



AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

**July 5, 2016
7:00 P.M.**

Planning Commission
Chris Waggener, Chair
Mark Ferretiz, Vice Chair
Keron Jones, Commissioner
Jessie Flores, Commissioner
Joy Jeanette, Commissioner
Senior Planner
Mark de Manincor

City Attorney
Curtis R. Wright, Esq.

Adelanto Governmental Center

City Council Chambers

Meetings held:
1st Tuesday of the month

NOTE: PLEASE TURN CELL PHONES OFF OR PLACE THEM ON VIBRATE DURING THE PLANNING COMMISSION MEETING AS A COURTESY TO OTHERS. Thank you, Administrative Staff

The Planning Commission packet may be reviewed by the public at the reception counter in City Hall. Any writings or documents pertaining to an open session item, provided to a majority of the Planning Commissioners within 72 hours of a regular meeting, shall be made available for public inspection at the reception counter in City Hall at 11600 Air Expressway, Adelanto, CA 92301, during normal business hours. **Members of the public can view the agenda or download any staff reports in advance by accessing the City website at www.ci.adelanto.ca.us on Thursday the week before the scheduled meeting.**

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department, (760) 246-2300 ext. 3001 no later than 72 hours prior to the meeting. (28 CFR 34.102.104 ADA TITLE II)

A. CALL TO ORDER

TIME: _____

ROLL CALL: Commissioner Jeannette _____

 Commissioner Flores _____

 Commissioner Jones _____

 Vice Chair Ferretiz _____

 Chair Waggener _____

FLAG SALUTE: _____

B. CONFLICT OF INTEREST

Planning Commissioners will announce any possible Conflicts of Interests for the Planning Commission Meeting.

C. DELETIONS/ADDITIONS TO AGENDA

1. Senior Planner to announce if there is any addition/removal of items from the agenda.

D. PRESENTATIONS

- 1.

E. PUBLIC COMMUNICATIONS

Opened at: _____ Closed at: _____

Members of the public wishing to address the Planning Commission are required to fill out a speaker card and hand it to the Clerk of the meeting. This is the time and place for members of the public to comment on any matter within the jurisdiction of the Adelanto Planning Commission. After receiving recognition from the Chair, the speaker will walk to the podium and state their name for the record. There is a time limit of three (3) minutes when giving your presentation.

Members of the audience may address the Planning Commission on non-agenda items; however, in accordance with Government Code Section 54954.2, the Planning Commission may not take action on an item not appearing on the posted agenda.

F. CONSENT CALENDAR

Items on the Consent Calendar are considered routine in nature, require no further discussion by the Planning Commission, and may be acted on in one motion unless a member of the Planning Commission or staff requests a separate discussion on an item.

MOTION APPROVING THE CONSENT CALENDAR AS PRESENTED.

1. **Tentative Tract Map 17155** – Yamaichi USA, LP requests the third one year time extension for previously approved Tentative Tract Map 17155 to subdivide 10 acres of land into 39 single-family residential lots in an R-S5 (Single Family Residential) Zone. The property is located on the southeast corner of Bartlett Avenue and Stevens Street, in the City of Adelanto.

M _____ S _____ ACTION _____

G. PUBLIC HEARING

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

1. **Location and Development Plan 16-01, Conditional Use Permit 16-01, Minor Variance 16-01**, Pontious Architecture for Genex Trading proposes to construct a 9,900 square foot concrete tilt-up building for Medical Marijuana Cultivation and a reduction of the front yard setback, on .78 acres of land, in the cultivation zone in Industrial Park 2, known as parcel one of Parcel Map 15626.

STAFF RECOMMENDATION: **ADOPT** Resolution P-16-13 **ADOPT** findings and **APPROVE** Location and Development Plan 16-01, Conditional Use Permit 16-01 and Minor Variance 16-01, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

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PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

2. **Location and Development Plan 16-02, Conditional Use Permit 16-02, Minor Variance 16-02**, Pontious Architecture for Newco Trading proposes to construct a 9,900 square foot concrete tilt-up building for Medical Marijuana Cultivation and a reduction of the front yard setback, on .78 acres of land, in the cultivation zone in Industrial Park 2, known as parcel seven of Parcel Map 15626

STAFF RECOMMENDATION: **ADOPT** Resolution P-16-17 **ADOPT** findings and **APPROVE** Location and Development Plan 16-02, Conditional Use Permit 16-02 and Minor Variance 16-02, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

3. **Conditional Use Permit 16-03**, HD Biotech, Inc., proposes the indoor cultivation of medical marijuana in an existing 34,000 square foot facility in Industrial Park 2. The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road.

STAFF RECOMMENDATION: **ADOPT** Resolution P-16-11 **ADOPT** findings and **APPROVE** Conditional Use Permit 16-03, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

4. **Conditional Use Permit 16-04:** Mr. Matthew S. Antony representing Calcanna Patient Services, Inc., is requesting a Conditional Use Permit for a conversion/renovation to an existing 1,800 square foot industrial unit for the purpose of medical marijuana cultivation, located within an existing 20,000 square foot warehouse in Industrial Park 2. The project site is located approximately 645 feet north of Rancho Road, on the east side of Muskrat Road, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Numbers 0459-681-08.

STAFF RECOMMENDATION: **ADOPT** Resolution No. P-16-16, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-04 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

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PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

5. **Conditional Use Permit 16-07:** Mr. Adham Ahdulla representing High Desert Research and Development, is requesting a Conditional Use Permit for an existing 20,000 square foot industrial unit for the purpose of medical marijuana cultivation, located within an existing warehouse. The project site is located at 16600 Koala Road, approximately 500 feet south of Industry Way, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-58.

STAFF RECOMMENDATION: **ADOPT** Resolution No. P-16-15, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-07 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

PUBLIC HEARING OPEN: _____ **PUBLIC HEARING CLOSED:** _____

6. **Conditional Use Permit 16-09:** Mr. Jerry Davis representing NHMC, Inc. is requesting a Conditional Use Permit for cultivation of medical marijuana at an existing 20,000 square foot facility. The project site is located at 9501 Commerce Way Building 1, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-41.

STAFF RECOMMENDATION: **ADOPT** Resolution No. P-16-14, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-09 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

**H. SENIOR PLANNER/COMMISSIONER'S ANNOUNCEMENTS
AND/OR REPORTS**

1. Senior Planner Comments.
2. Planning Commissioner Comments.

**REGULAR MEETING
PLANNING COMMISSION
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I. ADJOURNMENT

The next Meeting of the Planning Commission will be held on August 2, 2016, at 7:00 p.m. Unless a Special Meeting is called.

TIME OUT: _____

M _____ S _____ ACTION _____

**REGULAR MEETING
PLANNING COMMISSION
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J. DECLARATION OF POSTING

I, VIRGINIA CERVANTES, PLANNING SECRETARY FOR THE PLANNING DEPARTMENT HEREBY CERTIFY THAT A TRUE, ACCURATE COPY OF THE FOREGOING AGENDA WAS POSTED ON JUNE 30, 2016 SEVENTY TWO (72) HOURS PRIOR TO THE MEETING PER GOVERNMENT CODE 54954.2 IN THE GOVERNMENTAL CENTER'S DISPLAY CASE, 11600 AIR EXPRESSWAY, ADELANTO, CALIFORNIA.



Virginia Cervantes
Planning Secretary



Rich Kerr
Mayor

Jermaine Wright Sr.
Mayor Pro-Tem

Ed Camargo
Council Member

Charley B. Glasper
Council Member

John "Bug" Woodard Jr.
Council Member

MEETING NOTICE

NOTICE OF A REGULAR MEETING OF THE ADELANTO PLANNING COMMISSION

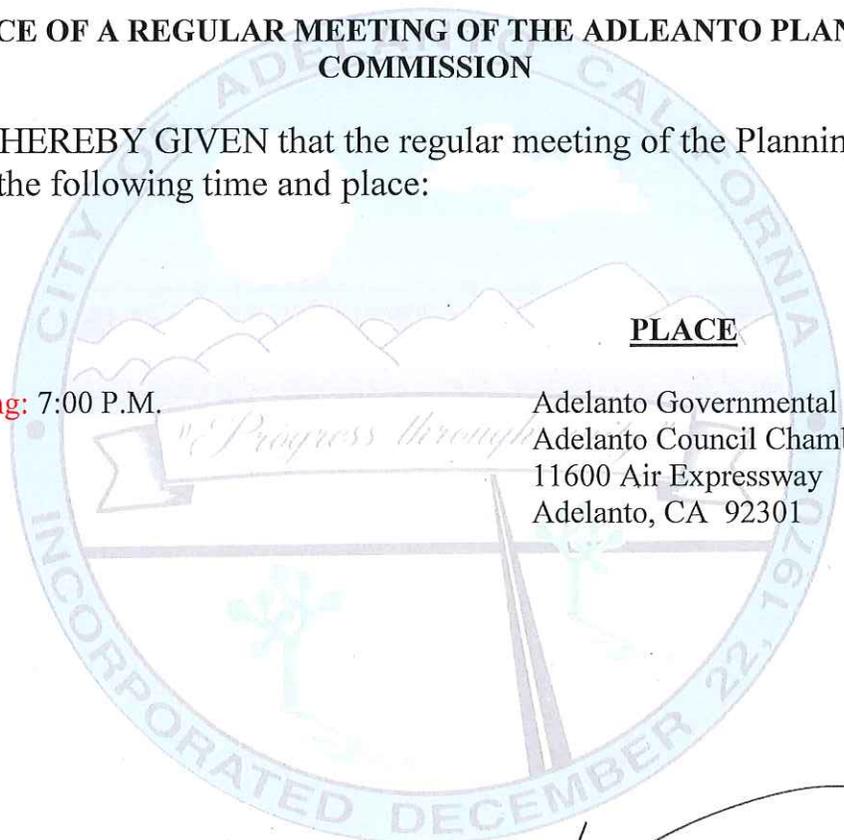
NOTICE IS HEREBY GIVEN that the regular meeting of the Planning Commission will meet at the following time and place:

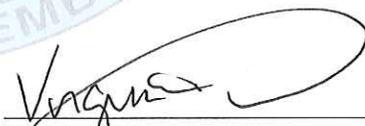
TIME

Regular Meeting: 7:00 P.M.
Tuesday
July 5, 2016

PLACE

Adelanto Governmental Center
Adelanto Council Chambers
11600 Air Expressway
Adelanto, CA 92301




Virginia Cervantes
Planning Secretary

DATED: June 30, 2016



PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Tentative Tract Map 17155** – Yamaichi USA, LP requests the third one year time extension for previously approved Tentative Tract Map 17155 to subdivide 10 acres of land into 39 single-family residential lots in an R-S5 (Single Family Residential) Zone. The property is located on the southeast corner of Bartlett Avenue and Stevens Street, in the City of Adelanto.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-18 **ADOPT** findings and **APPROVE** the third one year time extension for previously approved Tentative Tract Map 17155 to subdivide the subject property into 39 single-family residential lots subject to the recommended conditions of approval and the mitigation measures listed in the original Initial Study.

SUMMARY

The developer, Yamaichi USA, LP, requests the third Extension of Time of approved Tentative Tract Map 17155 to subdivide 10 acres into 39 single family residential lots. Tentative Tract Map 17155 was originally approved on May 17, 2005. With the approval of the requested Extension of Time, the subject map must be recorded or another Time Extension Application filed by **May 17, 2017** or the approval will expire and a new Tentative Tract Map application must be submitted.

BACKGROUND:

Applicant: Yamaichi USA, LP
Attn: YY Lin
202 South Lake Avenue # 300
Pasadena, CA 91101

General Location: The approved Tentative Tract Map is located on the southeast corner of Bartlett Avenue and Stevens Street. The property is within the City of Adelanto, San Bernardino County. The project site is within Section 30, Township 6 North, Range 5 West, San Bernardino Base and Meridian.

Tentative Tract Map 17155 Extension # 3
 July 5, 2016
 Assessor's Parcel Numbers: 0459-421-16

Environmental Determination: Exempt under Section 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Tentative Tract Map 17155, Extension of Time 1 & 2

Existing General Plan & Zoning Designations: Single-Family Residential (R-S5)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Single-Family Residential	R-S5
South	Single-Family Residential	R-S5
East	Single-Family Residential	R-S5
West	Single-Family Residential	R-S5

Existing Land Use: Vacant.

Surrounding Land Uses: The following chart shows the surrounding land uses:

<i>Direction</i>	<i>Land Use</i>
North	Vacant
South	Developed Residential
East	Developed Residential
West	Vacant

PROJECT DESCRIPTION:

The developer, Yamaichi USA, LP, requests their 3rd Extension of Time of approved Tentative Tract Map 17155 to subdivide 10 acres into 39 single family residential lots, with a minimum lot size of 5,000 square feet in an R-S5 (Single Family Residential) zone, establishing a new project expiration date of May 17, 2017.

DISCUSSION

Tentative Tract Map 17155 was originally approved by the Planning Commission on May 17, 2005. Pursuant to the Subdivision Map Act, if the applicant makes a formal application for an Extension of Time, the City has 60 days to process the application, during which time, the Map is still active. The applicant is requesting their third Extension of Time. This would allow the applicant an additional year to record the final map. With the approval of the requested Extension of Time, the subject map must be recorded or another Time Extension Application filed by May 17, 2017 or the approval will expire and a new Tentative Tract Map application must be submitted. The applicant can request up to five (5) Extensions of Time for a Tentative Tract Map. Therefore, on or before May 17, 2017, an application may be submitted for an additional year.

ENVIRONMENTAL CONSIDERATIONS:

An Initial Study with supporting documents was prepared for the original approval of Tentative Tract Map 17155 pursuant to the California Environmental Quality Act. Based on the analysis contained in the Initial Study, it was determined that the proposed project would pose a less than significant impact with mitigations. Therefore a Negative Declaration was prepared. The current Extension of Time application is exempt from further environmental review pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the scope of the prior approved Negative Declaration.

