incorporated as part of the Project's conditions of approval will reduce the impacts to less than significant, so a Mitigated Negative Declaration (MND) is appropriate for adoption. The IS and MND represent the independent judgment of the County acting as lead agency for the Project. The MND/IS was posted on the County website for the twenty (20) day review and comment period and a Notice of Availability/Notice of Intent was mailed to property owners within 300 feet of the Project.

TENTATIVE PARCEL MAP FINDINGS

1. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan, because the subdivision will allow the separate ownership of the proposed development, consistent with accepted practices and allowances prescribed in the Development Code. The proposed subdivision is consistent with the Desert Region Development Standards for the General Commercial Land Use Zoning District, in that the minimum

parcel width, parcel depth and parcel ratio are met for each proposed parcel. There is adequate room for an appropriately sized and located building pad on each proposed parcel.

2. The site is physically suitable for the type and proposed density of development because the Parcel Map includes adequate setbacks, road improvements and access driveways to accommodate the proposed development.
3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, because the site does not contain threatened or endangered species and the environment analysis confirms no other significant impacts are anticipated with the implementation of mitigation measures. A general biological survey was conducted by environmental consultant RCA and Associates on October 14, 2014, with an update on November 30, 2015, these studies concluded that no sensitive species were observed during the biological survey.
4. The design of the subdivision and type of improvements are not likely to cause serious public health problems, because the site location, the subdivision design, and the density proposed are such that hazards from flood, fire, noise and other potential public health hazards are minimal with the implementation of the proposed conditions of approval and mitigation measures.
5. The design of the subdivision and the improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision because the recorded map will require all necessary public rights of easements to be shown. The development will provide at least two-points of legal and physical access to the site with proper documentation of those access rights. The conditions of approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.
6. The discharge of the sewage from the proposed subdivision into the planned wastewater treatment system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board, because the proposed Project will be subject to permit and inspection by the County of San Bernardino and the Lahontan Regional Water Quality Control Board, which is in compliance with the prescribed Regional Water Quality Control Board requirements.
7. The design of the subdivision provides, to the extent feasible, the potential for the use of solar energy systems and passive or natural heating and cooling opportunities; because the proposed lots will provide adequate building setbacks for the proposed land use. The building setbacks promote optimum spacing of structures to create adequate opportunity for the use of solar technology.
8. The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law, because the size and shape of the proposed lots are adequate for the type of residential development proposed, and appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, and County Building and Safety) have all reviewed and approved the Project design, the proposed conditions and the mitigation measures. The access roads and water service lines to the site currently exist and any required modifications to these are required to be bonded prior to recordation and to be constructed prior to final inspection of any new construction on the new lots.

9. The IS and related MND have been prepared in compliance with CEQA and represent 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 with the implementation of all the required conditions of approval and mitigation measures.

VARIANCE FINDINGS

1. The granting of the Variance for modification of the minimum onsite landscape percentage from 20% to 10.6% and minimum truck aisle width from 40 feet to 26 feet will not be materially detrimental to other properties or land uses in the area and will not substantially interfere with the present or future ability to use solar energy systems. The location, bulk and general description of the construction proposed on the subject property will not significantly impact the neighboring properties or other land uses in the area, and is subject to the plan check review requirements of the County's Building and Safety Division for the proposed construction. The adequacy of the truck aisle width has been sufficiently demonstrated through truck turning templates on the site plan to provide safe circulation through the site. The construction as proposed will leave sufficient area on adjoining properties to buffer any potential impacts and will not interfere with the present or future ability to utilize solar energy systems. All other setback standards are met based upon review of the submitted site plan.
2. There are exceptional or extraordinary circumstances and conditions applicable to the subject property that do not apply to other properties in the same land use zoning district or vicinity. Arranging all of the required site improvements for a commercial shopping center on a parcel this size and possessing these dimensions will be difficult to accomplish without compromising the viability of the development. In addition, the subject property abuts two County-maintained roads requiring dedication and improvements on both streets. Accordingly, the modification of the minimum of onsite landscape percentage from 20% to 10.6% and minimum truck aisle width from 40 feet to 26 feet is warranted when considering these factors.
3. The strict application of the Land Use District standards deprives such property of privileges enjoyed by other properties in the vicinity. In this case, this privilege is identified as the construction of a new commercial shopping center as allowed by Development Code Chapter 82.05, and demonstrated in the submitted site plan. The strict application of the identified standards in this case will deprive the property of this privilege. The subject property abuts two County-maintained roads requiring dedication and improvements on both streets. This does not apply to this extent to other properties in the vicinity, and reduces the amount of area available for the proposed development and required improvements and landscaping. Additionally, the proposed Project was found to be in compliance with all other prescribed development standards.
4. The granting of the Variance as described above is compatible with the maps, objectives, policies, programs, and general land uses specified in the General Plan. The Project specifically implements General Plan Policy LU 1.2 which allows the design of new development to meet the locational standards for the purpose of compatibility with adjoining land uses as well as community character. Generally, this Policy is interpreted by staff to promote the consideration of limited waiver instruments such as Variances in unique cases where the strict application of the County Development Code deprives the property of a privilege enjoyed by other property owners, unique extraordinary circumstances or conditions are present on the subject property, and the general health, safety, and welfare of adjacent property owners and the County at large will not be negatively impacted. As demonstrated above, this Variance has affirmed all of the previously required findings; and accordingly is determined by staff to be in compliance with Land Use Policy LU 1.2.

EXHIBIT B

Conditions of Approval

CONDITIONS OF APPROVAL

VVR, LLC P201500032

Conditional Use Permit

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311

1. **Project Approval Description.** This Conditional Use Permit (CUP) is approved to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet on 8.42 acres, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet, APN: 3066-251-07 Project No. P201500032.
2. **Code Compliance.** The project shall be constructed and operated in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC) San Bernardino County Fire Code, and the following conditions of approval, the approved site plan and all other required and approved reports and/or displays (e.g. elevations). The developer shall provide a copy of the approved conditions and approved site plan to every current and future developer to facilitate compliance with these conditions of approval and continuous use requirements for the project site.
3. **Project Location.** The Project site is located at the southwest corner of Phelan Road and Valle Vista Road in the Community of Phelan.
4. **Concurrent Applications.** Tentative Parcel Map 19590 to create 7 commercial parcels on 8.42 acres.
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 the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval 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. **Indemnification.** In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does

not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

7. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an extension of time is approved. 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 approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
 - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved.
 - The land use is determined by the County to be abandoned or non-conforming.
 - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.
- PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.
8. 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.
9. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
10. Project Account. The Job Costing System (JCS) account number is P201500032. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
11. 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 the Planning Division

in accordance with the directions stated in the Approval letter. The Planning Division 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 the Planning Division.

12. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
13. Cultural Resources. During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570
14. Additional Permits. The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:
- a. FEDERAL: N/A;
 - b. STATE: Lahontan RWQCB, Mojave Desert AQMD, California Department of Fish and Wildlife
 - c. COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor, and
 - d. LOCAL: N/A
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:
- a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
 - d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.

- i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
 - k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
 - l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
16. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.
17. Lighting. Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
18. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
19. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
20. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
21. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
- a. All construction equipment shall be muffled in accordance with manufacturer's specifications.

- b. All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
- c. All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

22. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:

- a. Waste Stream Reduction. The developer shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
- b. Vehicle Trip Reduction. The developer shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: public transit information, participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
- c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services.
- d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.

LAND USE SERVICES DEPARTMENT– Code Enforcement (909) 387-8311

- 23. Enforcement. If any County enforcement activities are required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 – Development Code; Division 6 – Administration, Chapter 86.09 – Enforcement.
- 24. Weed Abatement. The applicant shall comply with San Bernardino County weed abatement regulations and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES DEPARTMENT – 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, which 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 which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

28. Continuous BMP Maintenance. The property owner/“developer” is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
29. BMP Enforcement. In the event the property owner/“developer” (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or “developer”, including administrative costs, attorney’s fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

PUBLIC HEALTH – Environmental Health Services [DEHS] (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 environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: (800) 442-2283.
31. Septic System Maintenance. The septic system shall be properly maintained, not create a public nuisance, and be serviced by a DEHS permitted sewage pumper.
32. Noise. Noise level(s) shall be maintained at or below County Standards, Development Code §83.01.080

COUNTY FIRE DEPARTMENT – Community Safety (760) 995-8190

33. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
34. 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 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.

PUBLIC WORKS - Solid Waste Management (909) 386-8701

35. 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 Assembly Bill (AB) 2176.
36. Mandatory Commercial Recycling. Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
37. Mandatory Trash Service. This project falls within a Uniform Handling Service area. If uniform handling is implemented in all or part of a particular franchise area, all owners of a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
38. Mandatory Organics Recycling. As of April 2016, the State of California through AB 1826 (Enacted October 2014), requires businesses that generate eight (8) cubic yards of organics per week to recycle. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics though not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.

PUBLIC WORKS - Survey Division (909) 387-8149

39. Survey Monumentation. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor (Section 8771(b) Business and Professions Code).
- a. Legal descriptions or construction staking based upon a field survey of the boundary or building setbacks.
 - b. Monuments set to mark the property lines.
 - c. Pursuant to applicable sections of the Business and Professions Code.

**PRIOR TO ISSUANCE OF GRADING PERMITS
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311

41. Joshua Tree Relocation Plan. The developer shall submit and have approved by the Planning Division a relocation plan for Joshua Trees within the developed site area. The relocation plan shall be accompanied with certification from a certified arborist, registered professional forester or a Desert Native Plant Expert that the proposed tree removal, replacement, or revegetation activities are appropriate, supportive of a healthy environment, and are in compliance with Chapter 88.01 of the San Bernardino County Development Code. The certification shall include the information in compliance with Department procedures. Transplantation onsite shall be the primary method of addressing Joshua Tree removals from the subject property.
42. GHG – Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:
- a. Implement the approved Coating Restriction Plans.
 - b. Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
 - c. Grading contractor shall provide the implement the following when possible:
 1. training operators to use equipment more efficiently.
 2. identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions
 3. replacing older, less fuel-efficient equipment with newer models
 4. use GPS for grading to maximize efficiency
 - d. Grading plans shall include the following statements:
 - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
 - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
 - e. Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
 - f. Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
 - g. The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.
43. Worker Environmental Awareness Program. Although Presence/Absence Surveys determined the site is unoccupied by special status species, prior to the start of construction activities, the Applicant shall prepare and implement a Worker Environmental Awareness Program (WEAP) for site construction works. This program shall include information specific to protected or special-status species which could potentially be impacted by the Project, including Desert Tortoise and burrowing owl. This program shall include information specific to the inadvertent discovery of cultural resources and human remains which could potentially be impacted by construction activities. The WEAP will summarize the general rules and procedures that must

be followed by each person on the Project to assure the minimization or complete avoidance of impacts to protected biological resources and special status species, and cultural resources.

44. Excavation. If human remains are encountered on the property, the San Bernardino County Coroner's Office Must be contacted within 24 hours of the find, and all work halted until a clearance is given by that office and any other involved agencies. Contact the County Corner at 175 South Lena Road, San Bernardino, CA 92415-0037 or (909) 387-2543.
45. Burrowing Owl. Pre-Construction Surveys. Although Presence/Absence Surveys determined the site is unoccupied by special status species, within 14 days prior to ground disturbance, the Applicant shall retain a qualified biologist to conduct burrowing owl surveys within the area to be disturbed. The survey will be performed by walking parallel transects spaced no more than 20 meters apart, and will be focused on detecting burrows that are occupied, or are suitable for occupation, by the burrowing owl. The results of the surveys, including graphics showing the locations of any active burrows detected and any avoidance measures required, will be submitted to the County of San Bernardino within 14 days following completion of the surveys. This approval does not relieve the property owner or project proponent of responsibility to comply with State and Federal Endangered Species Acts. If any sensitive species are identified during grading, building or land disturbing activity, all on-site activities must cease, the California Department of Fish and Wildlife (CDFW) and/or U.S. Fish and Wildlife Service (USFWS) (as applicable) must be contacted to discuss specific mitigation measures and to obtain the necessary incidental take permits. If active burrows are detected, the following take avoidance measures will be implemented:
- a. If burrowing owls are observed using burrows on-site during the non-breeding season (September through January, unless determined otherwise by a qualified biologist based on field observations in the region), occupied burrows will be left undisturbed, and a burrowing owl habitat management plan shall be created.
 - b. If avoiding disturbance of owls and owl burrows on-site is infeasible, owls will be excluded from all active burrows through the use of exclusion devices placed in occupied burrows in accordance with protocols established in CDFW's Staff Report on Burrowing Owl Mitigation (2012). Specifically, exclusion devices, utilizing one-way doors, will be installed in the entrance of all active burrows. The devices will be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows will then be excavated by hand and/or mechanically and refilled to prevent reoccupation. Exclusion will continue until the owls have been successfully excluded from the disturbance area, as determined by a qualified biologist.
 - c. Any active burrowing owl burrows detected on-site during the breeding season (February through August, unless determined otherwise by a qualified biologist based on field observations in the region), will not be disturbed and a burrowing owl habitat management plan shall be created (see below). To the maximum extent practicable, a buffer zone from occupied nests should be maintained during physical ground disturbing activities. Once nesting has ended, the buffer may be removed.
46. Air Quality. *Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Basin is in non-attainment status for ozone and suspended particulates [PM₁₀ and PM_{2.5} (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:*
- a. *The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.*

Mitigation Measures shown in Italics

1. *The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.*
2. *The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.*
3. *The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.*

b. *Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:*

1. *All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.*
2. *The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.*
3. *The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.*
4. *Use low VOC paints/coatings.*

LAND USE SERVICES DEPARTMENT– Building and Safety Division (909) 387-8311

47. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
48. Geotechnical (Soil) Report: When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
49. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance of more than 50 Cu Yards.
50. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
51. Erosion & Sediment Control Plan. An erosion and sediment control plan and permit shall be submitted to and approved by the Building Official prior to any land disturbance.
52. Erosion Control Installation. Erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
53. Regional Board Permit Letter. 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 (1) acre of land total.

PUBLIC WORKS/Solid Waste Management (909) 386-8701

54. Construction and Demolition Waste Management Plan (CDWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 **for each building in each phase of the project**. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at www.sbcounty.gov/dpw/solidwaste. An approved CDWMP Part 1 is required before a demolition permit can be issued.

Upon completion of construction, the developer shall complete SWMD's CDWMP Part 2 and shall provide documentation of diversion of materials including but not limited to receipts, invoices or letters showing material type(s) and weights or volume from diversion facilities or certification of reuse of materials on site. An approved Part 2 of the CDWMP is required prior to issuance of occupancy.

LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311

55. Drainage Improvements. A Registered Civil Engineer shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. FEMA Flood Zone. The Project is located within Flood Zone D according to FEMA Panel Number 1000F dated 09/26/2008. Flood Hazards are undetermined in this area but possible. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
56. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division. Grading Plans. Grading plans shall be submitted for review and approval obtained. An \$806 deposit for grading plan review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
57. FEMA Flood Zone. The project is located within Flood Zone AO according to FEMA Panel Number 6450H dated 08/28/2008 and will require the first floor to be elevated a minimum 1 foot above the known shallow flooding depth of 1 foot in compliance with FEMA/SBC regulations. **Elevation Certificate is required**. The requirements may change based on the most current Flood Map prior to issuance of grading permit.
58. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
59. Grading Plans. Grading plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. An \$806 deposit for grading plan review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
60. On-site Flows. On-site flows need to be directed to the drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.

61. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>
62. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT – Community Safety (760) 995-8190

63. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.
64. FS-2. The County General Plan designates this property as being within the Fire Safety Review Area 2 (two) and all future construction shall adhere to all applicable standards and requirements of this overlay district.
65. Fire Fee. The required fire fees are due at time of submittal; and paid to the San Bernardino County Fire Department/Community Safety Division. This fee is in addition to fire fees that are paid to other City or County offices.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed:

LAND USE SERVICES DEPARTMENT – Planning (909) 387-8311

66. Architecture. Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
67. Phasing Plan. Prior to issuance of building permits, a phasing plan shall be submitted to the project planner for review and approval. The phasing plan shall clearly delineate the eight phases identified in the plan for construction of off-site improvements, relative to the two phases of on-site construction, so that the appropriate fees will be assessed with each permit.
68. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
69. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning.
70. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning evidence that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
- a. Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended):
- Incorporate dual paned or other energy efficient windows,
 - Incorporate energy efficient space heating and cooling equipment,
 - Incorporate energy efficient light fixtures, photocells, and motion detectors,
 - Incorporate energy efficient appliances,
 - Incorporate energy efficient domestic hot water systems,
 - Incorporate solar panels into the electrical system,
 - Incorporate cool roofs/light colored roofing,

Mitigation Measures shown in Italics

- Incorporate other measures that will increase energy efficiency.
 - Increase insulation to reduce heat transfer and thermal bridging.
 - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
- b. Plumbing. All plumbing shall incorporate the following:
- All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
 - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
 - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
- c. Lighting. design for building interiors shall support the use of:
- Compact fluorescent light bulbs or equivalently efficient lighting.
 - Natural day lighting through site orientation and the use of reflected light.
 - Skylight/roof window systems.
 - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
 - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
- d. Building Design. Building design and construction shall incorporate the following elements:
- Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
 - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
 - Roofing materials shall have a solar reflectance index of 78 or greater.
 - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
 - Energy Star or equivalent appliances shall be installed.
 - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units

- e. Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
 - f. Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
 - g. Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
 - h. Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.
71. RWQCB Compliance. The Lahontan Regional Water Quality Control Board has reviewed the project and issued a comment letter on July 1, 2015. In compliance with the requirements of the Regional Board, the developer shall construct wastewater treatment improvements in accordance with the proposed project phasing with various appropriately sized septic systems utilized for the first two phases of the development, and a package treatment plan utilized for construction of Phase 3 and beyond. The Regional Board's basin plan limits the total flow on this parcel to 1,330 gal/day for septic systems. Additionally, flow shall not exceed 500 gal/acre/day on any individual lot created by the proposed parcel map associated with this project where septic systems may be utilized. Any planned uses that would require a total flow beyond these limits shall require the construction of the package treatment plant and compliance with the applicable regulations of the Regional Board.
72. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:
- a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
 - b. All sign lighting shall not exceed 0.5 foot-candle.

- c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
- d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

LAND USE SERVICES DEPARTMENT – Building and Safety (909) 387-8311

- 73. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
- 74. Phasing Plan. Prior to issuance of building permits, condition compliance release from the Planning Division shall be required, including verification of compliance with the project phasing plan.
- 75. GHG – Design Standards. The developer shall submit for review and obtain approval from the Building and Safety Division in conjunction with the Planning Division that the following measures have been incorporated into the design of the project. At a minimum, the current California Building Code requirements shall apply. The following design measures shall be applied to reduce potential project impacts on greenhouse gases (GHGs), provided that they exceed minimum requirements for compliance with the California Building Code:
 - a. Reduction Measure R2E7: Commercial/Industrial Energy Efficiency Development - Building Envelope Features to include the following: Modestly Enhanced Insulation (walls R-13; roof/attic: R-38), Enhanced Window Insulation (0.32 U-Factor, 0.25 SHGC), Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance).
 - b. Reduction Measure R2E7: Commercial/Industrial Energy Efficiency Development - Indoor Space Efficiencies: Enhanced Duct Insulation (R-8), Improved Efficiency HVAC (EER 14/65% AFUE or 8 HSPF), Improved Efficiency Water Heater (0.675 Energy Factor), Very High Efficiency Lights (100% of in-unit fixtures are high efficacy).
 - c. Reduction Measure R2E7: Commercial/Industrial Energy Efficiency Development - Miscellaneous Commercial/Industrial Building Efficiencies: North/South alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting.
 - d. Reduction Measure R2WC1: Irrigation and Landscaping - Per Capita Water Use Reduction Commercial/Industrial: Only moderate water using plants, Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use).
 - e. Reduction Measure R2WC1: Potable Water - Water Efficient Toilets/Urinals (1.5gpm), Water Efficient faucets (1.28gpm).
 - f. Reduction Measure R2T2: Employment Based Trip and VMT Reduction Policy - Local transit within ¼ mile.
 - g. Reduction Measure R2W5: Construction and Demolition Debris Diversion Program - Recycle 10% of debris.

LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311

Mitigation Measures shown in Italics

76. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Construction Phase I to include Project Phases 1, 2, 3, 4 and 7

Phelan Road (Major Arterial – 120')

- Road Dedication. An 8 foot grant of easement is required to provide a half-width right-of-way of 60'.
- Street Improvements. Design curb and gutter with match up paving 52 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 with a 35-foot radius. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130

Valle Vista Road (Local Street, No Designation – 60')

- Street Improvements. Design curb and gutter with match up paving a minimum of 26 ft. of paved section within the 40 foot right-of-way.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approaches per San Bernardino County Standard 129B, and located per Standard 130.

Construction Phase II to include Project Phases 5, 6, and 8

Valle Vista Road (Local Street, No Designation – 60')

- Street Improvements. Design curb and gutter with match up paving a minimum of 26 ft. of paved section within the 40 foot right-of-way.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".

Driveway Approach. Design driveway approaches per San Bernardino County Standard 129B, and located per Standard 130.

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

Mitigation Measures shown in Italics

Plans. Road sections shall be designed 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 General Plan, Circulation Element.

78. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
79. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
80. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
81. 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.
82. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
83. Slope Tests. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
84. Two Access Points. A minimum two points of ingress/egress are required or alternative approved by County Fire Department.
85. Open Roads/Cash Deposit. Existing County roads, which 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.

COUNTY FIRE DEPARTMENT – Community Safety (760) 995-8190

86. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]
87. Fire Flow. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety.

88. 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 three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred [300] feet from any portion of a structure. [F54]
89. Access. The development shall have a minimum 1 point of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1 Single Story Road Access Width: All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
90. Access - 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building. Standard 902.2.1
91. Combustible Protection. Prior to combustibles, being placed on the project site an approved paved road with curb and gutter and fire hydrants with an acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy. Access - 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building. Standard 902.2.1
92. Combustible Vegetation. Combustible vegetation shall be removed as follows: " Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. " Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance # 3586
93. Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty five (45) foot radius for all turns. In the FS1, FS2 or FS-3 Fire Safety Overlay District areas, there are additional requirements. Standard 902.2.1
94. 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 (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacture's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1
95. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design. [F59A]
96. Fire Alarm. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal. Standard 1007.1.1FA. [F62A]

97. Access - 30% slope. Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department. Standard 902.2.1 [F46]

PUBLIC WORKS - Traffic Division (909) 387-8186

98. Street Improvements. The applicant shall design their Phased street improvement plans to include the following:

Phase	Intersection	Improvement
1	Westerly Project Driveway at Phelan Road	Establish a no-parking zone from 110 feet west of the driveway to 20 feet east of the driveway
1	Easterly Project Driveway at Phelan Road	Construct a Right in/Right out only Driveway
2	Valle Vista Rd at Phelan Rd	Construct northbound left turn lane Construct southbound left turn lane Striping modification to add eastbound left turn lane Construct westbound right turn lane Striping modification to lengthen westbound left turn lane
3	Valle Vista Rd at Phelan Rd	Construct traffic signal w/ interconnect
6	South Project Driveway at Valle Vista Rd	Construct a Right in/ right out only Driveway

[TR-1, Traffic Mitigation]

99. Fair Share. The total fair share contribution for this project is required based on the traffic report dated July, 7, 2016 from Kunzman Associates, Inc. The total estimated cost to signalize the intersection of Phelan Road at Clovis Road is \$600,000. The total estimated project fair share contribution for this improvement is \$169,800 (28.3% of \$600,000). The estimated fair share contribution per phase is shown below:

Phase	Percentage of project fair share per phase	Fair share contribution towards the Phelan Rd. at Clovis Road Intersection
1	21.7%	\$36,846.60
2	8.1%	\$13,753.80
3	5.9%	\$10,018.20
4	22.0%	\$37,356.00
5	10.8%	\$18,338.40
6	8.4%	\$14,263.20
7	18.8%	\$31,922.40
8	4.3%	\$7,301.40
Total		\$169,800.00

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for each building permit and shall be paid to the Department of Public Works – Traffic Divisions. At the present time, the total estimated cost for

Mitigation Measures shown in Italics

construction is \$600,000. 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.