ATTACHMENTS:

1. Resolution P-16-18
2. Notice of Exemption
3. Zoning Exhibit
4. Aerial Map
5. Tentative Tract Map 17155

RESOLUTION NO. P-16-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS AND APPROVING THE THIRD EXTENSION OF TIME FOR APPROVED TENTATIVE TRACT MAP 17155 SUBJECT TO CONDITIONS OF APPROVAL, LOCATED ON THE SOUTHEAST CORNER OF BARTLETT AVENUE AND STEVENS STREET, IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO.

WHEREAS, the applicant, Yamaichi USA, LP, has initiated the filing of the third Extension of Time of approved Tentative Tract Map 17155 proposing 39 single-family lots on approximately 10 acres located on the southeast corner of Bartlett Avenue and Stevens Street, in the City of Adelanto, County of San Bernardino; and

WHEREAS, Tentative Tract Map 17155 will expire on May 17, 2017, unless the map has recorded or an application is filed for another Extension of Time prior to this date; and

WHEREAS, the applicant, Yamaichi USA, LP, has agreed to accept conditions of approval for the third Time Extension of Tentative Tract Map 17155; and

WHEREAS, an Initial Study was prepared and adopted as part of the original review of Tentative Tract Map 17155 to consider potential environmental impacts and a Notice of Exemption has been prepared for the proposed Extension of Time; and

WHEREAS, the project was placed on the consent calendar of the Planning Commission meeting of the 5th day of July, 2016; and

WHEREAS, the City has complied with the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the environmental documentation included in the staff report and accompanying materials prior to taking action on the proposed third Extension of Time for Tentative Tract Map 17155. The Planning Commission further finds that the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from further environmental considerations pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) of the California Environmental Quality Act.

SECTION 4. The Planning Commission hereby finds and determines that:

(a) That the proposed map is consistent with applicable general plan as specified in Section 65451.

The project site is designated Single Family Residential (R-S5) on the City's combined General Plan Land Use/Zoning Map. The applicant proposes to subdivide the site by extending Tentative Tract Map 17155 with 39 single family homes on approximately 10 acres. The proposed lot sizes are consistent with the City's Zoning Code and the General Plan density limit of five units per acre. As such, the proposed third Extension of Time for Tentative Tract Map 17155 will be consistent with the General Plan.

(b) That the design or improvement of the proposed subdivision is consistent with applicable general plan.

The project site is adjacent to Bartlett Avenue, designated as Major Collector (80' right of way) and Stevens Street, designated as a Local Street (60' right of way) on the Adelanto General Plan Circulation Element. The internal street(s) provide 60-foot street widths. As part of the conditions of approval, the Tentative Tract Map has been conditioned to dedicate necessary rights of way and install all required improvements consistent with City standards.

(c) That the site is physically suitable for the type of development.

The project site is flat, has access to existing streets or those streets planned to be improved as part of the proposed subdivision, and has adequate infrastructure, including water and sewer service, and public services, such as fire prevention and law enforcement, to meet the needs of the proposed project.

(d) That the site is physically suitable for the proposed density of development.

The project site has adequate water supply and pressure, and sewer collection and treatment capacity. The City's master planned roadway system is designed to allow adequate roadway capacity predicated upon the adopted General Plan land uses.

(e) That the design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

A biological report was prepared for the project site as part of the original approval of Tentative Tract Map 17155. No threatened or endangered species were found on the property. However, the site supports native vegetation, including winterfat and spiny hop-sage plants, which indicates the site could provide habitat for the Mohave Ground Squirrel. To respond to this potential the City incorporates a standard condition of approval to provide for a subsequent survey, consistent with the California Department of Fish and Wildlife guidelines and requiring either live trapping or the acquisition of a 2081 Incidental Take Permit prior to the development of the site.

The project has been conditioned to meet the National Pollutant Discharge Elimination System (NPDES) requirements of the Clean Water Act and prepare a

Storm Water Pollution Prevention Plan (SWPPP) with associated Best Management Practices (BMPs) that identify specific measures to be undertaken to ensure pollution does not permeate into the ground water basin or is discharged off-site.

- (f) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The proposed project will have at least two points of paved, all-weather access into and out of the subdivision, via Stevens Street north to Chamberlaine Way east to Highway 395 and Stevens Street south to Air Expressway east to Highway 395. The internal street width(s) meets adopted City standards. Should the project be phased each development phase of the proposed project will be required to provide primary and secondary points of access, consistent with the requirements of the Fire Department. Perimeter roadways and infrastructure improvements have been conditioned to be installed concurrent with development to ensure adequate improvements are available to protect future residents and provide basic service needs. Drainage improvements will be installed consistent with a drainage report required by the City's Public Works and Engineering Department(s).

- (g) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternative easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

No public easements traverse the property.

- (h) No substantial changes are proposed in the project which would require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

No changes from the originally approved Tentative Tract Map are proposed as part of the requested Extension of Time. Therefore, no new significant environmental effects will occur.

- (i) No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

There have been no substantial changes to the circumstances of the originally approved Tentative Tract Map. Therefore, no substantial changes from the originally approved Tentative Tract Map will occur.

- (j) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration was adopted, is now known.

No new information has been received or discovered since the original approval of the Tentative Tract Map.

SECTION 5. The Planning Commission hereby approves the third Extension of Time for Tentative Tract Map 17155 subject to the conditions of approval attached herein as Exhibit A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July, 2016.

Chris Waggener
Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

RESOLUTION NO. P-16-18

July 5, 2016

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I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-18 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July, 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-18
July 5, 2016**

**Conditions of Approval
Third Extension of Time Tentative Tract Map 17155**

PROJECT: A proposal to divide Tax Parcel 0459-421-16, consisting of 10 acres into 39 residential lots for detached, single-family residential development with a minimum lot size of 7,200 square feet. The project is zoned R-S5.

Applicant: Yamaichi USA, LP

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the approval date unless an extension is granted. This project shall expire **on May 17, 2017**. The applicant may apply for a maximum of five (5) one-year extensions to permit additional time to record the final map. A written request for extension must be submitted to the Department of Planning and Community Development at least thirty (30) days prior to the expiration of Tentative Map approval. This request is the owner/ applicant's responsibility and the owner/applicant may not receive any additional notice from the City.

2. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following R1 zoning district regulations:

- Minimum Lot Size: 5000 square feet
- Minimum Lot Width: 60 feet
- Minimum Lot Depth: 100 feet
- Minimum Side Setbacks: 5 and 10 feet
- Minimum Front Setback: 20 feet
- Minimum Rear Setback: 15 feet
- Maximum Lot Coverage
By Buildings: 50 percent

3. **Phasing.** This Tentative Tract Map is for a 39 lot subdivision to contain single-family detached dwellings. Phasing is not indicated on the Tentative Tract Map. The Conditions of Approval shall apply to the entire subdivision, unless otherwise indicated. One Final Map shall be submitted for the entire subdivision.

4. **Maintenance Responsibility.** The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to individual ownership or until the maintenance is officially assumed by an approved maintenance authority. Grading permits shall not be issued for any areas to be graded and remain undeveloped

for an extended period (e.g.: for subsequent phases of a development) until a re-vegetation plan is approved by the Planning Department, and until bonds are posted for re-vegetation, or erosion control program for wind erosion.

5. **Indemnity.** The applicant shall agree to defend, indemnify, and hold harmless the City, its agents, officers, or employees against any action, claim, or proceeding brought because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any Court costs and attorney's fees which the City, its agents, officers or employees may be required to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
6. **Fish and Wildlife.** The applicant/owner shall pay a fee of \$50.00 for the Department of Fish and Game determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50.00 made payable to "Clerk of the Board of Supervisors"**. The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to final map recordation.
7. **Outstanding Costs.** Prior to issuance of any permits, the applicant/developer shall pay any outstanding costs for the processing of applications.
8. **Water/Sewer Feasibility Study.** The developer shall provide water supply and sewer lines to meet the needs of future housing within this project. A water/sewer utility feasibility study shall be prepared, or the applicant shall adhere to the current study approved by the City, and any requirements of that study shall be met prior to recordation of the final map.
9. **Fees.** All fees and charges the City has or intends to adopt that are due at the time of utility connection or when building permit(s) is/are issued shall be paid, as required by the City.
10. **Mailboxes.** Mailboxes shall be centralized mail collection units that meet U.S. Postal Service requirements and location should be shown on approved plans.
11. **Construction Site Needs.** Roll off trash bins and chemical toilets for construction workers shall be required on all construction sites and temporary fencing provided around the construction sites and/or a row of temporary fencing provided at such location as to prevent any building materials blowing off of the construction site.
12. **Construction Standards.** The proposed project shall meet the following requirements:
 - a. All building construction shall be per building permits issued by the City Building Department and UBC standards and dust control shall be exercised at all times during construction.

- b. Applicant shall meet all state required Classroom Structure Authority fees of the Adelanto School District at such time as Certificate of Occupancy is issued.
13. **Plan Preparers.** Plans submittals must be prepared and signed by a California Licensed Architect or Engineer per State of California, Business and Professions Code.
14. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as “General Notes” on the construction drawings:
 - a. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. to dusk on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g. interior painting) are not subject to these restrictions.
 - b. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - c. Construction routes are limited to City of Adelanto designated truck routes.
 - d. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day’s activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - e. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such person(s) shall be provided to the City.
 - f. All grading equipment shall be kept in good working order per factory specifications.
15. **Residential Use and Development Restrictions.** The physical development of all lots shall be reviewed and approved by the City. Any use, activity, and/or development occurring on the site without appropriate City approvals shall constitute a code violation and shall be treated as such. Placement of any sales trailer or a model home shall require separate review and approval by the City.
16. **Compliance with Environmental Mitigation.** The developer shall comply with the Mitigation Measures identified in the project’s Initial Study.
17. **Architectural Design.** The proposed architectural design shall be consistent with the design standards provided in the Adelanto General Plan. Elements of the architectural design and features shall be consistent throughout the subdivision.

The City is in the process of adopting formal design guidelines for all development within the City of Adelanto. If these guidelines are adopted prior to the issuance of a building permit, this project will be subject to a formal Design Review process.

18. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.

Prior to Recordation of the Final Map:

19. **Street Lighting.** The design and installation of street lights shall conform to the City of Adelanto Standard Specifications. All streets lights shall be reviewed and approved by the City Engineer and the applicant shall provide the Planning Department verification of approved street lighting plans prior to recordation of Final Map.
20. **Development and Design Review.** Prior to recordation of Final Map, the applicant shall submit plans for Development and Design review. A Development and Design Review Application shall be submitted and shall be subject to the review and approval of the Planning Commission.
21. **Assessment Districts.** Prior to the approval of the Final Tract Map this project shall annex into Assessment Districts for the maintenance of street lighting, public landscaping, and street sweeping, and the applicant hereby agrees to waive the right to protest the formation of said district.
22. **Lettered Lots/Open Space Easements.** All lettered lots and open space easements for the preservation of natural undisturbed open space shall be dedicated to the City or other approved maintenance authority.
23. **Covenants, Conditions & Restrictions.** If Covenants, Conditions and Restrictions are proposed for this project, two copies shall be submitted to the Planning Division for review and approval to ensure consistency with City policies and standards.
24. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - b. Approval of all proposed street names.
 - c. Any other required approval from an outside agency.
25. **Final Map Submittal.** A final map shall be reviewed and approved the Planning Division for compliance with the approved Tentative Map prior to recordation of the final map.
26. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.

Prior to Issuance of Grading Permit.

27. **Grading Plans.** Grading plans shall be reviewed and approved by the Planning Department for compliance with the approved Development Plan prior to the issuance of a grading permit.
28. **Proof of Mitigation.** Prior to the issuance of grading permits, the developer shall submit written proof, satisfactory to the Planning Director, that any concerns of the California Department of Fish and Wildlife, including but not limited to Mohave Ground Squirrel, have been mitigated in a manner acceptable to the Department of Fish and Wildlife.
29. **City Conditions.** The applicant shall comply with all standard City conditions and biological mitigation measures, including those related to the Mohave ground squirrel contained within the adopted Mitigated Negative Declaration.
30. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval or Final Map recordation, a new copy of the City approval letter shall be signed by the current development parties.

During Grading:

31. **Dust Control.** All construction shall be per building permits issued by the Building Department and dust control shall be exercised at all times during construction. Periodic watering will be used during construction to reduce dust to a level that is not significant.
32. **Archeological Resources.** If prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds shall be halted so that an archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures. A historical resources management report shall be submitted by the professional to document the monitoring, to evaluate resource significance and integrity, and if necessary, to evaluate project impacts and propose mitigation measures to mitigate potential adverse impacts. If archeological resources are encountered during grading, ground disturbance activities shall cease so a qualified archeological monitor can evaluate the resources. If discovered resources merit long-term consideration, adequate funding shall be provided to collect, curate and report their resources in accordance with standard archaeological management requirements. If the City finds that a developer encounters cultural resources and fails to notify the Planning Department, the City will place those responsible for the destruction of historic and archaeologically significant resources on file with the County of San Bernardino and the State of California, Office of Historic Preservation.
33. **Paleontological Resources.** If paleontological resources are encountered during grading, ground disturbance activities shall cease so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the Earth Sciences Division of the San Bernardino County Museum.

34. **Abandoned Wells.** Any abandoned wells on the property or similar structures that might result in groundwater contamination shall be destroyed in a manner approved by the City and San Bernardino Environmental Health Department.
35. **Human Remains.** If human remains are encountered on the property, then 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 Coroner at either 1) 15329 Bonanza Road, Unit 8, Victorville, CA 92392 or (760) 955-8535; or 2) 175 South Lena Road, San Bernardino, CA 92415-0037 or (909) 387-2978.

Prior to Issuance of Building Permits:

36. **Building Plans.** Building plans shall be reviewed and approved the Planning Department for conformance to the Conditions of Approval and the approved Development Plan prior to issuance of a building permit.
37. **Adelanto Unified School District.** The enrollment of the Adelanto Unified School District is impacted by new development. To mitigate the impact of this project, developer shall pay such fees as are required by the Adelanto Unified School District, and any other fees assessed by Government Code Section 53080, and 65995-65997.
38. **Development Impact Fees.** The City of Adelanto has implemented development impact fees for various infrastructure and capital facilities needs generated by new development. These fees will provide for various capital facilities including, but not limited to, roads, parks, flood control and drainage, public facilities, and fire fighting facilities. This project shall be subject to all such existing and future development impact fees which are in effect at the time building permits are issued.
39. **Water Resources Control Board.** The applicant shall submit a copy of the State Water Resources Control Board permit letter with the WDID number to the Planning Department.
40. **Landscaping.** The developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to Planning Department, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus, species, and container size of the plants. The cover page shall identify the total square footage of the landscaped area and note how it is to be maintained. Use of water efficient fixtures and drought tolerant plants is required. For model home complexes, at least one of the models should be landscaped utilizing xeroscape concepts.