[TR-2, Traffic Mitigation]

PUBLIC WORKS - Solid Waste Management (909) 386-8701

100. Construction and Demolition Waste Management Plan (CDWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from demolition. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at www.sbcounty.gov/dpw/solidwaste. An approved CDWMP Part 1 is required before a demolition permit can be issued.

Upon completion of demolition, the developer shall complete SWMD's CDWMP Part 2 and shall provide documentation of diversion of materials including but not limited to receipts, invoices or letters showing material type(s) and weights or volume from diversion facilities or certification of reuse of materials on site. An approved Part 2 of the CDWMP is required prior to issuance of building permits.

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

101. Water Purveyor. Water purveyor shall be Phelan Pinon Hills or EHS approved. Applicant shall procure a verification letter from the water agency with jurisdiction. The letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact DEHS.
102. Source of Water. Source of water shall meet water quality and quantity standards. Test results, which show source meets, water quality and quantity standards shall be submitted to the Division of Environmental Health Services (DEHS). For information, contact the Water Section at 909-387-4655.
103. Water System Permit. If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), "An individual well shall be utilized as the domestic water source for each lot. The well shall be installed, pump tested, and the pump test results reviewed and approved by EHS prior to the issuance of building permits for each lot."
104. RWQCB. Written clearance shall be obtained from the designated California Regional Water Quality Control Board and a copy forwarded to DEHS: Lahontan Region, 14440 Civic Drive, Suite 200, Victorville, CA 92392 (760) 241-6583.
105. Sewer Purveyor. Sewage disposal shall be EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewerage agency with jurisdiction. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active sewer connection, a copy of the sewer bill with project address may suffice. For information, call DEHS/Plan Check at: 1-800-442-2283.

106. Wastewater Systems. Applicant shall procure a verification letter from the sewerage agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall reference the Assessor's Parcel Number.

107. OWTS. If sewer connection and/or service are unavailable, Onsite Wastewater Treatment System(s) (OWTS) may then be allowed under the following conditions: A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section. Submit verification of annexation to DEHS for any project that requires water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at: 909-383-9900.

108. Acoustical Study. Preliminary acoustical information must be submitted demonstrating that the proposed project maintains noise levels at/or below County Noise Standard(s), San Bernardino Development Code (§ 83.01.080, 87.0905). The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to DEHS for review and approval. For more information and request an acoustical checklist contact DEHS. (800) 442-2283

109. Food Establishment. Plans for food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311

- 110. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number P201500032.
- 111. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
- 112. CCRF/Occupancy. Prior to occupancy, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each agency.
- 113. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
- 114. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
- 115. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
- 116. GHG – Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, inspected and implemented, and that specified performance objectives are being met. The initial package of tenant information materials required as an operational standard shall be submitted for approval prior to occupancy and updated on an as-needed basis for the life of the project.

PUBLIC WORKS – Traffic (909) 387-8186

- 117. Local Transportation Fee. *The Project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier's check to the Department of Public Works Business Office. These fees are subject to change. Based on the Traffic Study dated July, 7, 2016, this project generates 8,895 daily vehicle trips. This fee is \$193.55 per trip multiplied by the number of vehicle trips (8,895) and multiplied by an induced trip adjustment factor of 20% as shown in the fee plan. Therefore, the total estimated Local Transportation fees for this project is \$344,325.45. The breakdown per phase is shown below.*

<i>Phase</i>	<i>Daily Project Trips</i>	<i>Fee Cost</i>
<i>1</i>	<i>1931</i>	<i>\$74,749.01</i>
<i>2</i>	<i>724</i>	<i>\$28,026.04</i>
<i>3</i>	<i>521</i>	<i>\$20,167.91</i>
<i>4</i>	<i>1953</i>	<i>\$75,600.63</i>
<i>5</i>	<i>963</i>	<i>\$37,277.73</i>
<i>6</i>	<i>744</i>	<i>\$28,800.24</i>
<i>7</i>	<i>1669</i>	<i>\$64,606.99</i>
<i>8</i>	<i>390</i>	<i>\$15,096.90</i>
	<i>Total</i>	<i>\$344,325.45</i>

Mitigation Measures shown in Italics

The current High Desert Local Transportation Facilities plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

[TR-3, Traffic Mitigation]

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

[TR-4, Traffic Mitigation]

LAND USE SERVICES DEPARTMENT – Building and Safety (909) 387-8311

119. Condition Compliance Release Form Sign-off. Prior to occupancy all Department/Division requirements and signoffs shall be completed.

LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311

120. Drainage Improvements. All required drainage improvements if any shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.

121. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

122. Elevation Certificate. An Elevation Certificate of the structure(s) shall be completed, approved, and on file with County Building and Safety.

LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section (909) 387-8311

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

124. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. . Completion of road and drainage improvements does not imply acceptance for maintenance by the County.

125. 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.

126. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

127. Phased Projects. Projects within any phase of a phased project shall have all required on-site and off-site public road and drainage improvements required for such a phase sufficiently completed by the applicant, inspected and approved for construction of that phase, prior to final inspection or occupancy for any buildings or other structures in that phase. The term “phase” as used here shall mean the following: “The block of building permits drawn on less than the whole project” or “A plan of building construction which indicates blocks of construction of less than the whole project.”

In each phase, the installation of any on-site or off-site public road improvements shall be sufficiently completed so as to assure protection from storm or drainage run off, a safe and drivable access for fire and other emergency/safety vehicles, and the ordinary and intended use of the buildings or structures. The Building Official, with the concurrence of the Land Development Division may approve any plan or approve a change to an approved plan, which complies with the intent of this policy.

COUNTY FIRE DEPARTMENT – Community Safety (760) 995-8100

128. Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum six (6) inches in height and with a three quarter (3/4) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F82]
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 Lock. Standard 902.4 [F85]
130. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road. Standard 901.4.3. [F80]
131. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan. Standard 901.4
132. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]
133. Inspection by the Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for the "fire final".

PUBLIC WORKS – Solid Waste Management Division (909) 386- 8701

134. C&D Plan – Part 2. The developer shall complete SWMD's C&D Plan Part 2". This summary shall provide documentation of actual diversion of materials including but not limited to receipts or letters from diversion facilities or certification 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.

END OF CONDITIONS

CONDITIONS OF APPROVAL

VVR, LLC P201500032
Tentative Parcel Map 19590

GENERAL REQUIREMENTS

LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311

1. Project Approval Description. Tentative Parcel Map 19590, is approved to create 7 parcels on 8.71 acres, and may be recorded in compliance with the conditions of approval and the approved stamped Tentative Parcel Map. The Project site is located at the southeast corner of Phelan Road and Valle Vista Road in the Community of Phelan. APN: 3066-251-07 Project No. P201500032.
2. Concurrent Applications. Conditional Use Permit to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet.
3. Project Location. The Project site is located at the southeast corner of Phelan Road and Valle Vista Road in the Community of Phelan.
4. Expiration. This conditional approval of the Tentative Parcel Map shall become null and void unless all conditions have been completed and the Tentative Parcel Map has been deemed complete by the County Surveyor for purposes of recordation within 36 months following the effective approval date, unless an extension of time is granted.
PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.
5. Extension of Time. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
6. Revisions. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.
7. Condition Compliance. Condition compliance confirmation for purposes of Parcel Map recordation will be coordinated by the County Surveyor.
8. Project Account. The Job Costing System (JCS) account number is P20150032. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

9. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
10. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

PRIOR TO RECORDATION OF THE PARCEL MAP

The Following Shall Be Completed

PUBLIC WORKS – Surveyor Division (909) 387-8149

11. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
12. Non-Interference Letter. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
13. Easements. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
14. Fees. Review of the Parcel Map by our office is based on actual cost, and requires an initial deposit of \$3,000. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
15. Title Report. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

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

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

17. Water Purveyor. Water purveyor shall be Phelan Pinon Hills or EHS approved. Applicant shall procure a verification letter from the water agency with jurisdiction. The letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact DEHS.
18. Sewer Purveyor. Sewage disposal shall be EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewer agency with jurisdiction. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewer agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active sewer connection, a copy of the sewer bill with project address may suffice. For information, call DEHS/Plan Check at: 1-800-442-2283.
19. LAFCO. Submit verification of LAFCO approval to EHS for any project that requires water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at (909) 383-9900.
20. RWQCB. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services. Lahontan Region, 14440 Civic Drive, Suite 200, Victorville, CA 92392 (760) 241-6583.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

21. Fire Condition Letter Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage (909) 387-8311

22. Drainage Improvements. A Registered Civil Engineer shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to

the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

23. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
24. On-site Flows. On-site flows need to be directed to the drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development Division.
25. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
26. Grading Plans. Grading plans shall be submitted for review and approval obtained IF grading occurs prior to Final Map recordation. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP report. All FEMA/SBC requirements for Flood Zone AO per Panel number 6450H shall be applied. An \$806 deposit for grading plan review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

LAND USE SERVICES DEPARTMENT - Land Development Division - Roads (909) 387-8311

27. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Construction Phase I to include Phases 1, 2, 3, 4, and 7

Phelan Road (Major Arterial – 120')

- Road Dedication. An 8 foot grant of easement is required to provide a half-width right-of-way of 60'. Adequate easement shall be provided at Phelan Road and Valle Vista to ensure future curb return and sidewalk improvements are within Public right-of-way for a 35-foot curb return.
- Street Improvements. Design curb and gutter with match up paving 52 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.

Valle Vista Road (Local Street, No Designation – 60')

- Paved Access Road. This project is required to have a minimum of 26-foot wide paved access road within 40' of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.
- Driveway Approach. Design driveway approaches per San Bernardino County Standard 129a, and located per Standard 130.

**Construction Phase II to include Phases 5, 6, and 8
Phelan Road (Major Arterial – 120')**

- Street Improvements. Design curb and gutter with match up paving 52 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per Standard 130.

Valle Vista Road (Local Street, No Designation – 60')

- Street Improvements. Design curb and gutter with match up paving 18 feet from centerline with a minimum 26 ft paved section within a 40 foot right-of-way. Final alignment shall be coordinated and approved by Public Works, Traffic Division.
- Driveway Approach. Design driveway approaches per San Bernardino County Standard 129b, and located per Standard 130.

28. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
29. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any utility affecting construction shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
30. Improvement Securities. Any required public or private road, drainage, WQMP, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
31. Maintenance Bond. Once all required public and private road, drainage, WQMP, and/or utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
32. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

33. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
34. Open Roads/Cash Deposit. Existing County roads, which 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.
35. Two Access Points. A minimum two points of ingress/egress are required or alternative approved by County Fire Department.
36. 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.
37. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
38. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
39. Structural Section Testing. Prior to map recordation, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Public Works.

END OF CONDITIONS

EXHIBIT C

Mitigated Negative Declaration/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:

APN:	3066-251-07
Applicant:	VVR, LLC
Community:	Phelan
Project No:	P201500032/Conditional Use Permit and TPM19590
Staff:	John Oquendo
Rep:	Steen Design Studio
Proposal:	CONDITIONAL USE PERMIT to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet, a Variance to allow a decrease in the landscape requirement from 20% to 10.6% and to allow for a reduction to the truck drive aisle from 40 feet to 26 feet; and a Tentative Parcel Map 19590 to create 6 commercial parcels on 8.42 acres

USGS Quad: PHELAN
T, R, Section: T4N R7W Sec. 24
Planning Area: Phelan Community Plan Area
LUZD: PH/CG

Overlays: Fire Safety 2
FP1 Floodplain

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department – Planning Division
15900 Smoke Tree Street
Hesperia, CA 92345

Contact person: John Oquendo
Phone No: (760) 995-8140
E-mail: John.Oquendo@lus.sbcounty.gov

Fax No: (760) 995-8167

Project Sponsor: Steeno Design Studio
11774 Hesperia Road
Hesperia, CA 92345

PROJECT DESCRIPTION:

The proposed project is a **Conditional Use Permit** to establish a commercial shopping center in 8 phases with structures totaling approximately 77,817 square feet, a **Variance** to allow a decrease in the landscape requirement from 20% to 10.6% and a decrease to the truck drive aisle from 40 feet to 26 feet, and a **Tentative Parcel Map Number 19590** to create six commercial parcels on 8.42 acres. The project site lies within the unincorporated portion of the County of San Bernardino in the Phelan Community Plan Area. The County's General Plan designates the site PH/CG, Phelan Community Plan/General Commercial. The project is located at the southeast corner of Phelan Road and Valle Vista Road. The site is regulated by the Floodplain 1 and Fire Safety 2 overlay.

ENVIRONMENTAL/EXISTING SITE CONDITIONS:

The project site is located in the community of Phelan in the County of San Bernardino. The subject property is bound on the north by Phelan Road, a major arterial road according to the County Master Plan of Highways, and is also bound to the east by Valle Vista Road. The site is currently vacant and undeveloped. The site is presently occupied with desert native plants and scattered Joshua Trees.

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	OVERLAYS
Site	Vacant	PH/CG	BIO/FP1/FS-2
North	Commercial Development	PH/CG	BIO/FP1/FS-2
South	Multi-family Development	PH/RM	BIO/FP1/FS-2
East	Single Family Residence	PH/CG	BIO/FP1/FS-2
West	Commercial Development	PH/CG	BIO/FP1/FS-2

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

Federal: Fish & Wildlife

State of California: Lahontan Regional Water Quality Control Board; Fish & Wildlife, MDAQMD

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

Local: Phelan – Pinon Hills CSD

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? The required notification of affected tribes has occurred. No additional tribal consultation has been requested.

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



Source: USGS QUAD, 2015

Title P201500032	Location Map (Not to Scale)	Exhibit 1
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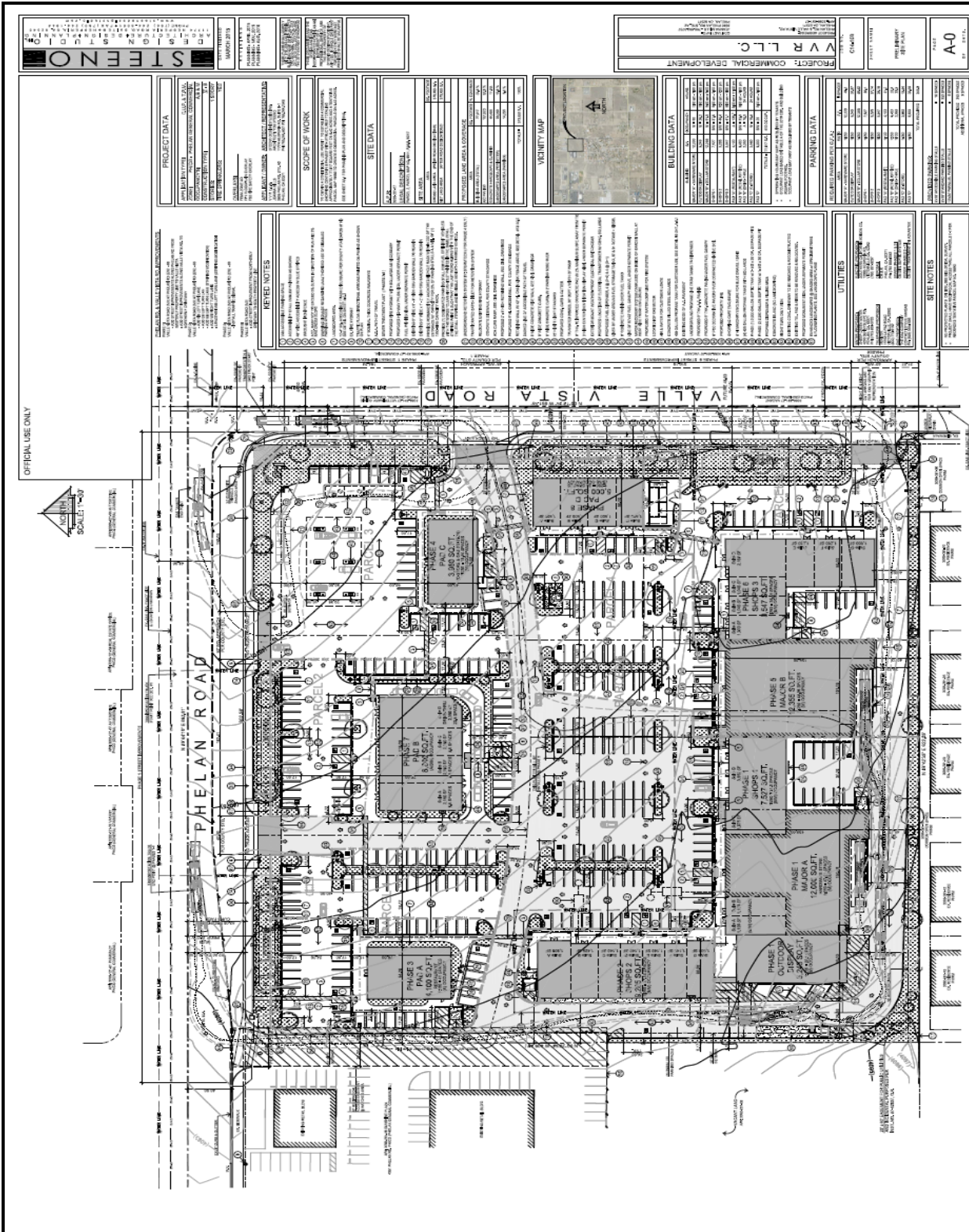


Exhibit 2

Site Plan
(Not To Scale)

Title
P201500032

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

1. 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.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

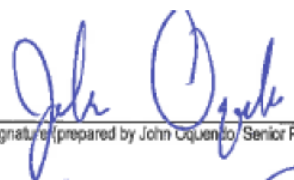
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|--|
| <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"/> Tribal Cultural Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

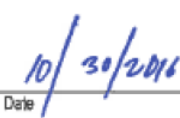
DETERMINATION: (To be completed by the Lead Agency)

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.



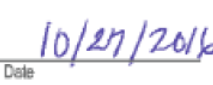
Signature (prepared by John Cuquendo, Senior Planner):



Date



Signature: Heidi Duron, Supervising Planner



Date

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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I. AESTHETICS - 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 type="checkbox"/> | <input checked="" 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):

The property is not within the view-shed of any Scenic Route listed in the General Plan.

- I a) **Less Than Significant.** The proposed project is not located within a designated Scenic Corridor and will not have a substantial adverse effect on a scenic vista, as there are none identified within the vicinity of the project site that would be affected by the proposed development. The proposed project is consistent with other surrounding development in the area and is architecturally compatible with the visual character of the surrounding area. Impacts are considered less than significant.
- I b) **No Impact.** The proposed project is not located on or within close proximity of a state scenic highway and therefore will not substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. There are no existing rock outcroppings or historic buildings present on the site. Therefore, no impacts would occur and no mitigation measures are required.
- I c) **Less Than Significant.** 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 planned visual character of the area including landscaping and the provision of walls/fences, landscaping and screening of exterior mechanical equipment, loading and storage areas. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.
- I d) **Less Than Significant.** The proposed project will not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area because all lighting proposed onsite will be designed in accordance with the County Development Code. These standards and code requirements will ensure that the project will not create a new source of substantial light or glare by requiring lighting to be shielded or hooded. A lighting plan will be required as a condition of approval for this project. Impacts are considered less than significant.

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

II. AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California 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 Resourced 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, | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

to non-agricultural use or conversion of forest land to non-forest use?

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

- a) **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 no agricultural uses on the site currently
- b) **No Impact.** The subject property is not designated or zoned for agricultural use and the proposed project does not conflict with any agricultural land use or Williamson Act land conservation contract. Therefore, no impacts would occur and no mitigation measures are required.
- c) **No Impact.** The proposed project would not 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)). The proposed project area is currently vacant land, which has never been designated as forest land or timberland. No rezoning of the project site would be required as the proposed project is compatible with the current zoning designation. The proposed project would not cause the rezoning of forest land, timberland, or timberland zoned Timberland Production. Therefore, no impacts would occur and no mitigation measures are required.
- d) **No Impact.** The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. The proposed project area is currently vacant land, which has never been designated as forest land or timberland. The proposed project does not include forest land. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts would occur and no mitigation measures are required.
- e) **No Impact.** The proposed project will not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to a non-agricultural use, because the site is currently not used for agricultural purposes. Therefore, no impacts would occur and no mitigation measures are required.

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
III. AIR QUALITY - 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 checked="" type="checkbox"/>	<input 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):

- a) **Less Than Significant Impact.** The project is within the Mojave Desert Air Basin and under the jurisdiction of the Mojave Desert Air Quality Management District. Under the Federal Clean Air Act the Mojave Desert Air Quality Management District has adopted a variety of attainment plans (i.e. "Air Quality Management Plans") for a variety of non-attainment pollutants. The Air Quality Management Plans applicable to the Project area are:

Final Mojave Desert Planning Area Federal Particulate Matter (PM 10) Attainment Plan July 31, 1995 and the MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area), June 9, 2008.

The Mojave Desert Air Quality Management District is responsible for maintaining and ensuring compliance with the above described Air Quality Management Plans. A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project may also be non-conforming if it increases the gross number of dwelling units, increases the number of trips, and/or increases the overall vehicle miles traveled in an affected area (relative to the applicable land use plan).

A project is conforming if it complies with all applicable Mojave Desert Air Quality Management District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).

The *Final Mojave Desert Planning Area Federal Particulate Matter (PM 10) Attainment Plan* PM₁₀ emission inventory for the Mojave Desert Planning Area is an estimate using planning area-wide assumptions, such as a single value for silt content, average vehicle speed, number of trips per mile, etc. The MDAQMD believes these assumptions are justified based on the large number of sources within each category; which allows individual

differences to average out. These categories include: City and County Unpaved Road Travel: BLM Land Activity: City and County Unpaved Road Wind Erosion: Construction: Road Dust Entrainment: City and County Disturbed Areas: BLM Unpaved Road Wind Erosion: Stationary (Industrial) Sources.