The grading, fencing, plant material, irrigation, and other aspects of landscape design shall positively integrate the storm drain channel and/or detention basins into the residential neighborhood. Fencing shall consist of decorative wrought iron that does not obstruct views into or through these facilities. Fencing shall maintain a streetscape that is consistent with single-family residential neighborhoods and provide adequate transitions to individual dwellings. Plant material shall incorporate species used in front yards throughout the project to further integrate these facilities into the design. The final use and design of these facilities may include joint recreational use and shall be subject to approval from the Community Development Director.

41. **Walls and Fences.** The developer shall submit and obtain approval from the Planning Department of a block wall/fence plan. At a minimum, this plan shall include the following items:
 - a. A six-foot high, decorative block wall shall be provided around the perimeter of the project site, adjacent to any side yard and street and along the front of each house. Pilasters shall be provided approximately every 120 to 150 feet coincident with interior lot corners along perimeter walls adjacent to perimeter streets, and decorative capping with a minimum overhang of 2 inches.
 - b. The applicant shall employ creative design techniques for perimeter walls in order to improve the street presence of the project. Such techniques include the use of materials such as slump stone, split face block, or concrete block with an interlocking design. Colors of block materials shall be coordinated with other block walls along the same street(s).
 - c. A six-foot high, decorative block wall on all residential property lines where side or rear yards adjoin a public interior street or storm drain facility.
 - d. Six-foot high decorative block walls or other solid fencing material on all other side and rear property lines throughout the project.
42. **Design Guidelines.** The City of Adelanto has adopted standard design guidelines for all new development. These guidelines are in place and this project is subject to design review.
43. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, Final Map recordation, or issuance of grading permits, a new copy of the City approval letter shall be signed by the current development parties.

Prior to Certificate of Occupancy:

44. **Water Conservation/Landscaping Ordinance.** The Developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought-tolerant plants and efficient irrigation systems. Species shall be in compliance with Section 17.60.80.
45. **Front Yard Landscaping and Irrigation.** Install front yard landscaping and irrigation for all new homes. Landscaping and irrigation shall be installed with a minimum of one (1) tree (minimum 15 gallon/1" caliper at 6" above base) and six (6) shrubs per thirty (30) linear feet of frontage plus sufficient groundcover plantings to provide combined shrub and ground coverage of fifty (50) per cent of the total landscaped area in each front yard and street side yard. The variety of tree to be provided is subject to approval of Planning and Public Works Departments and the trees are to be maintained by the property owner. The plant material shall be drought tolerant suitable to local soil conditions and developer shall submit site landscaping plan. Trees must be planted a minimum of ten (10) feet behind property lines.

46. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans.
47. **Unit Identification.** Each unit in the tract shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Planning Department.

ENGINEERING DEPARTMENT

General Recordation Conditions:

48. Prior to the city reviewing any final maps, a document consenting to the subdivision shall be signed and acknowledged by the legal owners of record for the real property being subdivided. This document shall be submitted to the City of Adelanto along with the first application for plan review for the final map, following Tentative Map Approval by the Planning Commission.
49. All final maps, including any subsequent development phasing, shall be conforming to the approved Tentative Map which was approved with the adoption of these conditions of approval and shall be based on a recent field survey which shall be submitted to the City Engineer for review and approval.
50. Final Maps shall meet all requirements of the Adelanto Municipal Code, and shall include the following:
 - a. All easements within the City of Adelanto's rights of way shall be subordinated to the City of Adelanto.
 - b. All easements and rights-of-way, both existing and as required to comply with the improvement requirements of these conditions of approval shall be acquired by the Developer pursuant to the subdivision map act and the Adelanto Municipal Code.
51. A noise and aviation easement on all subdivision parcels and roadways shall be granted and conveyed to the Southern California Logistics Airport as required in the City adopted Land Use Plan.
52. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
53. Should Mello-Roos, or Community Facilities Districts, or Community Service Districts, or Assessment Districts, or other special financing districts be formed to provide for City Infrastructure or City Services, this project shall annex into the districts and pay all fees associated with annexation into the districts, and the applicant shall agree to waive the right to protest the formation of said districts.
54. Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as

determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:

- a. Require the Developer to enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made;
 - b. Require the Developer to pay the cost of acquiring the offsite real property interests required in connection with the subdivision.
55. The design of all public infrastructure elements shall conform to the requirements of the City General Plan and the current edition of the City's standard specifications for construction, and any alterations required and approved by the Public Works Department and engineering department staff.
56. The following plans and reports shall be prepared by a competent California licensed civil engineer prior to any site development or disturbance of the natural vegetation of the site. All required plans shall be drawn in ink at an appropriate scale on Mylar sheets, for approval by the City Engineer. Improvement plans for all of the conditioned improvements shall be submitted to the City and reviewed and approved by the City Engineer. All of the conditioned improvement plans shall be approved by the City Engineer concurrently for review.

Plans Required:

- a. Street Plans - Plan/Profile at 1" = 40' (Hor), 1" = 4' (Vert), plus Title/Index and Detail Sheets.
- b. Rough Grading 1" = 40', A grading plan conforming to the requirements of the Uniform Building Code, appendix 33 1997 edition, shall be prepared and submitted to the City Engineer for approval.
- c. Precise Grading Plan 1" = 30', A grading plan conforming to the requirements of the Uniform Building Code, appendix 33 1997 edition, shall be prepared and submitted to the City Engineer for approval.
- d. Water - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on Water improvements Plan shall be a min scale of 1"=100' and clearly identify Fire Hydrant locations, valves and pipeline locations.
- e. Sewer - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on sewer improvements Plan shall be a min scale of 1"=100' and clearly identify Manhole locations, and pipeline locations.
- f. Storm Drain - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on Storm Drain improvements Plan shall be a min scale of 1"=100' and clearly identify drain inlet and outlet locations and drywell locations.
- g. Landscape Maintenance District Landscape and Irrigation - Plan 1" = 40'.

- h. Electrical and Street Lighting Plan 1" = 100'.
- i. Street Striping and Signage 1" = 40'.
- j. Traffic Control Plan 1" = 40'.
- k. Composite Underground Utility Plan at 1" = 40' showing the location of all undergrounded utilities including sewers, water, storm drain, gas, electric, telephone, and data and cable television lines. This plan shall be shown schematically based on plans prepared by utility agencies to illustrate the location of any access valves, manholes and hand holes along with the location of any lateral lines connecting to the new and existing parcels.
- l. A Storm Water Pollution Prevention Plan shall be prepared and approved by the California State Water Quality Control Board prior to the issuance of any permits for grading. The erosion control plan must be submitted to the city for review and approval and must include an active WDID number.
- m. Perimeter Subdivision Wall Plans at 1"=100' showing top of wall, Pad elevations, delineation of length of wall sections, location of pilasters, and a detail of the typical wall section showing all required design elements.

Reports Required:

- c. Title Report. A preliminary title report accompanied by copies of all recorded documents cited therein shall be submitted to the Public Works Department staff for review along with the first submittal of the final map for the checking.
 - d. Soils Report. A preliminary soils report as prepared by a competent California licensed geotechnical engineer or civil engineer skilled in soils/foundation investigations shall be submitted for review by the Public Works Department Staff along with the first submittal of Street Plans and/or other improvement plans for review. Within the required soils report special attention shall be directed to the rip ability of the proposed road cuts and stability of manufactured slopes. The geotechnical engineer shall determine the setback requirements to support loading without failures in the soil mass.
 - e. Hydrology Report. A comprehensive drainage plan to the satisfaction of the City Engineer shall be prepared by a licensed Civil Engineer and submitted to the City for approval prior to the submittal of any improvement plans or final map reviews. The project must accommodate existing drainage flows that impact the project site and impact access to the project site and mitigate offsite drainage that impacts the project. The project must mitigate the increase onsite runoff from pre-development to post-development flows.
57. At the time of first submittal of Final map, the Developer shall provide An Engineer's estimate of construction prepared by the Developer to be approved by the Public Works Department staff and pay to the City of Adelanto all applicable fees.
58. Prior to the recordation of any Final Map: improvement plans for all of the conditioned improvements shall be reviewed and approved by the City Engineer; and the City Engineer must find the Final Map to be in substantial compliance with the tentative map

and the conditions of approval; and proper security bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated; and the public landscaping and public lighting for this project shall be annexed into the City Landscaping and Lighting Districts; and a Subdivision Improvement Agreement shall be executed by the subdivider; and the City Council must approve the Final Map for recordation.

59. Proper Security Bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated, including the setting of proper monumentation for the subdivision. Prior to issuance of any permits to construct any improvements, the developer shall enter into an improvement agreement to construct the project improvements per City approved plans and post securities with the City of Adelanto to guarantee completion of construction and payment of labor and materials and one year warranty of the improvements. These securities shall be provided by the Developers and all assignees and successors to the City. The following are the required security amounts and release procedure:

a. The subdivider shall at all times guarantee the subdivider's performance of this entitlement by furnishing to the City, and maintaining, good and sufficient Security as required by the City on forms approved by City for the purposes and in the amounts as follows:

i. To assure faithful performance of this entitlement in regard to said Improvements in an amount of 100% of the estimated cost of the Improvements; and

ii. To secure payment to any contractor, subcontractor, persons renting equipment, or furnishing labor materials for the Improvements required to be constructed or installed pursuant to this entitlement in the additional amount of 100% of the estimated cost of the Improvements; and

iii. To guarantee or warranty the work done pursuant to this entitlement for a period of one year following Acceptance thereof by City against any defective work or labor done or defective materials furnished in the amount of 20% of the estimated cost of the Improvements.

b. Release of Security. Subject to approval by the City, the Security required by this entitlement shall be released as follows:

i. Security given for faithful performance of any act, obligation, work or agreement shall be released upon Acceptance of the Improvements, subject to the provisions of subsection (b) hereof.

ii. In accordance with the requirements of Government Code Section 64999.7, the City Engineer shall allow a partial release of faithful performance Security pursuant to the following procedures. No partial release of Security for labor and materials shall be allowed.

1. Subdivider shall have one opportunity to engage in the process of pre-warranty partial release of performance Security as described in this subsection (b) between the start of work and completion and acceptance of all work on the Improvements. The process

allowing for a partial release of performance Security shall occur only when the cost estimate of the remaining work does not exceed twenty percent (20%) of the total original performance Security.

2. At such time that the Subdivider believes that the obligation to perform the work for which the performance Security was required is complete, the Subdivider may notify the City Engineer in writing of the completed work and request a warranty bond walk. This notice shall include with such notification a written list of work completed. Upon receipt of the written notice, the City Engineer shall have twenty (20) business days to review and comment or approve the completion of the required work. If the City Engineer does not agree that all work has been completed in accordance with the plans and specifications for the Improvements, he or she shall supply to the Subdivider a list of all remaining work to be completed.

General Grading Conditions:

60. Prior to the Issuance of a Grading Permit the following must be completed.

- a. Native Vegetation Removal Permit & Joshua Tree Survey. Prior to the disturbance of any native indigenous plant life, a Joshua Tree Survey must be performed by the city Staff to determine the chances for successful relocation of existing plant life.
- b. Land Disturbance Permit. Prior to disturbing the land a Land disturbance permit must be applied for and disturbance of land greater then 1 Acre. The following must be submitted along with the application for the permit:
 - i. Native Vegetation Removal Permit
 - ii. WDID (Storm Water Control Board Permit Number)
 - iii. Fish and Game Grading Concordance Letter.
- c. Rough Grading Plan must be approved, and signed by the City Engineer prior to the issuance of the grading permit.

61. During the grading and land disturbance operations the following must be observed:

- a. All grading for the proposed subdivision lots shall be confined to the subdivision boundary limits unless the Developer first secures letters of permission to grade across property lines from any and all affected adjacent property owners.
- b. Compaction Report. Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical engineer who shall obtain all required permits and submit reports on progress and test results to the Public Works Department staff for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the Public Works

Department staff for review and approval, which may require additional tests at the expense of the Developer.

- i. All soils within street improvements must be compacted to 90% and 95% within twelve inches of surface.
- c. No un-bound or re-vegetated soil shall be left exposed to wind erosion. If construction operations have not begun within a short duration then the developer shall immediately provide proper soil erosion management techniques including chemical soil binding and rev-vegetation of graded pads, or an equivalent technique approved by the public works department staff.

General Construction Conditions:

62. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
63. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
64. All improvements shown on the approved improvement plans, as required by the City Engineer, shall be constructed prior to occupancy of any dwelling. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
65. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the tentative map approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
66. During construction, temporary pedestrian and traffic control devices shall be constructed as deemed necessary by the City Public Works Department staff at locations where construction traffic disrupts normal traffic. Such measures and devices shall include but are not limited to: flagmen, barricades, portable electric traffic signals and street sweeping.
67. All utilities plans (i.e. Edison electrical, telephone, cable, etc.) must be approved by the City Engineer prior to installation.
 - a. No utility access point, manholes, vaults, or air vents shall be located within sidewalks or pedestrian travel ways or within 12” of curb and gutters.
68. All utilities shall be installed underground to all lots per Public Utilities Commission requirements. No above Ground utility lines shall be permitted within or adjacent to this subdivision for the utilities servicing this project. All aboveground structures shall be

- located inside either the City Right-of-Way or a dedicated utility easement and located outside of the pedestrian walkways.
69. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
70. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
71. Additional Fees required for Building permit Issuance:
- a. Prior to issuance of any permits to construct any public improvements, the Developer shall pay to the City of Adelanto all applicable fees.
 - b. The Developer shall pay any applicable impact fees that may apply at the time of building permit.
 - c. The Developer shall pay any outstanding assessment district fees due at the time of building permit.
 - d. The Developer shall pay any sewer and water connection fees and buy-in fees outlined in the feasibility study at the time of building permit.
72. The Developer shall obtain all required right-of-way dedications needed for the required improvements prior to final approval of improvement plans, issuance of any permits, and approval of Final Map for each phases of the subdivision and the Developer shall construct and complete all street improvements required for the phase of the subdivision prior to issuance of any building permits for that phase of the subdivision, and as directed by the City Engineer.
73. All buildings in all phases must have two paved points of access and all terminating paved accesses longer then 150 feet must have proper standard fire turn around.
74. Pavement transitions meeting Department of Transportation design standards shall be installed by the developer where project street improvements widen or reduce the street widths.
75. Final sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
76. Streets shall not be paved until all underground utilities are installed.