The *MDAQMD Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area)* includes the latest planning assumptions regarding population, vehicle activity and industrial activity. The plan addresses all existing and forecast ozone precursor producing activities within the MDAQMD through the year 2020.

The project must comply with all applicable Mojave Desert Air Quality Management District rules and regulations and all proposed control measures identified in both plans because these are mandatory requirements. The project site will provide commercial uses to serve the surrounding residential areas and thus reduce vehicle miles traveled overall.

In addition, the project site encompasses approximately 8.42 acres and in the context of the Mojave Desert Planning Area The MDAQMD covers more than 20,000 square miles and a general plan/zoning district change of this small magnitude is not anticipated to change the land use assumptions used to prepare the Mojave Desert Air Quality Management Plans. Based on the consistency analysis presented above, the proposed project will not conflict with the applicable Mojave Desert Air Quality Management Plans described above.

- b) **Less than Significant with Mitigation.** The project could potentially violate an air quality standard and contribute substantially to an existing or projected air quality violation. Impacts to air quality may result from short term activities during construction such as fugitive dust from site preparation and grading, and emissions from equipment exhaust. There may also be long-term operational impacts to air quality when considering project-related vehicular trips, and potential stationary source emissions from project-related energy consumption. The Mojave Desert Air Quality Maintenance District (MDAQMD) is responsible for administering the Basin and setting its annual emissions thresholds for the construction and operation phases of new development projects. Criteria pollutants and their corresponding annual thresholds for MDAQMD are described in Table 2. Air quality modeling was performed for both construction and operational phases of the project using the California Emission Estimator Model (CalEEMod) Software. The modeling performed is the basis of this summary.

Criteria Pollutant	Annual Threshold (tons)
Volatile Organic Compounds (VOC)	25
Carbon Monoxide (CO)	100
Nitrogen Oxides (NOx)	25
Sulfur Oxides (SOx)	25
Particulate Matter Less than 10 Microns in Size (PM10)	15
Particulate Matter Less than 2.5 Microns in Size (PM25)	12

Table 2. MDAQMD Significance Thresholds

Based on the data provided in the modeling, the construction phase of the proposed project will not result in any exceedance of MDAQMD significance thresholds. Therefore, no significant short-term air quality impacts during are anticipated to result

from the demolition, site preparation, grading, paving, building construction and tenant improvement phases of the project. Short-term construction emissions for the project were estimated using California Emissions Estimator Model (CalEEmod) output tables listed as “Unmitigated Construction.” (Annual Construction impacts are shown in Table 3)

Table 3. Project Construction Emissions (Unmitigated)

Pollutant	Annual Maximum Unmitigated (tons)	Mojave Desert Air Quality Management District Annual Threshold (tons)	Exceeds Threshold?
Carbon Monoxide (CO)	4.69652	100	NO
Oxides of Nitrogen (NOx)	4.3587	25	NO
Volatile Organic Compounds (VOC/ROG)	2.0938	25	NO
Oxides of Sulphur (SOx)	6.6000e-003	25	NO
Particulate Matter (PM10)	0.5782	15	NO
Particulate Matter (PM2.5)	0.3698	12	NO

Source: Mojave Desert Air Quality Management District

Table 4. Project Operational Emissions (Unmitigated)

Pollutant	Annual Maximum Unmitigated (tons)	Mojave Desert Air Quality Management District Annual Threshold (tons)	Exceeds Threshold?
Carbon Monoxide (CO)	56.9656	100	NO
Oxides of Nitrogen (NOx)	9.3844	25	NO
Volatile Organic Compounds (VOC/ROG)	6.3456	25	NO
Oxides of Sulphur (SOx)	0.0485	25	NO
Particulate Matter (PM10)	3.0234	15	NO
Particulate Matter (PM2.5)	0.8894	12	NO

Source: Mojave Desert Air Quality Management District

Therefore, both short-term and long-term emissions from project will not exceed the MDAQMD established significance thresholds, with implementation of mitigation measures, and the impacts are considered less than significant. The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the

proposed use(s) do not exceed established thresholds of concern as established by the District after implementation of the identified mitigation measures.

AQ-1 Dust Control. Prior to the issuance of grading permits the following shall occur:

- a) The project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.**
- b) The project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered at least 3 times per day.**
- c) The project proponent shall ensure that all disturbed areas are treated to prevent erosion.**
- d) The project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.**

AQ-2 Construction Emissions Control. Prior to the issuance of grading permits the following shall occur:

- a) All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.**
- b) The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.**
- c) The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.**
- d) Use low VOC paints/coatings.**

- c) Less Than Significant Impact.** A project's air pollution emissions although individually limited, may be cumulatively considerable when taken in combination with past, present, and future development projects. In order to be considered significant, a project's air pollutant emissions must exceed the emission thresholds established

by the Mojave Desert Air Quality Management District and be inconsistent with growth associated with regional projections.

The results of the CalEEMod computer model prepared for the project determined that the thresholds for criteria pollutants will not be exceeded as a result of the project. (See Tables 4 and 5). Therefore, impacts from the project are not cumulatively considerable when included with other past, present, and future probable projects.

d) **Less Than Significant Impact.** According to the Mojave Desert Air Quality Management District, residences, schools, daycare centers, playgrounds and medical facilities are considered sensitive receptor land uses. The following project types proposed for sites within the specified distance to an existing or planned (zoned) sensitive receptor must not expose sensitive receptors to substantial pollutant concentrations.

- Any industrial project within 1000 feet;
- A distribution center (40 or more trucks per day) within 1000 feet;
- A major transportation project (50,000 or more vehicles per day) within 1000 feet;
- A dry cleaner using perchloroethylene within 500 feet;
- A gasoline dispensing facility within 300 feet.

The project does not propose any of the above described uses. In addition, The project's air pollutant emissions will not exceed construction or operational emission thresholds. (See Tables above). Therefore, the project's emissions are in compliance with the thresholds established by the Mojave Desert Air Quality Management District and the project will not expose sensitive receptors to substantial pollutant concentrations.

e) **Less than Significant Impact.** The proposed project is not expected to create objectionable odors affecting a substantial number of people. The proposal is a request to construct and operate a multi-tenant commercial shopping center, and is not anticipated to create any objectionable odors during construction, and once operational, the facility will not accommodate tenants likely to create objectionable odors. Therefore, the impact is considered less than significant.

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

Potentially Significant Impact Less than Significant with Mitigation Incorporated Less than Significant No Impact

IV. BIOLOGICAL RESOURCES - Would the project:

- a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- 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?
- 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?
- 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?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- 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?

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

IV a) **Less Than Significant Impact.** The project site is not located in an area known to have supportive habitat for any endangered, critical or threatened species. A general biological survey was conducted by RCA and Associates on October 14, 2014 with an update on November 30, 2015, the report concluded that no sensitive species were observed during the biological survey. Accordingly, no significant impact will result from implementation of the project and no mitigation measures are required.

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 Wildlife or US Fish and Wildlife Service. According to the general biological survey performed by RCA and Associates on October 14, 2014 (with an update on November 30, 2015) no sensitive habitats (i.e. blue line channels, wetlands, etc.) or wildlife movement corridors were noted on the property. The project implementation would not have any significant impacts to sensitive or regulated habitat because the

project site is devoid of native riparian vegetation or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Services (USFWS). No significant impact is estimated based upon the review of the drainage study, the biological report as well as the review of the site plan and application, therefore no mitigation is required

- IV c) **No 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.
- 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 according to the biological survey there are no established wildlife corridors on site and the surrounding areas have been developed and disturbed.
- IV e) **Less Than Significant Impact.** The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because future construction or land disturbance is required to adhere to the County's Tree & Plant Protection Ordinance. The project proponent will be required to obtain a Tree & Plant Removal Permit prior to any land disturbance for the removal of any Native Desert Plant listed in Chapter 88.01.060(c) of the Development Code and any removal or relocation of any Joshua Tree. Prior to any land disturbance, issuance of a grading or building permit, whichever occurs first, a Native Desert Plant Expert or certified arborist with experience with Joshua Trees must provide certification that the removal, replacement, or revegetation activities are appropriate, supportive of a healthy environment and in compliance with Chapter 88.01 of the Development Code and/or Food and Agriculture Code Section 80001 et seq). Only if one of the findings listed in Chapter 88.01.050(f)(1) and Chapter 88.01.050(f)(3) are made can any Desert Native Plant or Joshua Tree be removed.
- 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 in the area of the project site. Therefore, no impacts would occur and no mitigation measures 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

V. CULTURAL RESOURCES - Would the project

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 dedicated 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) **No Impact.** This project will not impact nor cause a substantial adverse change in the significance of an historical resource because the project site is not located on or near any known historical resource, as defined in §15064.5 and verified by the County Museum.
- V b) **No Impact** This project will not cause a substantial adverse change to any archaeological resource because no resources have been identified on the site and the project site is not in area mapped to have previously had archaeological resources or believed to have archaeological resources. The California State University, Fullerton was consulted and did not identify any known archaeological resources on site or in the surrounding area.
- 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 and no development is proposed. A note placed on the Composite Development Plan will require all activities to cease and a County approved archeologist to be present if paleontological resources are found during land disturbance or building 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 burials grounds are identified on this project site. If any human remains are discovered during land disturbance or construction on this site, the developer is required to contact the County Coroner and County Museum for determination of appropriate measures. A Native American representative will be contacted, if the remains are determined to be of Native American origin. A note placed on the Composite Development Plan will be required to this effect.

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

VI. GEOLOGY AND SOILS - Would the project:

- 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
 - ii. Strong seismic ground shaking?
 - iii. Seismic-related ground failure, including liquefaction?
 - iv. Landslides?
- b) Result in substantial soil erosion or the loss of topsoil?
- 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?
- 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?
- e) Have soils incapable of adequately supporting the use of on-site wastewater treatment tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

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

VI a) **Less Than Significant.** The entire San Bernardino County area is particularly susceptible to strong ground shaking and other geologic hazards. However, the proposed project site is not located within an Alquist-Priolo Earthquake fault zone. While the potential for onsite ground rupture cannot be totally discounted (e.g., unmapped faults could conceivably underlie the project corridor), the likelihood of such an occurrence is considered low due to the absence of known faults within the site. Therefore, impacts from proximity to fault zones are considered less than significant. The project site is expected to experience earthquake activity that is typical of the Southern California area. The site is beyond the limits of the liquefaction zone for the aforementioned earthquake faults. Therefore, impacts from liquefaction are considered less than significant. The proposed project would not have any risks associated with landslides. Landslides are the downslope movement of geologic materials. The stability of slopes is related to a variety of factors, including the slope's steepness, the strength of geologic materials, and the characteristics of bedding planes, joints, faults, vegetation, surface water, and groundwater conditions. The project area is relatively flat terrain where landslides have not historically been an issue;

therefore, less than significant impacts are anticipated with respect to seismic-related (or other) landslide hazards.

- 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 paved and landscaped. Erosion control plans will be required to be submitted, approved and implemented. Measures to reduce and control erosion of soil during construction and long term operation are required by MDAQMD through its Rule 403 for control of fugitive dust, the Lahontan Regional Water Quality Control Board (RWQCB) under its administration of the State's General Construction Permit, and the County of San Bernardino Public Works Department through its Storm Water Management Program. Implementation of requirements under MDAQMD Rule 403 for control of fugitive dust would reduce or eliminate the potential for soil erosion due to wind. Implementation of Best Management Practices (BMPs) that would be included in the applicant's Storm Water Pollution Prevention Plan (SWPPP), would reduce soil erosion due to storm water or water associated with construction.
- 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. Where a potential for these is identified a geology report is required to be reviewed and approved by the County Building and Safety Geologist, who will require implementation of appropriate mitigation measures, if any additional measures are required.
- 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) **Less Than Significant Impact.** The site will be required to have an Environmental Health Services approved wastewater treatment device or connect to sewer service. The County's Environmental Health Services Department reviewed the subject property for adequate soils for wastewater treatment and preliminarily determined the soils are adequate. A note placed on the Composite Development Plan will state "An approved percolation report, (EHS reference number) prepared by (person/firm name & credentials) on (date prepared), is on file with EHS. A plot plan showing the location of the septic system shall be submitted to EHS prior to the issuance of building permits for the individual lots."

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) **Less than Significant.** The County’s Greenhouse Gas Emissions Reduction Plan (GHG Plan) was adopted on December 6, 2011 and became effective on January 6, 2012. An update to the Greenhouse Gas Emissions plan was implemented by the County of San Bernardino Land Use Services Department in March 2015. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is 15 percent below 2007 emissions. The plan is consistent with AB 32 and sets the County on a path to achieve more substantial long-term reductions in the post-2020 period. Achieving this level of emissions will ensure that the contribution to greenhouse gas emissions from activities covered by the GHG Plan will not be cumulatively considerable.

In 2007, the California State Legislature adopted Senate Bill 97 (SB97) requiring that the CEQA Guidelines be amended to include provisions addressing the effects and mitigation of GHG emissions. New CEQA Guidelines have been adopted that require: inclusion of a GHG analyses in CEQA documents; quantification of GHG emissions; a determination of significance for GHG emissions; and, adoption of feasible mitigation to address significant impacts. The CEQA Guidelines [Cal. Code of Regulations Section 15083.5 (b)] also provide that the environmental analysis of specific projects may be tiered from a programmatic GHG plan that substantially lessens the cumulative effect of GHG emissions. If a public agency adopts such a programmatic GHG Plan, the environmental review of subsequent projects may be streamlined. A project’s incremental contribution of GHG emissions will not be considered cumulatively significant if the project is consistent with the adopted GHG plan.

Implementation of the County’s GHG Plan is achieved through the Development Review Process by applying appropriate reduction requirements to projects, which reduce GHG emissions. All new development is required to quantify the project’s GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year is used to identify and mitigate project emissions. Based on CalEEMod modeling, the project is projected to generate more than 3,000 MTCO_{2e}. For projects exceeding 3,000 MTCO_{2e} per year of GHG emissions, the developer may use the GHG Plan Screening Tables as a tool to assist with calculating GHG reduction measures and the determination of a significance finding. Projects that garner 100 or more points in the Screening Tables do not require quantification of project-specific GHG emissions. The point system was devised to ensure project compliance with the reduction measures in the GHG Plan such that the GHG emissions from new development, when considered together with those from existing development, will allow the County to meet its 2020 target and support longer-term reductions in GHG emissions beyond 2020. Consistent with the CEQA Guidelines, such projects are consistent

with the Plan and therefore will be determined to have a less than significant individual and cumulative impact for GHG emissions.

The proposed project is required to garner 100 points on the Screening Tables through the application of Energy Efficient Reduction measures, Construction Debris Diversion Measures, and Per Capita Water use Reductions, and as a result, the project is considered to be consistent with the GHG Plan and is therefore determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG reduction measures proposed by the developer through the Screening Tables Review Process will be included in the final project design or will be included as Conditions of Approval for the project.

- VII b) **Less than Significant Impact.** The proposed project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. In January of 2012, the County of San Bernardino adopted a Greenhouse Gas Emissions Reduction Plan (GHG Plan). The proposed project is consistent with the GHG Plan with the inclusion in that 100 points were garnered through the Screening Table Analysis as described in Section a) above.

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
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the Environment through the routine transport, use, or disposal of hazardous materials?	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

VIII a) **Less Than Significant Impact.** Hazardous Material means any material that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the environment. Hazardous materials include, but are not limited to hazardous substances and hazardous waste. Phase four (4) of the development includes the construction of a convenience market with gas pumps. The site will receive delivery of petroleum products for dispensing at gas pumps. The type and quantity of these materials is not considered a significant hazard. The development proposes two underground storage tanks located along the Valle Vista edge of the site. Upon

evaluation of the site plan and surrounding land uses, no significant constraints or risks have been identified. The Project is subject to permit and inspection by 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 County Fire Department. Phase four (4) of the development includes the construction of a convenience market with gas pumps. Best practices and compliance with the regulations of the Lahontan Regional Water Quality Control Board, the Building and Safety Division, and the County Fire Department will be required to be implemented with all phases of the development. No significant impact will result from the implementation of the project as proposed, and no mitigation measures are required.
- VIII c) **Less Than Significant Impact.** Phase four (4) of the development includes the construction of a convenience market with gas pumps. All existing and proposed schools are more than 1/4 mile away from the project site. Phelan Elementary is located just beyond the one-quarter mile measurement based upon review of the San Bernardino County Land Use Service Geographic Information System measuring tools. As discussed in the responses to Questions VIIIa and VIIIb above, the project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste because the project does not propose the use of hazardous materials in large quantities. The Project is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department.
- VIII d) **No 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 therefore, will not create a significant hazard to the public or environment.
- VIII e) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a public airport. The nearest public airport is the Southern California Logistics Airport, which is located approximately 13 miles northeast of the project site.
- VIII f) **No Impact.** The project site is not within the vicinity or approach/departure flight path of a private airstrip. The nearest private airstrip is the Hesperia Airport, which is located approximately 8.5 miles southeast of the project site.
- VIII g) **No 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.** The project will not expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with lands because future development will have to meet the Fire Department development standards for construction in the Fire Safety 2 overlay zone. The Fire Safety 2 overlay development standards are meant to reduce the risk of injury, death, loss of persons and structures. 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 and the County's Fire Safety 2 Development Standards.

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

IX. HYDROLOGY AND WATER QUALITY - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

- IX a) **Less Than Significant.** The project will not violate any water quality standards or waste discharge requirements because any future on-site wastewater treatment systems associated with the project development must be approved by the County Environmental Health Services based on requirements by the Lahontan Regional Water Quality Control Board. A condition of approval and note placed on the Composite Development Plan will also require a Water Quality Management Plan to be submitted and reviewed by County Land Development Division and an EHS approved wastewater treatment facility.
- IX b) **Less Than Significant.** 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 project is served by Sheep Creek Water Company, which will supply water and has indicated there is sufficient water to supply the project.
- IX c) **Less Than Significant.** 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 erosion or siltation on or off-site. Proposed development, grading and land disturbance will be required to adhere to County ordinances for erosion control and Best Management Practices shall be implemented. A Water Quality Management Plan (WQMP) is required to be submitted by a Registered Civil Engineer and approved by County Land Development Division prior to any ground disturbance activity.
- IX d) **Less Than Significant.** The project will not substantially alter any 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. A condition of approval shall state, "a Registered Civil Engineer is required to investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties". A similar note shall be placed on the Composite Development Plan and will be required for each lot/parcel prior to development.
- IX e) **Less Than Significant.** The project will not 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 because development will be required to submit a complete Water Quality Management Plan and the report shall adhere to the latest requirements established by the Mojave River Watershed Region. Prior to any development the applicant is required to provide drainage improvements and a drainage study to the Land Development Division.
- IX f) **Less Than Significant.** The project will not otherwise substantially degrade water quality, because the project is required to provide a Water Quality Management Plan (WQMP) that meets the latest requirements established by the Mojave River Watershed Region to ensure all runoff is treated prior to entering any natural drainage course.

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- IX g, h) **Less Than Significant.** This project does lie within the Flood Zone D according to FEMA Panel Number 6475H. Flood hazards are undermined in this area but possible. A requirement that a drainage study and most current Flood Map shall be submitted to the County Land Development Division prior to the issuance of a grading permit will be placed on the Composite Development Plan and will be noted as a Condition of Approval. The result of the drainage study may cause changes to the drainage improvement requirements.
- IX i) **Less Than Significant.** The project 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, because the project site is not within any identified path of a potential inundation flow that might result in the event of a dam or levee failure. The project site is in an area with undetermined flood hazards, a requirement for a drainage study to be submitted to is a condition of approval for future development to determine no flood hazards are present or that modifications to building design, grading or drainage improvements is required.
- IX j) **No Impact.** The project will not be impacted by inundation by seiche, tsunami, or mudflow. The project is not adjacent to any body of water that has the potential of seiche or tsunami or 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	No Impact
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X. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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 type="checkbox"/> | <input checked="" 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) **No 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. The proposed project will create commercial parcels and establish uses that conform to the PH/CG land use district.
- X b) **No 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. The project is consistent with all applicable land use policies and regulations of the County Code, General Plan, and the Phelan Community Plan. 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 on the project site or within the area surrounding the project site and no habitat conservation lands are required to be purchased as mitigation for the proposed project.

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	No Impact
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XI. MINERAL RESOURCES - 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. And the project site does not lie within a mineral resource overlay. There are no known mineral occurrences on the site.
- XI b) **No Impact.** The project will not result in the loss of availability or 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 No Impact

XII. NOISE - 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 ground borne vibration or ground borne 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 type="checkbox"/> | <input checked="" 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.** The project is not expected to expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, because the project is not located in the Noise Hazard (NH) Overlay District and will not be subject to severe noise levels according to the General Plan Noise Element.
 Prior to the issuance of a building permit for the proposed project the County Department of Environmental Health Services will require the submittal of a preliminary acoustical questionnaire demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required and appropriate noise attenuating measures may be required of this project. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.
- XII b) **Less Than Significant Impact.** The project will not create exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels. The project will have to adhere to the County Development Code for grading and construction noise. The project location is not in the surrounding area of any industries or activities that generate excessive ground borne vibration.

XII c) **Less than Significant Impact.** The project is not expected to 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 not located in the Noise Hazard (NH) Overlay District and will not be subject to severe noise levels according to the General Plan Noise Element. The project is in the vicinity of single family uses, though the standard requirements of development and the County Code should maintain the levels of the project to at or below the required noise thresholds. .

Prior to the issuance of a building permit for the proposed project the County Department of Environmental Health Services will require the submittal of a preliminary acoustical questionnaire demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required and appropriate noise attenuating measures may be required of this project. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.

XII d) **Less Than Significant Impact.** Construction of the project will temporarily increase ambient noise levels primarily due to construction activities. Construction noise is exempt from County Noise Standards during 7:00am and 7:00pm except Sundays and federal holidays. Thus, temporary construction noise impacts will be less than significant.

XII e) **No Impact.** The project is not located within an airport land use plan area or within 2 miles of a public/public use airport.

XII f) **No Impact.** The proposed project area is not located within the vicinity of a private airstrip. Therefore, no impacts would occur and no mitigation measures 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
XIII. POPULATION AND HOUSING - 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 Project will not induce substantial population growth in the area either directly (it does not propose housing) or indirectly (it does not create a significant number of new jobs). The Project will serve the existing population in the area. Jobs and employment opportunities created would most likely be absorbed by the employment needs of the existing residents of the area.
- XIII b) **No Impact.** The proposed use will not displace any housing units, necessitating the construction of replacement housing because no housing units are proposed to be demolished as a result of this proposal and the subject site is vacant.
- XIII c) **No Impact.** The proposed use will not displace any people necessitating the construction of replacement housing elsewhere, because the project will not displace any existing housing or existing residents because the subject site is vacant.

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

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:

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. 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. Therefore, no significant adverse impacts are anticipated and no mitigation measures 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
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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) **Less than Significant 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 facility would occur or be accelerated, because the project will not generate any new residential units and the impacts to parks generated by the employees of this project will be minimal. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.
- XV b) **Less than Significant Impact.** This project does not include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment, because the type of project proposed, will not result in an increased demand for recreational facilities. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.