77. There shall be no intersecting street centerlines greater then or less then 90° (+/- 10°) degrees unless otherwise approved by the Public Works Department staff.
78. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and submitted by a California licensed geotechnical engineer for a Traffic Index as approved by the City Engineer.
79. All sidewalks shall have a minimum width of six feet and a minimum unobstructed width of four feet. The location of pedestrian ramps shall be determined by the Public Works Department Staff in accordance with Federal and State laws at the time of construction and shall meet current Federal, State, and Local Americans with Disabilities Act (A.D.A.) standards. Sidewalks, pedestrian ramps and sidewalk/drive approach connections shall be built to current Federal, State, and Local A.D.A. standards.
80. All curb heights and gutter widths shall be based on requirements as set forth by the Hydrology/Hydraulics Report and approved by the Public Works Department staff.
81. All covers for utility manholes, valves, and vaults shall be adjusted to final grade after final paving.
82. Street asphalt concrete pavement shall be placed in multiple lifts depending on design asphalt thickness with the final lift placed after the Repair & Replace (R&R) and Point & Patch is completed.
83. Prior to the time that lumber is deposited on site for approved construction in a specific phase, all curbs and gutters and pavement shall be completed within that phase area and compaction reports for utility trenches and street base shall be approved. Model complexes are excluded from this condition but are required to provide access and fire flow in a manner as approved by the Fire Department.
84. Sleeves for lighting and landscape purposes will be allowed in the public street right-of-way when necessary, subject to the approval of the Public Works Department staff.
85. Where proposed street improvements are proposed to pave streets with existing sewer mains or proposed sewer mains are located, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the sewer mains to City Standards, as directed by the City Engineer.
86. All utility tie-ins and other work that disturbs existing public right of way improvements shall be restored per City Encroachment Permit Provisions, or as directed by the Public Works and Engineering Departments staff:
 - a. Any disturbance of pavement newer than 12 months requires the entire area of the disturbed pavement and the entire width of any travel lane disturbed to be cold-planed (grinded down) a tenth of a foot (.1 feet) and resurfaced with AC, PG 70-10, as directed by Public Works/ Engineering Department staff.
 - b. All disturbed sections of pavement that is older then 12 months must be trenched according to City Standards, permanently resurfaced using the minimum the existing AC plus one (1) inch of AC and six (6) inches of AB Class Type II. The resurfaced areas shall remain in place for a minimum of thirty (30) days and a maximum of forty-five (45) days. Then after that period is over, the resurfaced

area and the entire width of any travel lane disturbed are to be cold-planed (grinded down) a tenth of a foot (.1 feet) and resurfaced with AC, PG 70-10, as directed by Public Works/ Engineering Department staff.

- c. Any disturbance of existing concrete work shall be considered reconstruction and must meet current A.D.A. standards. Reconstruction must consist of full concrete saw cut panels, as directed by Public Works/Engineering Department staff.

Street Improvement Conditions:

87. Prior to the issuance of any building permits, the following street dedications and improvements shall be completed as required for each phase:

- a. Offsite street dedications are as follows:
 - i. Dedication for street and utility purposes to provide for a Major Arterial half-width of fifty (50) feet for: the south half of Bartlett Avenue along the northern project boundary.
 - ii. Dedication for street and utility purposes to provide for a Local Street half-width of thirty (30) feet for: the eastern half of Stevens Street along the western project boundary.
 - iii. Dedication for a Utility Services Area, Landscaping purposes, or Public Transportation, to provide for adequate utility vault access of an area of ten (10) feet wide by thirty-five (35) feet long along "Bartlett Ave".
- b. Offsite street improvements are as follows:
 - i. Major Arterials shall be constructed to half-width of 40 feet of asphalt concrete paving consisting of a minimum of 4 inches of asphalt concrete over 6 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. this requirement shall apply to the southern half of Bartlett Avenue along northern project boundary.
 - ii. Local streets shall be constructed to half-width of 30 feet of paving, (18 feet on one side of the centerline and 12 feet on the opposing side of the centerline) of asphalt concrete paving consisting of a minimum of 3 inches of asphalt concrete over 4 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 5.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. This requirement shall apply to the eastern half of Stevens Street western project boundary.
- c. Onsite street dedications are as follows:
 - i. Dedication for street and utility purposes to provide for a street full-width of a Local Street of sixty (60) feet for all interior streets, including cul-de-sacs.

- ii. Cul-de-sac bulbs shall have a right-of-way dedication for street and utility purposes of a 57-foot radius.
 - iii. Dedication of corner cut-offs at all street intersections.
 - d. Onsite street improvements are as follows:
 - i. Internal streets shall be constructed to full width of a Local Street of 36 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six-foot wide sidewalks as per City Standard 109 Type C.
 - ii. Cul-de-sacs shall be constructed of a radius of 45 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six feet wide sidewalks as per City Standard 109 Type C.
- 88. Improvements may be subject to credits and reimbursements against development impact fees, subject to Federal and State laws, City Municipal Code, City Standards, City Policies, and City Council approval. All Credits and re-imbursements are subject to the approval of the City Engineer and shall be consistent with the Transportation background focus study. Credits and re-imbursements shall not exceed the actual verified costs of the construction of the improvements or exceed the costs per unit identified in the background study as adopted by resolution 06-166. The following sections are subject to credits and reimbursements.
 - a. "Bartlett Avenue" 13 feet of paving on both sides of the centerline.

Traffic Safety:

- 89. The Developer shall be directly and solely responsible developing a plan for the mitigation of impacts related to existing traffic levels plus project traffic prior to recordation of the final map.
 - a. In order to mitigate traffic impacts of this project the developer shall perform the following:
 - i. The Developer shall pay the City's full Transportation Facility Development Impact Fee and any other street, traffic, or circulation fees that may be in place at the time of building permit issuance as a traffic mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place at the time of occupancy.
- 90. Prior to the recordation of the final map, the Developer shall design and construct a street lighting system to the requirements of the American National Standard Practice for

Roadway Lighting, and as directed by City of Adelanto Public Works/Engineering Department staff. This lighting system shall utilize high-pressure sodium vapor lamps.

- a. Streetlights shall be energized when installed and maintained by the developer for eighteen (18) months, after which time the developer will proceed with contacting Southern California Edison to transfer maintenance charges to the City of Adelanto.
- b. Street Light Spacing is required as follows:

Type of Street	Spacing (feet)	Lamp Size	Mounting Height
Local Streets	300' staggered to each side	9,500 HPSV	26' Concrete Pole with 6' Mast Arm
Super Arterials Major Arterials Major Collectors Local Collectors	150' staggered to each side	22,000 HPSV	31' Concrete Pole with 6' Mast Arm

- 91. Street name signs and traffic control devices, including full-width striping and striping transitioning into existing paving of any streets improved by this project, shall be constructed in accordance with the approved plans and designed to the Manual on Uniform Traffic Control Devices and City Standards at the time of improvement construction as directed by the City Engineer at the time of improvement construction. Street names for this project shall be submitted to the Engineering Department for City Council approval.
 - a. All signposts shall be installed with anchors when they are installed into concrete.
 - b. All street name signs shall be installed on 12" cap brackets.
 - c. Any sign or post removed by the developer shall be returned to the Street Department undamaged and unmolested.
 - d. All street striping, onsite and offsite, shall be installed by the developer. This includes "STOP" and stop bars at all "STOP" signs, fog lines and any other traffic safety striping that may apply as directed by the Street Department.
 - e. Curbs must be painted red 7.5 feet on each side of center in front of all fire hydrants.
 - f. Curbs must be painted white 7.5 feet on each side of center with 3 minute max stenciled of the curb in front of all mailboxes.
 - g. Each street section shall have a posted speed limit sign as directed by Public Works/Engineering Department staff.

Sewer Improvements:

- 92. Sewage disposal shall be consistent with the projects current Feasibility Study (city will accept studies within 2 years from the date of Recordation of final map) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of

building permit. If a current Feasibility study is not available then the developer must submit for a new study prior to the submission of any improvement plans.

93. The applicant shall connect the project to the City sewer system and pay all associated hook-up fees in compliance with the Adelanto Public Utility Authority. The design shall conform to the City adopted sewer master plan or to requirements of City Engineer. The sanitary sewer system shall be designed and constructed to collect and convey sewage to the City's Wastewater Treatment Plant.
94. Where proposed sewer mains are proposed for installation, including along existing paved roads, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the proposed sewer mains to City Standards, as directed by the City Engineer.
 - a. Sewer mains shall be a minimum diameter of 8" with PVC pipe and fittings unless otherwise approved by the Public Works Department staff. Service laterals shall be constructed with PVC. No structure shall be occupied until the collection system has been thoroughly cleaned, inspected, tested, and accepted for maintenance by the City Public Works Department staff. All manhole and cleanout covers within paved areas shall be adjusted to finished grades after paving is completed, and shall be accessible during construction as directed by Public Works and Public Utilities staff. All such adjustments shall be done in a manner as to prevent entry of silt and/or debris into the sewer system.

Water Improvements:

95. Water service shall be consistent with the projects current Feasibility Study (city will accept studies within 2 years from the date of Recordation of final map) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of building permit. IF a current Feasibility study is not available then the developer must submit for a new study prior to the submission of any improvement plans.
96. The Developer shall comply with all requirements of the Adelanto Public Utility Water District.
97. The applicant shall extend City water mains to service the project, and shall be responsible for paying all fees associated with said extension, including those fees implemented by Ordinance 4 of the Adelanto Public Utility Authority.
98. Water Improvement Design for the project shall conform to the City's adopted Water Master Plan and/or to the requirements of the City's Water Superintendent or the City Engineer. All required backflow devices shall be installed by the developer.
99. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
100. All fire hydrants, air vacuums and all other above ground water facilities shall be placed within the sidewalk areas while maintaining a clear 4' foot wide pedestrian travel way. Water meter boxes and vaults, valve covers, etc., may be placed within sidewalks or paved areas provided such devices are set flush with finished surfaces as approved by the Public Works Department staff.

101. A set of water improvement plans shall be submitted to the San Bernardino County Fire Department for comment and review. At the time of the second plan check submittal, water improvement plans with the Fire Departments' corrections incorporated therein shall be submitted to the City Engineer along with the "redline" commented plans from the Fire Department.
102. Fire protection plans shall be designed per the requirements of the Adelanto Fire Marshall. Fire protection shall include but is not limited to:
 - a. Fire hydrants shall be no more than 300 feet apart.
 - b. Fire hydrants shall be set to a level for "safe break away" and easy access, per the Water Department.
 - c. Blue dot identification on final pavement will be required for all hydrants installed.

Drainage Improvements:

103. The Developer shall prepare a final hydrology and hydraulic calculations report to demonstrate that the post development flows proposed to be discharged into and through existing or any other storm drain facilities do not exceed the maximum flows for which said facilities are presently designed. This shall be subject to review and approval of the City Engineer. The Hydrology and comprehensive drainage plan must be prepared by a licensed civil engineer to the satisfaction of the City Engineer and the Hydrology Report shall identify offsite flows that impact the proposed development and identify the increased onsite runoff flows. The Study shall address how the proposed development shall accept offsite flows that impact the proposed development and demonstrate how the proposed development will safely pass through the offsite flows while protecting the proposed development and maintaining to all-weather paved points of access to the community. Also, the Study shall demonstrate the how the proposed development will reduce the increased onsite post-development runoff to less than 90% of pre-developed drainage runoff flows. This study shall substantially conform to the previously approved preliminary hydrology study, and substantially correlate with the submitted improvement plans. This study shall be engineered using County of San Bernardino Flood Control methodologies and included calculations, maps, diagrams and a written conclusion that contains recommendation of how offsite flows and increased onsite runoff shall be mitigated.
 - a. The Subdivider and Developer shall be responsible for obtaining all necessary permits and permissions from the department of Fish and Game and the Army Corps of Engineers and from any other regulatory agency for the alterations to any of the watercourses that are impacted by the development of the tract map.
 - b. All finished building floor elevations shall be 1.0 feet higher than the 100 year base flood elevations.
104. Storm flows may be conveyed in street sections to the extent that right-of-way limits shall accommodate a 100-year storm to a depth less than 0.7 feet deep from the flow line to provide all-weather emergency ingress and egress. If storm flows cannot be adequately conveyed by street sections, underground storm drains and other mitigation measures shall be provided as recommended in the Hydrology/Hydraulics Report and approved by the City Engineer.

105. Prior to construction of any improvements or prior to any land disturbance, the Developer shall construct temporary drainage facilities and establish erosion control practices as necessary to minimize storm runoff and erosion and silt deposition. All construction storm drains, catch basins, the storm water runoff structures shall be provided with adequate capabilities to filter and retain sediment, grit, oil and grease to prevent pollution in storm water runoff, in compliance with the State Water Board Best Management Practices. The Developer shall obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activities, as directed by the California Water Resources Control Board and approved by the Public Works Department staff. During construction, all NPDES guidelines will be in full force and all Best Management Practices (BMP) shall be followed.
106. The Developer shall provide adequate mitigation for storm drainage to avoid concentrating or increasing offsite flows, subject to review and approval by City of Adelanto Public Works/Engineering staff.
 - a. In order to mitigate drainage flows that impact this tentative tract map, one of the following shall be performed prior to the approval of the improvement plans and prior to approval for map recordation and prior to the issuance to any permits:
 - i. Consistent with County Flood Control Standards, drainage systems shall be designed so that post-development drainage leaving the project is not greater than 90% of pre-development flows.
 - ii. The Developer shall install a detention basin capable of detaining the flows to a level that is 90% of pre-developed levels for a minimum 100-year storm, subject to the review and approval by the City Engineer.
 - iii. Any properties used for drainage facilities shall be dedicated to the city for drainage uses or have an easement on it for drainage uses.
 - iv. Detention Basins shall be fully landscaped around surrounding street frontages.
 - v. Detention Basins shall be fully enclosed in City Code compliant fencing.
 - vi. The Retention Basins shall have dry-wells at the inlets and outlets.
107. In order to mitigate the drainage impacts of this project the developer shall perform the following:
 - a. The Developer shall pay the City's full Drainage Facility Development Impact Fee and any other Drainage fees that may be in place at the time of building permit issuance as a Drainage mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the

time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place at the time of occupancy.

108. All nuisance drainage must be conveyed across roads designated as Major Collectors or greater, via subsurface conveyance. This includes, but is not limited to, water drainage flows:

a. Bartlett Ave

Onsite Improvements:

109. All finished pad elevations shall be 1.0 feet higher than all adjacent frontage street elevations, or 0.5 feet higher the top of adjacent curb.
110. All lots shall be designed and graded to drain to fronting streets. No lot shall drain onto any property adjacent to the project. Lots shall be protected from storm runoff as approved by the Public Works Department staff.
111. All lots shall be provided with driveway approaches per City Standard Drawings. Sewer and water service pipelines shall be placed outside of driveway areas unless otherwise approved by the Public Works Department staff.
112. The tops of all cut slopes shall be in conformance to City Standards per the City Engineer. Retaining walls shall be utilized where required by the Public Works Department staff to ensure that unusable and non-visible slopes are not created at the sides or rear of any lot, and that there is a "flat" area in all side yards per City Standards per the City Engineer.

Park and Landscaping:

113. Prior to the grading permit for any phase of development, the Developer shall prepare final improvement plans for the landscaping and irrigation of parks, landscaped areas, and all open spaces. Said plans shall be prepared by a California licensed Landscape Architect and shall be subject to the review and approval of Public Works Department and Planning Department staff.
114. In order to mitigate impacts to City parks and services under the California Environmental Quality Act, the developer shall do the following:
- a. Pay the equivalent value of the land and improvements to the City to be used to develop a park in the vicinity; paying full Park Impact Fees shall meet this requirement.
115. Developer shall construct minimum six (6) foot high decorative masonry block perimeter walls (measured from the highest of the adjacent sides) as specified below and consistent with Planning Department requirements:
- a. The length of the project site along rear and side yards along northern project boundary along the entire length of Bartlett Ave from Stevens Street to the Eastern Project Boundary.

116. Developer shall annex, and pay all fees associated with annexation, all landscaping, lighting and detention/retention areas in to the City' Light and Landscaping Maintenance District. As a condition of building permit issuance, the developer shall pay to the City the pro-rata per lot share equivalent of twelve months maintenance costs of landscaping as determined by the City.
117. If, due to design constraints, the masonry block perimeter wall is behind a property line and part of any lot is between the perimeter wall and the sidewalk, the developer shall offer for dedication said land as a landscape dedication to the City of Adelanto.
118. A minimum five (5) foot irrigated landscape easement shall be provided between the edge of the sidewalk and the perimeter wall on all surrounding streets.
 - a. Landscaping shall be at the rate of one (1) tree and six (6) shrubs per 30 linear feet plus such vegetative cover necessary to cover a minimum of forty (40) percent of the total area with shrubs and ground cover.
 - b. Turf is prohibited within public rights-of-way.
 - c. Irrigation shall be designed to minimize maintenance and water consumption.
 - d. All slopes over three feet in height shall be fully landscaped and irrigated.
119. All easements and dedicated Right-of-Way land between the sidewalk and the perimeter masonry wall of the development shall be planted with drought tolerant materials, and irrigation installed, as approved by City Staff. Said landscape easement and landscaped area shall be maintained by the developer. The landscaped area will there after be the responsibility of the City upon final acceptance. All sidewalks adjacent to landscaping areas shall have a 6-inch garden curb at the back of the sidewalk between the landscaped area and the sidewalk to prevent runoff across sidewalk.
 - a. All plant spacing shall be approved by City Public Works/Engineering Department and Title 17.
 - b. Landscaping and perimeter wall shall be separately bonded for.
 - c. The following areas shall be fully landscaped and irrigated per this condition and City Code and Standards and annexed in to the City's Landscaping Maintenance District:
 - i. The area between the decorative masonry block wall and the sidewalk the entire length of the south half of Bartlett Ave, from Stevens Street to the Eastern project boundary.
 - ii. Detention Basins shall be fully landscaped and shall be fully enclosed in City Code compliant fencing.

FIRE DEPARTMENT

120. **Jurisdiction.** The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for

verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F-1]

121. **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. Standard 903.1 [F-5]

The Fire Flow for this project shall be:

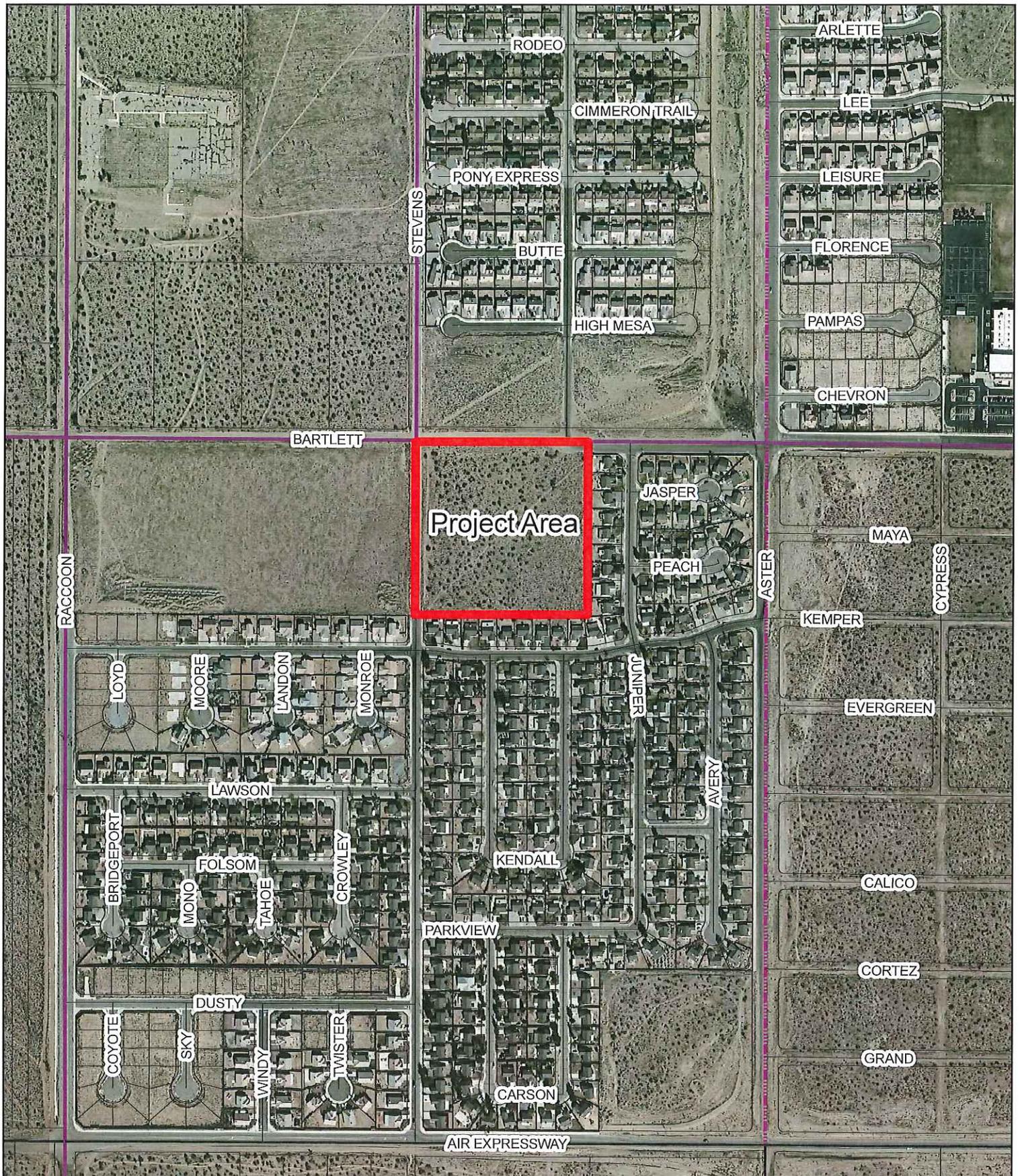
1250 GPM for a 2 Hour duration at 20 psi residual operating pressure.

Fire Flow based on 3600 MAXIMUM sq.ft. Structure.

122. **Fire Equipment – Agreement/Surety.** The applicant shall execute an agreement with the County of San Bernardino, *(if applicable- San Bernardino County Redevelopment Agency)* and the Fire Department, to ensure that all fire equipment necessary to serve the project is available when necessary or the applicant may submit surety in a form and amount acceptable to County Counsel and the Fire Chief. [F-7]
123. **Fire Fee.** The required fire fees (**currently \$2588.00**) shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8465. This fee is in addition to fire fees that are paid to the City of Adelanto. [F-40]
124. **Access.** The development and each phase thereof shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1 [F-41]
125. **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 areas, there are additional requirements. Standard 902.2.1 [F-43]
126. **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. [F-44]
127. **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 [F-52]
128. **Water System Residential (Adelanto).** A water system approved by the Fire Department is required. The system shall be installed and operational, prior to any

combustibles being stored on the site. The applicant is required to provide a minimum of one new six (6) inch fire hydrant assembly with two (2) two and one half (2 1/2) inch and one (1) four (4) inch outlet with a minimum of 6" supply. For detached single family residential developments all fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred fifty (150) feet from any portion of a structure as measured from the driveway on the address side of the proposed single family structure. [F-54c]

129. **Water System Certification.** The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job-site. [F-57]
130. **Street Sign.** This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior to any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]
131. **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]
132. **Residential Addressing.** The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (1/2) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be **internally and electrically illuminated** with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F81]
133. **Key Box.** An approved Fire Department key box (Knox ®) 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(Knox ®). Standard 902.4 [F85]
134. **Spark Arrestor.** An approved spark arrestor is required. Every chimney that is used in conjunction with any fireplace or any heating appliance in which solid or liquid fuel are used, shall have an approved spark arrestor visible from the ground that is maintained in conformance with the California Fire Code. [F87]
135. **Additional Requirements:** If fire flow cannot be met, then fire sprinklers shall be required.



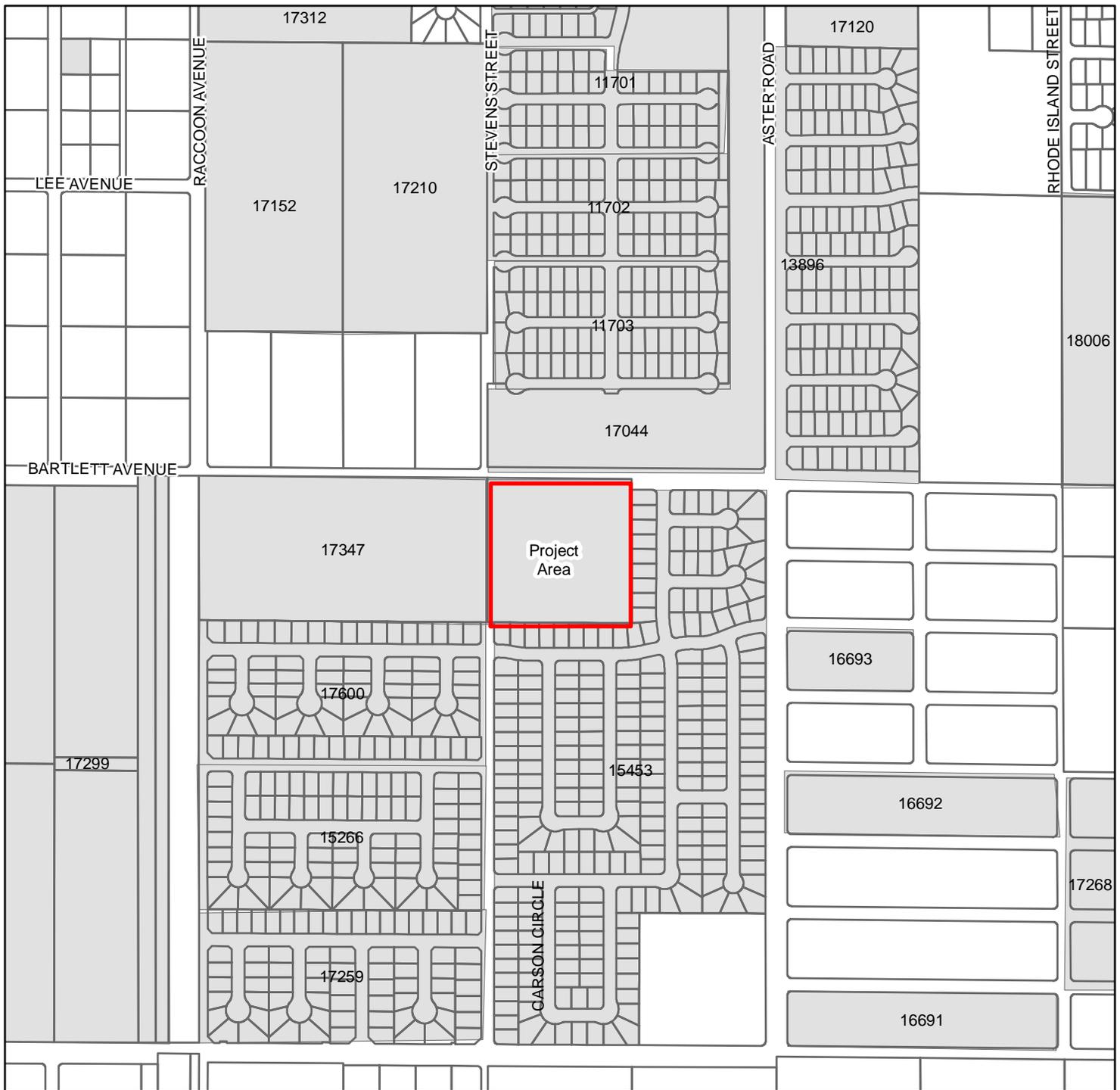
Project Area



Tentative Tract Map 17155

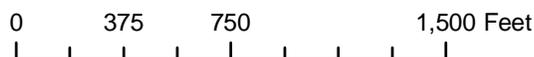


1 in = 468 feet



Tentative Tract Map 17155

Activity Map



NO. OF LOTS = 39
 GROSS AREA = 10.178 ACRES
 NET AREA = 7.228 ACRES
 SCALE 1" = 50'