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	No Impact
XVI. TRANSPORTATION/TRAFFIC - Would the project:				
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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION The information cited in this section is based upon Traffic Impact Analysis (Revised) July 7, 2016, prepared by Kunzman Associates, Inc.

XVI a) **Less Than Significant Impact with Mitigation Incorporation.** The Project is the subject of a Traffic Impact Analysis which has been reviewed and approved by the San Bernardino County Department of Public Works, Traffic Division. The report assesses the potential impacts the Project may have upon traffic volumes and roadway improvements in the area. The report analyzes traffic impacts for the following project milestones: the initial opening date with partial occupancy in 2017, the final opening date with full occupancy projected in 2024, and the Horizon Year of 2035 per County Policy. Regional access to the Project is provided by SR-138 and the I-15 Freeway. The traffic study identifies several local roads that will be affected by the proposed development. The proposed development is projected to generate a total of approximately 8,895 daily vehicle trips, 268 which will occur in the morning peak hours and 453 of which will occur in the evening peak hour. Potentially significant impacts upon the local roadway system have been identified in the traffic study. Project-related vehicle trips contribute to degraded level of service, LOS D or worse, for three intersections for “with project” scenarios, they are listed as follows: Clovis Road at Phelan Road, Sierra Vista Road and Phelan Road, Valle Vista Road at Phelan Road. In relation to impacts upon the local roadway system, the Project is within the boundary of the High Desert Local Area Transportation Facilities Fee Plan. Prior to occupancy or final inspection, the required fees for the proposed commercial development will be paid to the Department of Public Works Business Office. Payment of

this fee is a standard requirement for any proposals within the boundary of the Local Area Transportation Facilities Fee Plan Area. Along with the payment of the Local Transportation fee, a fair share contribution to the required improvements at Phelan Road and Clovis Road has been identified in the traffic study as a measure to address potential project-related impacts. Finally, specific road improvements have also been stipulated as requirements from the Traffic Division for the implementation of the Project. In order to accommodate the proposed 8-phase implementation of the Project, Traffic Division payments and project-related road improvements have been separated into a corresponding 8-phase sequence. Impacts related to this factor can be mitigated to a less than significant level with the implementation of the mitigation measures identified below.

TR-1 Prior to the issuance of Building Permits the following shall occur:

The applicant shall design their Phased street improvement plans to include the following:

Phase	Intersection	Improvement
1	Westerly Project Driveway at Phelan Road	Establish a no-parking zone from 110 feet west of the driveway to 20 feet east of the driveway
1	Easterly Project Driveway at Phelan Road	Construct a Right in/Right out only Driveway
2	Valle Vista Rd at Phelan Rd	Construct northbound left turn lane Construct southbound left turn lane Striping modification to add eastbound left turn lane Construct westbound right turn lane Striping modification to lengthen westbound left turn lane
3	Valle Vista Rd at Phelan Rd	Construct traffic signal w/ interconnect
6	South Project Driveway at Valle Vista Rd	Construct a Right in/ right out only Driveway

TR-2 Prior to the issuance of Building Permits the following payments shall be made:

The total fair share contribution for this project is required based on the traffic report dated July, 7, 2016 from Kunzman Associates, Inc. The total estimated cost to signalize the intersection of Phelan Road at Clovis Road is \$600,000. The total estimated project fair share contribution for this improvement is \$169,800 (28.3% of \$600,000). The estimated fair share contribution per phase is shown below:

Phase	Percentage of project fair share per phase	Fair share contribution towards the Phelan

		Rd. at Clovis Road Intersection
1	21.7%	\$36,846.60
2	8.1%	\$13,753.80
3	5.9%	\$10,018.20
4	22.0%	\$37,356.00
5	10.8%	\$18,338.40
6	8.4%	\$14,263.20
7	18.8%	\$31,922.40
8	4.3%	\$7,301.40
Total		\$169,800.00

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for each building permit and shall be paid to the Department of Public Works – Traffic Divisions. At the present time, the total estimated cost for construction is \$600,000. 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.

TR-3 The Project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier’s check to the Department of Public Works Business Office. These fees are subject to change. Based on the Traffic Study dated July, 7, 2016, this project generates 8,895 daily vehicle trips. This fee is \$193.55 per trip multiplied by the number of vehicle trips (8,895) and multiplied by an induced trip adjustment factor of 20% as shown in the fee plan. Therefore, the total estimated Local Transportation fees for this project is \$344,325.45. The breakdown per phase is shown below.

Phase	Daily Project Trips	Fee Cost
1	1931	\$74,749.01
2	724	\$28,026.04
3	521	\$20,167.91
4	1953	\$75,600.63
5	963	\$37,277.73
6	744	\$28,800.24
7	1669	\$64,606.99
8	390	\$15,096.90
Total		\$344,325.45

The current High Desert Local Transportation Facilities plan can be found at the following website:
<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

TR-4 The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.

XVI b) **Less Than Significant Impact.** The Project will not exceed, either individually or cumulatively, a level of service [LOS] standard established by the county congestion management agency for designated roads or highways. The traffic study did not report impacts to roads with this designation in its findings.

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- 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. There are no airports in the vicinity of the project and there is no anticipated notable impact on air traffic volumes by passengers or freight generated by the proposed use. No new air traffic facilities are proposed.
- XVI d) **Less than Significant 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. Access to the site will occur at a driveway off of drive ways at Valle Vista Road and Phelan Road. A less than significant impact is anticipated.
- XVI e) **Less Than Significant Impact.** The Project will not result in inadequate emergency access, because the site is adjacent to public roads, and proposes sufficient access to address public safety concerns.
- XVI f) **Less than Significant Impact.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), because these have been required to be installed as conditions of approval.

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

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XVII. TRIABL CULTURAL RESOURCES - Would the project

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

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

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

SUBSTANTIATION: Confidential CHRIS Report submitted by the Applicant in response to information request from interested tribes.

XVII a) **Less than Significant Impact.** This project will not impact nor cause a substantial adverse change in the significance of a tribal cultural resource because the project site is not located on or near any known a tribal cultural resource, defined in Public Resources Code section 21074, nor is the site listed or eligible for listing as a historical resource. No significant adverse impacts are anticipated and no mitigation measures are required.

XVII b) **Less than Significant Impact.** Tribal cultural resources will not be impacted as a result of this project being constructed. The County has concluded its consultation with identified Tribes as required under AB52. There are no known cultural resources of concern to consulting Tribes. No additional measures beyond the inadvertent discovery conditions for both archeological resources and human remains will be required for the Project. No significant adverse impacts are anticipated and no mitigation measures 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
XVIII. UTILITIES AND SERVICE SYSTEMS - Would the project:				
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

XVIII **Less than Significant Impact.** Domestic water will be treated and disposed of through multiple onsite treatment systems subject to permit and review requirements of the County of San Bernardino Division of Environmental Health Services and the Lahontan Regional Water Quality Control Board (Regional Board). The Regional Board has reviewed the project and issued a comment letter on July 1, 2015. In compliance with the requirements of the Regional Board, the development will be required through conditions of approval to construct wastewater treatment based upon the proposed project phasing with various appropriately sized septic systems utilized for the first two phases of the development, and a package treatment plan utilized for phase 3 and beyond. The Regional Board's basin plan limits the total flow on this parcel to 1,330 gal/day for septic systems. Additionally, flow shall not exceed 500 gal/acre/day on any individual lot created by the proposed parcel map associated with this project where septic systems may be utilized. Any planned uses that would require a total flow beyond these limits would require the construction of the package treatment plant and compliance with the applicable regulations of the Regional Board. Moreover, the County Environmental Health Services requires submittal and approval of a percolation report in order to use proposed onsite wastewater treatment systems. Considering the above discussion, No significant adverse impacts will result from the proposed wastewater treatment systems and no mitigation measures are required.

XVIII 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 proposed Project will not increase storm flow rates from the site. It will not create any additional impacts on downstream storm drain facilities that will necessitate expansion of existing facilities or construction of new facilities.

- XVIII d) **Less Than Significant Impact.** The proposed project will have sufficient water supplies available to serve the project from existing entitlements and resources as the local water purveyor, 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. Therefore, no significant adverse impacts are anticipated and no mitigation measures are required.
- XVIII e) **Less than Significant Impact.** The County's Division of Environmental Health Services (DEHS) will approve and oversee the proposed OWTS. Septic system pumpers must be approved by DEHS. Septage, the waste or sewage in a septic tank, is accepted at the Barstow Sanitary Landfill which is approximately 45 miles northeast of the site.
- XVIII f) **Less Than Significant Impact.** The proposed project is served by the Victorville Sanitary Landfill via the Phelan/Sheep Creek transfer station, which has sufficient permitted capacity to accommodate the proposed project's future solid waste disposal needs.
- XVIII g) **Less Than Significant Impact.** The proposed project is required to comply with federal, state, and local statutes and regulations related to solid waste.

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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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 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 type="checkbox"/> | <input checked="" 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 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 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. Additionally, no significant historic or prehistoric resources have been identified on this site. No special status species were observed during the biological site survey conducted for the Project. The Project proposes to relocate Joshua Trees found on site in compliance with County ordinance. Due to the absence of special status species as well as the absence of significant cultural resources on the subject property or within the area of potential impact, implementation and operation of the proposed development will have a less than significant impact upon the identified areas of concern.
- XVIII b) **Less Than Significant Impact.** The project does not have impacts that are individually limited, but cumulatively considerable. The sites of projects in the area to which this project would add cumulative impacts have either existing or planned infrastructure that is sufficient for all planned uses. These sites either are occupied or are capable of absorbing such uses without generating any cumulatively significant impacts.
- XVIII c) **Less than Significant Impact.** The incorporation of design measures, County policies, standards, and guidelines would ensure that there would be no substantial adverse effects on human beings, either directly or indirectly. Impacts of the proposed project would be less than significant.

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

MITIGATION MEASURES

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

AQ-1 Dust Control.

- e) *The project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.*
- f) *The project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered at least 3 times per day.*
- g) *The project proponent shall ensure that all disturbed areas are treated to prevent erosion.*
- h) *The project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.*

AQ-2 Construction Emissions Control.

- e) *All equipment used for grading and construction must be tuned and maintained to the manufacturer’s specification to maximize efficient burning of vehicle fuel.*
- f) *The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.*
- g) *The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.*
- h) *Use low VOC paints/coatings.*

TR-1 Prior to the issuance of Building Permits the following shall occur:

The applicant shall design their Phased street improvement plans to include the following:

Phase	Intersection	Improvement
1	Westerly Project Driveway at Phelan Road	Establish a no-parking zone from 110 feet west of the driveway to 20 feet east of the driveway
1	Easterly Project Driveway at Phelan Road	Construct a Right in/Right out only Driveway
2	Valle Vista Rd at Phelan Rd	Construct northbound left turn lane Construct southbound left turn lane Striping modification to add eastbound left turn lane Construct westbound right turn lane Striping modification to lengthen westbound left turn lane
3	Valle Vista Rd at Phelan Rd	Construct traffic signal w/ interconnect
6	South Project Driveway at Valle Vista Rd	Construct a Right in/ right out only Driveway

TR-2 Prior to the issuance of Building Permits the following payments shall be made:

The total fair share contribution for this project is required based on the traffic report dated July, 7, 2016 from Kunzman Associates, Inc. The total estimated cost to signalize the intersection of Phelan Road at Clovis Road is \$600,000. The total estimated project fair share contribution for this improvement is \$169,800 (28.3% of \$600,000). The estimated fair share contribution per phase is shown below:

Phase	Percentage of project fair share per phase	Fair share contribution towards the Phelan Rd. at Clovis Road Intersection
1	21.7%	\$36,846.60
2	8.1%	\$13,753.80
3	5.9%	\$10,018.20
4	22.0%	\$37,356.00
5	10.8%	\$18,338.40
6	8.4%	\$14,263.20
7	18.8%	\$31,922.40
8	4.3%	\$7,301.40
	Total	\$169,800.00

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for each building permit and shall be paid to the Department of Public Works – Traffic Divisions. At the present time, the total estimated cost for construction is \$600,000. 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.