TRACT NO. 17155

SHEET 3 OF 3 SHEETS

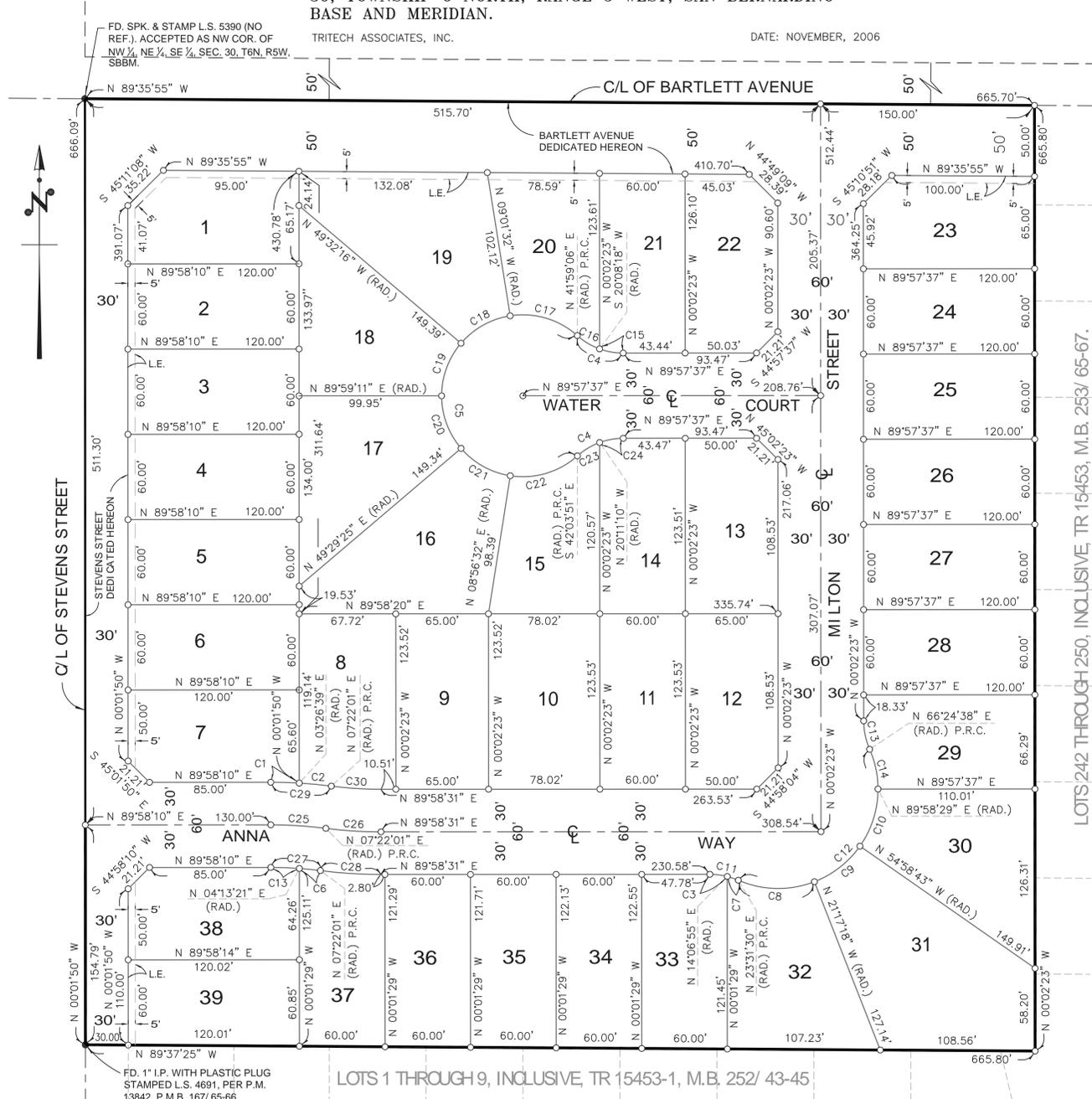
IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO
 STATE OF CALIFORNIA

BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF THE
 NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION
 30, TOWNSHIP 6 NORTH, RANGE 5 WEST, SAN BERNARDINO
 BASE AND MERIDIAN.

FD. SPK. & STAMP L.S. 5390 (NO
 REF.), ACCEPTED AS NW COR. OF
 NW 1/4, NE 1/4, SE 1/4, SEC. 30, T6N, R5W,
 SBBM.

TRITECH ASSOCIATES, INC.

DATE: NOVEMBER, 2006



DETAIL OF LOTS 1 THROUGH 39, INCLUSIVE

CURVE DATA TABLE:

NUMBER	DELTA ANGLE	TANGENT	RADIUS	ARC LENGTH
C1	03°28'29"	10.01'	330.00'	20.01'
C2	03°55'22"	11.30'	330.00'	22.59'
C3	14°08'24"	6.20'	50.00'	12.34'
C4	42°01'29"	18.44'	48.00'	35.21'
C5	264°02'57"	-	57.00'	262.69'
C6	03°08'40"	7.41'	270.00'	14.82'
C7	09°24'35"	4.12'	50.00'	8.21'
C8	44°48'48"	28.86'	70.00'	54.75'
C9	33°41'25"	21.19'	70.00'	41.16'
C10	35°02'48"	22.10'	70.00'	42.82'
C11	23°32'59"	10.42'	50.00'	20.55'
C12	137°06'52"	178.23'	70.00'	167.52'
C13	04°15'11"	10.03'	270.00'	20.04'
C14	23°33'51"	14.60'	70.00'	28.79'
C15	20°10'41"	8.54'	48.00'	16.90'
C16	21°50'48"	9.26'	48.00'	18.30'
C17	51°00'37"	27.19'	57.00'	50.75'
C18	40°30'45"	21.04'	57.00'	40.30'
C19	40°28'32"	21.01'	57.00'	40.27'
C20	40°29'47"	21.03'	57.00'	40.29'

CURVE DATA TABLE: (CONT'D)

NUMBER	DELTA ANGLE	TANGENT	RADIUS	ARC LENGTH
C21	40°32'53"	21.06'	57.00'	40.34'
C22	51°00'23"	27.19'	57.00'	50.74'
C23	21°52'41"	9.28'	48.00'	18.33'
C24	20°08'47"	8.53'	48.00'	16.88'
C25	07°23'51"	19.39'	300.00'	38.73'
C26	07°23'30"	19.38'	300.00'	38.70'
C27	07°23'51"	17.45'	270.00'	34.86'
C28	07°23'30"	21.32'	330.00'	42.57'
C29	07°23'51"	21.33'	330.00'	42.61'
C30	07°23'30"	17.44'	270.00'	34.83'

LEGEND:

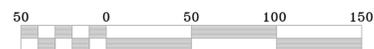
C/L = CENTERLINE
 P.R.C. = POINT OF REVERSE CURVE
 RAD. = RADIAL BEARING
 L.E. = LANDSCAPE EASEMENT DEDICATED TO CITY OF
 ADELANTO HEREON

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED
 ON THE CENTERLINE OF BARTLETT AVENUE,
 SHOWN AS N 89°35'55" W ON
 PARCEL MAP NO. 13842, P.M.B. 167-65-66,
 RECORDS OF SAN BERNARDINO COUNTY.

LEGEND:

- INDICATES FOUND MONUMENT AS NOTED.
- INDICATES TO BE SET 1" IRON PIPE WITH NAIL AND STAMPED L.S. 6924 TAG. SAID 1" IRON PIPES TO BE SET AT ALL STREET INTERSECTIONS, B.C.'S AND E.C.'S AND ALL BOUNDARY CORNERS, REAR LOT CORNERS AND ANGLE POINTS. UNLESS OTHERWISE NOTED, NAIL AND TAG MAY BE SET IN THE TOP OF CURB ON FRONT PROJECTION OF ALL SIDE LOT LINES OR ON TOP OR FACE OF WALLS AT REAR LOT CORNERS IN LIEU OF 1" IRON PIPES.



Scale 1" = 50 ft

**CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption**

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway
Adelanto, CA 92301

Project Title: Third Extension of Time for Tentative Tract Map 17155

Description of Project: A request by the applicant, Yamaichi USA, LP, for the third Extension of Time of approved Tentative Tract Map 17155 to subdivide 10 acres into 39 single family residential lots within the R-S5 (Single Family Residential) Zone with a new expiration date of May 17, 2009.

Project Location: The project site is located on the southeast corner of Bartlett Avenue and Stevens Street, within the City of Adelanto, County of San Bernardino.

Project Proponent: Yamaichi USA, LP
Attn: YY Lin
202 South Lake Avenue # 300
Pasadena, CA 91101

Reasons why project is exempt:

An Initial Study with supporting documents and a Mitigated Negative Declaration were prepared and adopted as part of the original approval of Tentative Tract Map 17155 pursuant to the California Environmental Quality Act. The current Extension of Time application is exempt from further environmental review pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the scope of the prior approved and adopted Negative Declaration and no new information is known that would significantly change any impacts.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: (Section Number 15301) (e)(2)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section 15162 (Subsequent EIRs and Negative Declarations).

Contact Person/Title:
Mark de Manincor, Senior Planner

Phone Number:
(760) 246-2300 Ext. 3001

Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Location and Development Plan 16-01, Conditional Use Permit 16-01, Minor Variance 16-01**, Pontious Architecture for Genex Trading proposes to construct a 9,900 square foot concrete tilt-up building for Medical Marijuana Cultivation and a reduction of the front yard setback, on .78 acres of land, in the cultivation zone in Industrial Park 2, known as parcel one of Parcel Map 15626.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-13 **ADOPT** findings and **APPROVE** Location and Development Plan 16-01, Conditional Use Permit 16-01 and Minor Variance 16-01, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Pontious Architecture for Genex Trading
Attn: Michael Pontious
18343 Highway 18, Suite 5
Apple Valley, CA 92307

General Location: The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road, within the City of Adelanto, County of San Bernardino. The project site is within Section 31, Township 6 North, Range 5 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 0459-681-17

Environmental Determination: Exempt under section 15162 (Subsequent EIR's and Negative Declarations)

Related Cases: Tentative Parcel Map 15626

**Existing General Plan &
Current Zoning Designation:** Manufacturing Industrial (MI)

Surrounding General Plan and Zoning:

Direction	General Plan	Zoning
North	Manufacturing/Industrial (MI)	MI
South	Manufacturing/Industrial (MI)	MI
West	Manufacturing/Industrial (MI)	MI
East	Manufacturing/Industrial (MI)	MI

Existing Land Use: Vacant.

Surrounding Land Uses: The following chart shows the surrounding land uses:

Direction	Land Use
North	Developed Industrial
South	Vacant
East	Developed GEO Detention Facility
West	Vacant

PROJECT DESCRIPTION

Pontious Architecture for Genex Trading proposes Location and Development Plan 16-01 to construct a 9,900 square foot concrete tilt-up structure; Conditional Use Permit 16-01 to allow the Cultivation of Medical Marijuana; Minor Variance 16-01 to reduce the front yard setback to the building from 25 feet to 16 feet due to the loss of building area from a 150 foot wide Southern California Edison Easement, on 0.78-acres of land. The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road.

DEVELOPMENT STANDARDS

Development Standard	Required	Provided
Minimum Lot Size	20,000 sf	0.78 acre
Minimum Lot Width	100 feet	230.02 feet
Minimum Lot Depth	100 feet	116.27 feet
Minimum Front Setback		
• To Building	25 feet	16 feet
• To Parking Area	10 feet	14 feet
Minimum Side Yard Setback		
• Street Side Building	25 feet	160 feet
• Street Side Parking	10 feet	85 feet
• All others	0 feet	0 feet
Maximum Building Height	75 feet	28 feet
Minimum Rear Yard Setback	0 feet	0 feet
Landscaping Required	10% of the project area	14%

PARKING

The proposed project is for a Medical Marijuana Cultivation facility. The cultivation facility requires 20 spaces. The applicant is providing 20 spaces which include one accessible space.

DRAINAGE

A drainage study was performed by J.E. Miller & Associates, which demonstrated that off-site flows will be handled by a drainage channel and on-site flows will be mitigated by a detention basin. The detention basin is located in the SCE easement.

TRAFFIC & CIRCULATION

One point of access has been provided from Raccoon Court also known as A Street. The access point connects with Raccoon Avenue which connects with Rancho Road which connects with Highway 395.

NOISE

The project site is Manufacturing/Industrial zoning and is located adjacent to Raccoon Avenue. This project will not impact surrounding properties as this portion of Raccoon Avenue is located within industrial park II. There are no residential properties in the immediate area.

ENVIRONMENTAL CONSIDERATIONS:

The project qualifies as exempt pursuant to Section 15162 (Subsequent EIR's and Negative Declarations as the project is covered by the prior adopted Environmental Impact Report for Industrial Park II.

Water Quality

Low Impact Development (LID) principles to control storm water and prevent pollutants from entering and degrading surface or ground waters are included in the Conditions of Approval.

Air Quality

The Mojave Desert Air Quality Management District submitted comments and recommendations in response to the Project Submittal that was circulated for this project which are incorporated in our conditions of Approval.

OTHER

The applicant and operator are required to maintain continued compliance with section 17.80.080 of the Adelanto Municipal Code regarding the Cultivation of Medical Marijuana.