TR-3 The Project falls within the High Desert Local Area Transportation Facilities Fee Plan. This fee shall be paid by a cashier’s check to the Department of Public Works Business Office. These fees are subject to change. Based on the Traffic Study dated July, 7, 2016, this project generates 8,895 daily vehicle trips. This fee is \$193.55 per trip multiplied by the number of vehicle trips (8,895) and multiplied by an induced trip adjustment factor of 20% as shown in the fee plan. Therefore, the total estimated Local Transportation fees for this project is \$344,325.45. The breakdown per phase is shown below.

Phase	Daily Project Trips	Fee Cost
1	1931	\$74,749.01
2	724	\$28,026.04
3	521	\$20,167.91
4	1953	\$75,600.63
5	963	\$37,277.73
6	744	\$28,800.24
7	1669	\$64,606.99
8	390	\$15,096.90
Total		\$344,325.45

The current High Desert Local Transportation Facilities plan can be found at the following website:
<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

TR-4 The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans.

GENERAL REFERENCES

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

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

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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 (PM₁₀) 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.mdagmd.ca.gov>

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

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

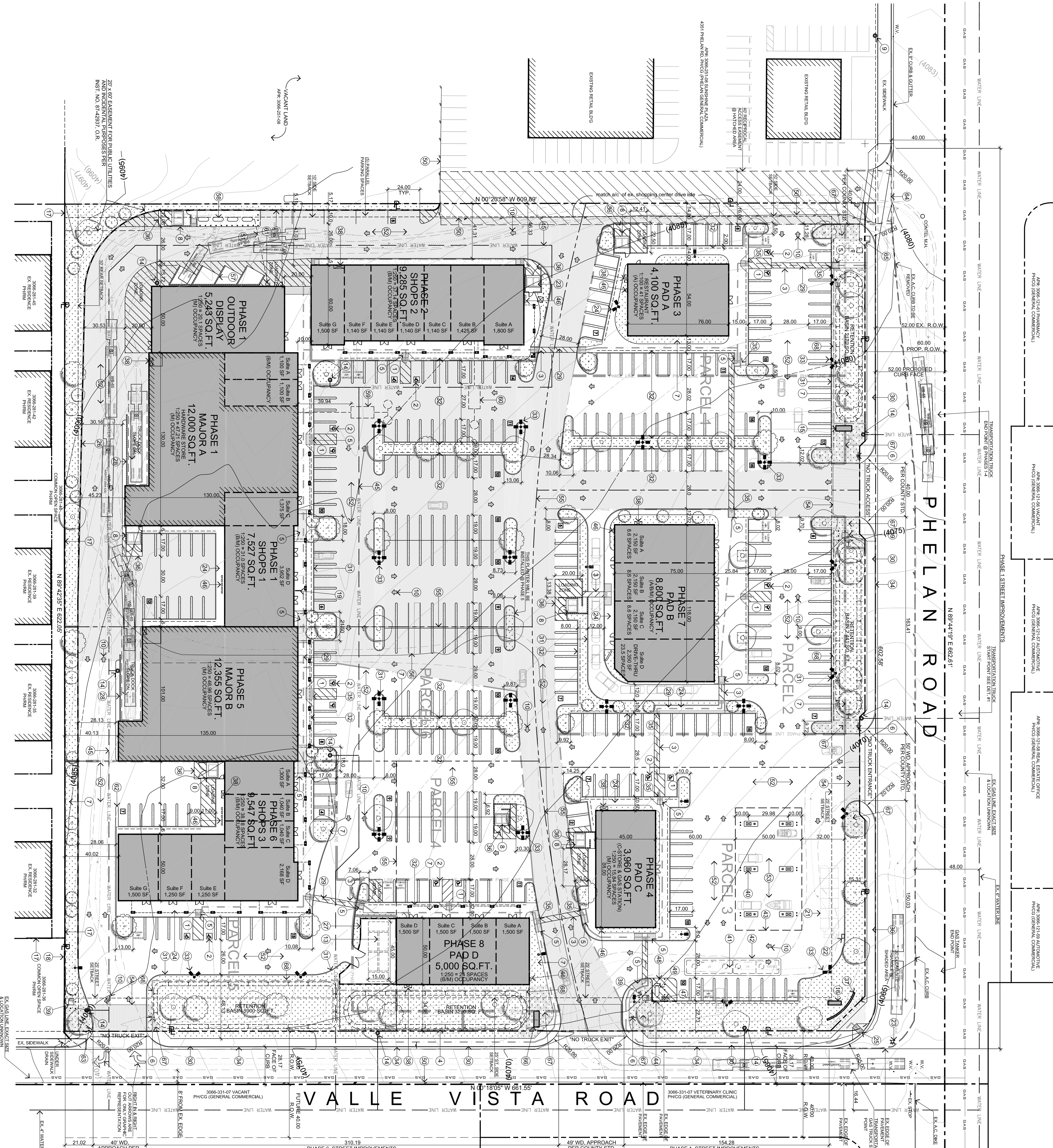
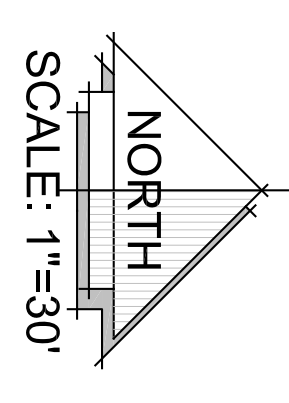
PROJECT SPECIFIC REFERENCES

RCA Associates, LLC, *General Biological Resources Assessment, P201500032/ CUP/VARIANCE/TPM 19590 APN: 3066-251-07*, June 4, 2015

Kunzman Associates, Inc., Traffic Impact Analysis (Revised), P201500032 Cup/Variance/TPM 19590 APN 3066-251-07, July 7 2016

EXHIBIT D

Site Plan



PHELAN RD. & VALLE VISTA RD. IMPROVEMENTS

VALLE VISTA ROAD (N) AT PHELAN RD. (E) - AB
 VETERINARY CLINIC (GENERAL COMMERCIAL)
 PHCCG (GENERAL COMMERCIAL)

VALLE VISTA ROAD (N) AT PHELAN RD. (E) - AB
 VETERINARY CLINIC (GENERAL COMMERCIAL)
 PHCCG (GENERAL COMMERCIAL)

VALLE VISTA ROAD (N) AT PHELAN RD. (E) - AB
 VETERINARY CLINIC (GENERAL COMMERCIAL)
 PHCCG (GENERAL COMMERCIAL)

VALLE VISTA ROAD (N) AT PHELAN RD. (E) - AB
 VETERINARY CLINIC (GENERAL COMMERCIAL)
 PHCCG (GENERAL COMMERCIAL)

KEYED NOTES

1. KEY ACCESSIBLE PARKING SPACE
2. ACCESSIBLE SMALL ENAMEL PAINTED AS SHOWN
3. AT WIDE ACCESSIBILITY ACCESS W/ BULE STRIPES
4. W/ WIDE ACCESSIBILITY ACCESS W/ BULE STRIPES
5. W/ WIDE ACCESSIBILITY ACCESS W/ BULE STRIPES
6. ACC. RAMP NOT TO EXCEED 9% SLOPE IN DIRECTION OF RIN AND 2% MAX CROSS SLOPE
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SCOPE OF WORK

TO OBTAIN A CONTRACTUAL USE PERMIT TO ESTABLISH COMMERCIAL SHOPPING CENTERS IN PHASES WITH STRUCTURES TO BE PLACED ON PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

SITE DATA

APR: 3066-331-07 COMMERCIAL

APR: 3066-331-07 COMMERCIAL

APR: 3066-331-07 COMMERCIAL

APR: 3066-331-07 COMMERCIAL

PROPOSED LAND AREA & COVERAGE

AREA	ISO FOOTPRINT	% COVERAGE
BUILDING AREA (TOTAL)	77,817	28.8%
AC PAVING	19,720	11.9%
LANDSCAPED HARDSCAPE & CURBS	44,488	16.3%
LANDSCAPED AREA (PARKING)	38,353	13.8%
TOTALS	373,583 S.F.	100%

VICINITY MAP

BUILDING DATA

BUILDING	S.F.	OCCUPANCY	HOURS
MAJOR A - HARDWARE STORE	12,000	N/A	48.0
OUTDOOR DISPLAY	1,200	5,243	20.0
MAJOR B - DOOLAN STORE	12,355	12,355	48.0
PHASE 1 - MAJOR A	12,000	12,000	48.0
PHASE 2 - SHOPS 2	9,285	9,285	48.0
PHASE 3 - PAD A	4,100	4,100	48.0
PHASE 4 - PAD C	3,980	3,980	48.0
PHASE 5 - MAJOR B	12,355	12,355	48.0
PHASE 6 - SHOPS 3	5,547	5,547	48.0
PHASE 7 - PAD B	8,800	8,800	48.0
PHASE 8 - PAD D	5,000	5,000	48.0
TOTALS	77,817 S.F.	97.0 OCCUP.	

PARKING DATA

REQUIRED PARKING PER G.F.A.:

AREA	RATIO	S.F.	# SPACES
MAJOR A - HARDWARE STORE	1:250	12,000	48.0
OUTDOOR DISPLAY	1:250	1,200	4.8
MAJOR B - DOOLAN STORE	1:250	12,355	49.4
PHASE 1 - MAJOR A	1:250	12,000	48.0
PHASE 2 - SHOPS 2	1:250	9,285	37.1
PHASE 3 - PAD A	1:250	4,100	16.4
PHASE 4 - PAD C	1:250	3,980	15.9
PHASE 5 - MAJOR B	1:250	12,355	49.4
PHASE 6 - SHOPS 3	1:250	5,547	22.2
PHASE 7 - PAD B	1:250	8,800	35.2
PHASE 8 - PAD D	1:250	5,000	20.0
TOTALS		77,817 S.F.	307.8

UTILITIES

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SITE NOTES

1. NO PROTECTIVE PLANTS ON SITE. SEE BIOLOGICAL SURVEY REPORT FOR PROTECTIVE PLANTS TO BE REMOVED AND REPLANTED.
2. PROJECT SHALL HAVE RESPONSE ACCESS TO ALL PARCELS 1-7 PER RECORDING TRAVEL PLAN MAP NO. 1999.

PROJECT: COMMERCIAL DEVELOPMENT

VVR L.L.C.

PROJECT ADDRESS:
 3500 VALLE VISTA RD.
 PHELAN, CA 92371
 APR: 3066-251-07

CONTACT INFO:
 DEBRA WELLS - 951-462-3737
 3508 PHELAN RD, STE. A2
 PHELAN, CA 92371

STEENOR ARCHITECTURE

ARCHITECTS & PLANNERS

11774 HESPERIA ROAD, SUITE 570 • HESPERIA, CA 92345
 PHONE (760) 244-5001 • FAX (760) 244-1948
 WWW.STEENORDESIGNSTUDIO.COM

DATE FINISHED: MARCH 2015

PLANNING - APRIL 2016
 ARCHITECTURE - MAY 2016
 PLANNING - AUG 2016

PAGE A-0 OF 3 SHEETS

PRELIMINARY SITE PLAN

108 TOTAL SHEETS