ATTACHMENTS:

Resolution P-16-13
Conditions of Approval
Notice of Exemption

Aerial Exhibit
Site Plan
Graphic

RESOLUTION NO. P-16-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING LOCATION AND DEVELOPMENT PLAN 16-01, CONDITIONAL USE PERMIT 16-01 AND MINOR VARIANCE 16-01, TO CONSTRUCT AND OPERATE A 9,900 SQUARE FOOT MEDICAL MARIJUANA CULTIVATION FACILITY ON 0.78-ACRES OF LAND LOCATED ON THE WEST SIDE OF RACCOON AVENUE BETWEEN RANCHO ROAD AND YUCCA ROAD, WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. ASSESSOR'S PARCEL NUMBERS 0459-681-17.

WHEREAS, the applicant, Pontious Architecture for Genex Trading, requests to construct and operate a 9,900 square foot medical marijuana cultivation facility on 0.78-acres of land, located on the west side of Raccoon Avenue between Rancho Road and Yucca Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, the applicant has consented to all conditions of approval; and

WHEREAS, a duly noticed public hearing was held on the proposed project on July 5, 2016, to hear and consider testimony for or against the proposed project; and

WHEREAS, the City of Adelanto, as lead agency, determined that the project is exempt from the California Environmental Quality Act under Section 15162 as the project is covered under the Environmental Impact Report for Industrial Park 2; and

WHEREAS, a Notice of Exemption is proposed for adoption; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the environmental information included in the staff report prior to taking action on proposed Location and Development Plan 16-01, Conditional Use Permit 16-01 and Minor Variance 16-01. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds and determines that:

Location and Development Plan 16-01

- (a) That the proposed Location and Development Plan is consistent with the General Plan;

The project is consistent with the General Plan as the site is designated Manufacturing/Industrial (MI) in an Industrial Park, which is consistent with Title 17 of the Zoning Code which allows for medical marijuana cultivation facilities in the MI zone in an Industrial Park with approval of a LDP and CUP.

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to the west and south are vacant and the property to the east and north is developed industrial, so the project will not adversely affect surrounding properties.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The overall site is approximately 0.78-acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

Conditional Use Permit 16-01:

- (f) That the proposed Conditional Use Permit is consistent with the General Plan;

The project is consistent with the General Plan as the site is designated MI and is in an Industrial Park, which is consistent with Appendix A of Title 17 of the Zoning Code which allows medical marijuana cultivation facilities with approval of a LDP and CUP.

- (g) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to the west and south are vacant and the property to the east and north is developed industrial, so the project will not adversely affect surrounding properties.

- (h) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The overall site is approximately 0.78-acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (i) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (j) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

Minor Variance 16-01

- (k) That there are exceptional or extraordinary circumstances or conditions applicable to the property which do not apply generally to other properties in the same vicinity and zone; and

The site in which the applicant wishes to build is encumbered by a Southern California Edison easement which reduces the buildable area by 50%.

- (l) That such Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question; and

Other properties in the area are able to utilize their sites and obtain full build out potential while the applicant for this project is denied the use of 50% of the property.

- (m) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity; and

The granting of a reduced setback will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

- (n) That in granting the Variance, the spirit and intent of this Zoning Code will be observed; and

In granting this Variance, the spirit and intent of this Zoning Code will be observed by allowing the applicant to utilize the property for the intended use without impacting others in the area.

- (o) That the Variance does not grant special privilege to the applicant; and

The Variance does not grant special privilege as the Variance is for a reduced setback to allow the applicant to build a facility similar to others in the area.

- (p) That the Variance request is consistent with the General Plan of the City of Adelanto.

The request is consistent with the General Plan as it promotes development.

RESOLUTION NO. P-16-13

July 5, 2016

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SECTION 5. The Planning Commission hereby approves, Location and Development Plan 16-01, Conditional Use Permit 16-01 and Minor Variance 16-01.

ATTACHMENTS:

1. Conditions of Approval

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July, 2016.

Chris Waggener
Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

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I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-13 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July, 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-13
July 5, 2016**

**Conditions of Approval
Location and Development Plan 16-01
Conditional Use Permit 16-01
Minor Variance 16-01**

PROJECT: A proposal to construct a 9,900 square foot concrete tilt-up building for the Cultivation of Medical Marijuana on a 0.78-acre property located within the MI (Manufacturing/Industrial) Zone, in Industrial Park 2. The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-681-17

Applicant: Pontious Architecture for Genex Trading

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; **by July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial construction under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the City's Development Code.
3. **Phasing.** This Location and Development Plan, Conditional Use Permit and Minor Variance are for the construction of a 9,900 square foot building for the Cultivation of Medical Marijuana on a 0.78-acre parcel. Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 0.78-acre site as shown on the Site Plan, unless otherwise indicated.

4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Location and Development Plan 16-01, Conditional Use Permit 16-01, Minor Variance. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
5. **Fees.** All fees and charges the City has or intends to adopt that are due at the time of utility connection or when building permit(s) is/are issued shall be paid, as required by the City.
6. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.
7. **Fish and Game.** The applicant/owner shall pay a fee of \$50 for the Department of Fish and Game determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50 made payable to the "Clerk of the Board of Supervisors".** The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.
8. **Architectural Design.** The proposed architectural design shall be consistent with the design standards provided in the Adelanto General Plan. Elements of the architectural design and features shall be consistent throughout the commercial center.

The City is in the process of adopting formal design guidelines for all development within the City of Adelanto. If these guidelines are adopted prior to the issuance of a building permit, this project will be subject to a formal Design Review process.

9. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following MI (Manufacturing/Industrial) zoning district regulations and section 17.80.080 regarding the cultivation of medical marijuana:

- Minimum Lot Size: 20,000 square feet
- Minimum Lot Width: 100 feet
- Minimum Lot Depth: 100 feet
- Minimum Front Setbacks:
 - To Building 25 feet
 - To Parking 10 feet

- Minimum Side Setback:

Street Side to Building	25 feet
Street Side to Parking	10 feet
All others	0 feet
 - Minimum Rear Setback: 0 feet
 - Maximum Height 45 feet
10. **Maintenance Responsibility.** The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to an approved maintenance authority. Grading permits shall not be issued for any areas to be graded and remain undeveloped for an extended period (e.g.: for subsequent phases of a development) until a re-vegetation plan is approved by the Planning Department, and until bonds are posted for re-vegetation, or erosion control program for wind erosion.
 11. **Plans.** Plan submittals shall be prepared and signed by a California Licensed Architect or Engineer per State of California, Business and Professions Code. All plans shall be drawn to a standard scale.
 12. **Development Restrictions.** The physical development of the Cultivation Facility shall be reviewed and approved by the City. Any use, activity, and/or development occurring on the site without appropriate City approvals shall constitute a code violation and shall be treated as such. Placement of any construction trailer or storage of construction materials shall require separate review and approval by the City.
 13. **Compliance with Environmental Mitigation.** The developer shall comply with the Mitigation Measures identified in the EIR for Industrial Park 2.
 14. **Trash Enclosures.** Trash receptacles proposed on the site shall be enclosed by a six (6) foot high solid masonry wall with solid, view-obstructing gates. A pedestrian entrance shall be provided into each trash enclosure.
 15. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.
 16. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - I. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - II. Any other required approval from an outside agency.

Prior to Issuance of Grading Permits:

17. **Grading Plans.** Grading plans shall be reviewed and approved by the Planning Department for compliance with the approved Development Plan prior to the issuance of a grading permit.
18. **Joshua Trees.** Prior to the commencement of grading, the applicant shall relocate all Joshua trees applicable to the Relocation Program per the requirements of the City Development Code and California Desert Native Plant Act.
19. **Proof of Mitigation.** Prior to the issuance of grading permits, the developer shall submit written proof, satisfactory to the Planning Director, that any concerns of the California Department of Fish and Game, including but not limited to Mohave ground squirrel, have been mitigated in a manner acceptable to the Department of Fish and Wildlife.
20. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.

Prior to Issuance of Building Permits:

21. **Development Impact Fees.** The City of Adelanto has implemented development impact fees for various infrastructure and capital facilities needs generated by new development. These fees will provide for various capital facilities including, but not limited to, roads, parks, flood control and drainage, public facilities, and fire fighting facilities. This project shall be subject to all such existing and future development impact fees which are in effect at the time building permits are issued.
22. **Assessment Districts.** Prior to the issuance of building permits, this project shall annex into Assessment Districts for the maintenance of Street Lighting, public landscaping and street sweeping, and the applicant hereby agrees to waive the right to protest the formation of said districts.
23. **Building Plans.** Building plans shall be reviewed and approved the Planning Department for conformance to the Conditions of Approval and the approved Development Plan prior to issuance of a building permit.
24. **Water Quality.** The applicant shall submit to the City Engineer for approval, a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The Water Quality Management Plan shall identify the structural and non-structural measures consistent with the City's adopted requirements.
25. **Equipment Screening.** All mechanical equipment and vents, ground or rooftop shall be screened from public view. Roof gutters and downspouts are not permitted on the exterior of the building unless integrated into the architecture of the building. In addition, all screening shall be an integral part of the building, details of which shall be provided to the Planning Department for review and approval. Any proposed change shall be reviewed and approved by the Planning Department.

26. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage for the commercial center to the south. The project shall remain in full compliance with all City sign regulations at all times.
27. **Utility Lines.** All utility lines shall be placed underground.
28. **Landscaping.** The developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Planning Department, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus, species, and container size of the plants. The cover page shall identify the total square footage of the landscaped area and note how it is to be maintained. Use of water efficient fixtures and drought tolerant plants is encouraged.
- All landscaping and irrigation systems shall be in compliance with Section 17.60 of the Adelanto Municipal Code. Plans will be reviewed and approved by the Planning Department.
 - A minimum of 5% of the project site shall be landscaped, exclusive of areas within the public right-of-way. A minimum of 5% of the parking area must be landscaped, in compliance with Table 25-1 in Chapter 17.25 of the Municipal Code.
 - The developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought-tolerant plants and efficient irrigation systems. Species shall be in compliance with Section 17.60.80.
29. **Parking.** The project shall provide 20 parking spaces for 9,900 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements.
30. **Design Guidelines.** The City of Adelanto has adopted standard design guidelines for all new development. These guidelines are in place and this project is subject to design review.
- a. The parking lot shall have one planter Island/strip for every seven spaces.
31. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval or issuance of grading permits, a new copy of the City approval letter shall be signed by the current development parties.

During Construction:

32. **Approved Plans.** All construction shall be per building permits issued by the Building Department and UBC Standards, and dust control shall be exercised at all times during construction.

33. **Dust Control.** The applicant shall apply water to the disturbed portions of the project site at least two times per day. On days where wind speeds are sufficient to transport fugitive dust beyond the working area boundary, the applicant shall increase watering to the point that fugitive dust no longer leaves the property (typically a moisture content of 10%), and/or the applicant shall terminate grading and loading operations.
34. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- I. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and dusk on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g. interior painting) are not subject to these restrictions.
 - II. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - III. Construction routes are limited to City of Adelanto designated truck routes.
 - IV. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - V. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such person(s) shall be provided to the City.
 - VI. All grading equipment shall be kept in good working order per factory specifications.
35. **Construction Activity.**
- I. The contractor shall provide verification that all construction equipment is in proper tune per the manufacturer's recommendation.
 - II. Roll off trash bins and chemical toilets for construction workers shall be required on all construction sites and temporary fencing provided around the construction sites and/or a row of temporary fencing provided at such location as to prevent any building materials from blowing off of the construction site.
 - III. During those periods when grading is being conducted, the contractor shall inspect the adjacent paved roadways at least two times per week, and shall sweep the street if visible dirt or dust, attributable to the project, can be seen on the roadway.

36. **Archeological Resources.** If prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds shall be halted so that an archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures. A historical resources management report shall be submitted by the professional to document the monitoring, to evaluate resource significance and integrity, and if necessary, to evaluate project impacts and propose mitigation measures to mitigate potential adverse impacts. If archeological resources are encountered during grading, ground disturbance activities shall cease so a qualified archeological monitor can evaluate the resources. If discovered resources merit long-term consideration, adequate funding shall be provided to collect, curate and report their resources in accordance with standard archaeological management requirements. If the City finds that a developer encounters cultural resources and fails to notify the Planning Department, the City will place those responsible for the destruction of historic and archaeologically significant resources on file with the County of San Bernardino and the State of California, Office of Historic Preservation.
37. **Paleontological Resources.** If paleontological resources are encountered during grading, ground disturbance activities shall cease so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the Earth Sciences Division of the San Bernardino County Museum.
38. **Human Remains.** If human remains are encountered on the property, then 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 Coroner at either 1) 15329 Bonanza Road, Unit 8, Victorville, CA 92392 or (760) 955-8535; or 2) 175 South Lena Road, San Bernardino, CA 92415-0037 or (909) 387-2978.
39. **Abandoned Wells.** Any abandoned wells on the property or similar structures that might result in groundwater contamination shall be destroyed in a manner approved by the City and San Bernardino County Environmental Health Department.

Prior to Certificate of Occupancy:

40. **Landscaping and Irrigation.** Landscaping and irrigation shall be consistent with the approved Landscape Plan for the project. The variety of tree to be provided is subject to approval of Planning and Public Works Departments and the trees are to be maintained by the property owner. The Developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought-tolerant plants and efficient irrigation systems. Species shall be in compliance with Section 17.60.80.
41. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans.

42. **Unit Identification.** Each unit shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Fire Department.

CONSERVATION

43. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
44. “Saving by Design” Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
45. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Recordation Conditions:

46. Prior to the city reviewing any final maps, a document consenting to the subdivision shall be signed and acknowledged by the legal owners of record for the real property being subdivided. This document shall be submitted to the City of Adelanto along with the first application for plan review for the final map, following Tentative Map Approval by the Planning Commission.
47. All final maps, including any subsequent development phasing, shall be conforming to the approved Tentative Map which was approved with the adoption of these conditions of approval and shall be based on a recent field survey which shall be submitted to the City Engineer for review and approval.
48. Final Maps shall meet all requirements of the Adelanto Municipal Code, and shall include the following:
- a. All easements within the City of Adelanto’s rights of way shall be subordinated to the City of Adelanto.
 - b. All easements and rights-of-way, both existing and as required to comply with the improvement requirements of these conditions of approval shall be acquired by the Developer pursuant to the subdivision map act and the Adelanto Municipal Code.
49. A noise and avigation easement on all subdivision parcels and roadways shall be granted and conveyed to the Southern California Logistics Airport as required in the City adopted Land Use Plan.
50. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
51. Should Mello-Roos, or Community Facilities Districts, or Community Service Districts, or Assessment Districts, or other special financing districts be formed to provide for City

Infrastructure or City Services, this project shall annex into the districts and pay all fees associated with annexation into the districts, and the applicant shall agree to waive the right to protest the formation of said districts.

52. Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:
 - a. Require the Developer to enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made;
 - b. Require the Developer to pay the cost of acquiring the offsite real property interests required in connection with the subdivision.
53. The design of all public infrastructure elements shall conform to the requirements of the City General Plan and the current edition of the City's standard specifications for construction, and any alterations required and approved by the Public Works Department and engineering department staff.
54. The following plans and reports shall be prepared by a competent California licensed civil engineer prior to any site development or disturbance of the natural vegetation of the site. All required plans shall be drawn in ink at an appropriate scale on Mylar sheets, for approval by the City Engineer. Improvement plans for all of the conditioned improvements shall be submitted to the City and reviewed and approved by the City Engineer. All of the conditioned improvement plans shall be approved by the City Engineer concurrently for review.

Plans Required:

- a. Street Plans - Plan/Profile at 1" = 40' (Hor), 1" = 4' (Vert), plus Title/Index and Detail Sheets.
 - i. Yucca Road from the Western Project Boundary to Adelanto Road, with proper fire department turnarounds.
- b. Precise Grading Plan 1" = 30', A grading plan conforming to the requirements of the Uniform Building Code, appendix 33 1997 edition, shall be prepared and submitted to the City Engineer for approval.
- c. Water - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on Water improvements Plan shall be a min scale of 1"=100' and clearly identify Fire Hydrant locations, valves and pipeline locations.

- d. Sewer - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on sewer improvements Plan shall be a min scale of 1"=100' and clearly identify Manhole locations, and pipeline locations.
- e. Street Striping and Signage 1" = 40'.
 - i. Yucca Road from the Western Project Boundary to Adelanto Road.
- f. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and approved by the California State Water Quality Control Board prior to the issuance of any permits for grading. The erosion control plan must be submitted to the City for review and approval and must include an active WDID number.
- g. Onsite Underground Utility Plan at 1" = 40' showing the location of all undergrounded utilities including sewers, water, storm drain, gas, electric, telephone, and data and cable television lines. This plan shall be shown schematically based on plans prepared by utility agencies to illustrate the location of any access valves, manholes and hand holes.

Reports Required:

- a. Soils Report. A preliminary soils report as prepared by a California licensed geotechnical engineer skilled in soils/foundation investigations shall be submitted for review by the Engineering Department staff along with the first submittal of Street Plans and/or other improvement plans for review. Within the required soils report special attention shall be directed to the rip ability of the proposed road cuts and stability of manufactured slopes. The geotechnical engineer shall determine the setback requirements to support loading without failures in the soil mass.
 - b. Hydrology Report. A comprehensive drainage plan to the satisfaction of the City Engineer shall be prepared by a licensed Civil Engineer and submitted to the City for approval. The project must accommodate existing drainage flows that impact the project site and impact access to the project site and mitigate offsite drainage that impacts the project. The project must mitigate the increase onsite runoff from pre-development to post-development flows.
55. At the time of first submittal of Final map, the Developer shall provide An Engineer's estimate of construction prepared by the Developer to be approved by the Engineering Department staff and pay to the City of Adelanto all applicable fees.
56. Prior to the recordation of any Final Map: improvement plans for all of the conditioned improvements shall be reviewed and approved by the City Engineer; and the City Engineer must find the Final Map to be in substantial compliance with the tentative map and the conditions of approval; and proper security bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated; and the public landscaping and public lighting for this project shall be annexed into the City Landscaping and Lighting Districts; and a Subdivision Improvement Agreement shall be executed by the subdivider; and the City Council must approve the Final Map for recordation.

57. Proper Security Bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated, including the setting of proper monumentation for the subdivision. Prior to issuance of any permits to construct any improvements, the developer shall enter into an improvement agreement to construct the project improvements per City approved plans and post securities with the City of Adelanto to guarantee completion of construction and payment of labor and materials and one year warranty of the improvements. These securities shall be provided by the Developers and all assignees and successors to the City. The following are the required security amounts and release procedure:
- a. The subdivider shall at all times guarantee the subdivider's performance of this entitlement by furnishing to the City, and maintaining, good and sufficient Security as required by the City on forms approved by City for the purposes and in the amounts as follows:
 - i. To assure faithful performance of this entitlement in regard to said Improvements in an amount of 100% of the estimated cost of the Improvements; and
 - ii. To secure payment to any contractor, subcontractor, persons renting equipment, or furnishing labor materials for the Improvements required to be constructed or installed pursuant to this entitlement in the additional amount of 100% of the estimated cost of the Improvements; and
 - iii. To guarantee or warranty the work done pursuant to this entitlement for a period of one year following Acceptance thereof by City against any defective work or labor done or defective materials furnished in the amount of 20% of the estimated cost of the Improvements.
 - b. Release of Security. Subject to approval by the City, the Security required by this entitlement shall be released as follows:
 - i. Security given for faithful performance of any act, obligation, work or agreement shall be released upon Acceptance of the Improvements, subject to the provisions of subsection (b) hereof.
 - ii. In accordance with the requirements of Government Code Section 64999.7, the City Engineer shall allow a partial release of faithful performance Security pursuant to the following procedures. No partial release of Security for labor and materials shall be allowed.
 1. Subdivider shall have one opportunity to engage in the process of pre-warranty partial release of performance Security as described in this subsection (b) between the start of work and completion and acceptance of all work on the Improvements. The process allowing for a partial release of performance Security shall occur only when the cost estimate of the remaining work does not exceed twenty percent (20%) of the total original performance Security.
 2. At such time that the Subdivider believes that the obligation to perform the work for which the performance Security was required

is complete, the Subdivider may notify the City Engineer in writing of the completed work and request a warranty bond walk. This notice shall include with such notification a written list of work completed. Upon receipt of the written notice, the City Engineer shall have twenty (20) business days to review and comment or approve the completion of the required work. If the City Engineer does not agree that all work has been completed in accordance with the plans and specifications for the Improvements, he or she shall supply to the Subdivider a list of all remaining work to be completed.

General Grading Conditions:

58. Prior to the Issuance of a Grading Permit the following must be completed.
- a. Native Vegetation Removal Permit & Joshua Tree Survey. Prior to the disturbance of any native indigenous plant life, a Joshua Tree Survey must be performed by the city Staff to determine the chances for successful relocation of existing plant life.
 - b. Land Disturbance Permit. Prior to disturbing the land a Land disturbance permit must be applied for and disturbance of land greater than 1 Acre. The following must be submitted along with the application for the permit:
 - i. Native Vegetation Removal Permit
 - ii. WDID (Storm Water Control Board Permit Number)
 - iii. Fish and Game Grading Concordance Letter.
 - c. Rough Grading Plan must be approved, and signed by the City Engineer prior to the issuance of the grading permit.
59. During the grading and land disturbance operations the following must be observed:
- a. All grading for the proposed subdivision lots shall be confined to the subdivision boundary limits unless the Developer first secures letters of permission to grade across property lines from any and all affected adjacent property owners.
 - b. Compaction Report. Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical engineer who shall obtain all required permits and submit reports on progress and test results to the Engineering Department staff for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the Engineering Department staff for review and approval, which may require additional tests at the expense of the Developer.
 - i. All soils within street improvements must be compacted to 90% and 95% within twelve inches of surface.
 - c. No un-bound or re-vegetated soil shall be left exposed to wind erosion. If construction operations have not begun within a short duration then the developer

shall immediately provide proper soil erosion management techniques including chemical soil binding and re-vegetation of graded pads, or an equivalent technique approved by the Engineering Department staff.

General Construction Conditions:

60. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
61. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
62. All improvements shown on the approved improvement plans, as required by the City Engineer, shall be constructed prior to occupancy of any dwelling. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
63. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the tentative map approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
64. During construction, temporary pedestrian and traffic control devices shall be constructed as deemed necessary by the City Public Works Department staff at locations where construction traffic disrupts normal traffic. Such measures and devices shall include but are not limited to: flagmen, barricades, portable electric traffic signals and street sweeping.
65. All utilities plans (i.e. Edison electrical, telephone, cable, etc.) must be approved by the City Engineer prior to installation.
 - a. No utility access point, manholes, vaults, or air vents shall be located within sidewalks or pedestrian travel ways or within 12” of curb and gutters.
 - b. All utilities shall be installed underground to all lots per Public Utilities Commission requirements. No above Ground utility lines shall be permitted within or adjacent to this subdivision for the utilities servicing this project. All aboveground structures shall be located inside either the City Right-of-Way or a dedicated utility easement and located outside of the pedestrian walkways.
66. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.

67. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
68. Additional Fees required for Building permit Issuance:
 - a. Prior to issuance of any permits to construct any public improvements, the Developer shall pay to the City of Adelanto all applicable fees.
 - b. The Developer shall pay any applicable impact fees that may apply at the time of building permit.
 - c. The Developer shall pay any outstanding assessment district fees due at the time of building permit.
 - d. The Developer shall pay any sewer and water connection fees and buy-in fees outlined in the feasibility study at the time of building permit.
69. The Developer shall obtain all required right-of-way dedications needed for the required improvements prior to final approval of improvement plans, issuance of any permits, and approval of Final Map for each phases of the subdivision and the Developer shall construct and complete all street improvements required for the phase of the subdivision prior to issuance of any building permits for that phase of the subdivision, and as directed by the City Engineer.
70. All buildings in all phases must have two paved points of access (to permit turn around for the Fire Department) and all terminating paved accesses longer than 150 feet must have proper standard fire turn around or as approved by the Fire Department.
71. Pavement transitions meeting Department of Transportation design standards shall be installed by the developer where project street improvements widen or reduce the street widths.
72. Final sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
73. Streets shall not be paved until all underground utilities are installed.
74. There shall be no intersecting street centerlines greater than or less than 90° (+/- 10°) degrees unless otherwise approved by the Engineering Department staff.
75. Pavement structural section shall be designed based on soils tests (R-Value conducted by an acceptable soils testing laboratory) and Traffic Index as approved by the City Engineer.

76. All sidewalks shall have a minimum width of six feet and a minimum unobstructed width of four feet. The location of pedestrian ramps shall be determined in accordance with Federal and State laws at the time of construction and shall meet current Federal, State, and Local Americans with Disabilities Act (A.D.A.) standards. Sidewalks, pedestrian ramps and sidewalk/drive approach connections shall be built to current Federal, State, and Local A.D.A. standards.
77. All curb heights and gutter widths shall be based on requirements as set forth by the Hydrology/Hydraulics Report and approved by the Engineering Department staff.
78. All covers for utility manholes, valves, and vaults shall be adjusted to final grade after final paving.
79. Street asphalt concrete pavement shall be placed in multiple lifts depending on design asphalt thickness with the final lift placed after the Repair & Replace (R&R) and Point & Patch is completed.
80. Prior to the time that lumber is deposited on site for approved construction in a specific phase, all curbs and gutters and pavement shall be completed within that phase area and compaction reports for utility trenches and street base shall be approved. Model complexes are excluded from this condition but are required to provide access and fire flow in a manner as approved by the Fire Department.
81. Sleeves for lighting and landscape purposes will be allowed in the public street right-of-way when necessary, subject to the approval of the Engineering Department staff.
82. Where proposed street improvements are proposed to pave streets where existing or proposed sewer mains are located, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the sewer mains to City Standards, as directed by the City Engineer.
83. All utility tie-ins and other work that disturbs existing public right of way improvements shall be restored per City Encroachment Permit Provisions, or as directed by the Engineering Department staff:
 - a. Any disturbance of pavement newer than 12 months requires the entire area of the disturbed pavement and the entire width of any travel lane disturbed to be cold-planed (grinded down) a tenth of a foot (0.1 feet) and resurfaced with AC, PG 70-10, as directed by the Engineering Department staff.
 - b. All disturbed sections of pavement that is older than 12 months must be trenched according to City Standards, permanently resurfaced using the minimum of the existing AC plus one (1) inch of AC and six (6) inches of Class II base. The resurfaced areas shall remain in place for a minimum of thirty (30) days and a maximum of forty-five (45) days. Then after that period is over, the resurfaced area and the entire width of any travel lane disturbed are to be cold-planed (grinded down) a tenth of a foot (0.1 feet) and resurfaced with AC, PG 70-10, as directed by Engineering Department staff.

- c. Any disturbance of existing concrete work shall be considered reconstruction and must meet current A.D.A. standards. Reconstruction must consist of full concrete saw cut panels, as directed by the Engineering Department staff.

Street Improvement Conditions:

84. Prior to the issuance of any building permits, the following street dedications and improvements shall be completed as required for each phase (deviations shall be approved by the City Engineer):

- a. Offsite street dedications on and north of Holly Road are as follows:

- i. Dedication for street and utility purposes to provide for a Collector half width of fifty-six (56) feet for "Raccoon Road" located along the eastern boundary of this project
- ii. Dedication for street and utility purposes to provide for a Local Collector half width of thirty (30) feet for "Raccoon Court also known as A Street" located along the southern boundary of this project

- b. Offsite street improvements on and north of Holly Road are as follows:

- i. Collectors shall be constructed to half-width of 32 feet of asphalt concrete paving consisting of a minimum of 4 inches of asphalt concrete over 6 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 7.0, whichever is greater, 8 inch concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. This requirement shall apply to the west half of Raccoon Road located along the eastern boundary of this project.
- ii. Local Collectors shall be constructed to half-width of 18 feet of asphalt concrete paving consisting of a minimum of 4 inches of asphalt concrete over 6 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 6.0, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. This requirement shall apply to the north half of Raccoon Court located along the southern boundary of this project.

- c. Onsite street dedications are as follows:

- i. Dedication for street and utility purposes to provide for a street full-width of a Local Street of sixty (60) feet for all interior streets, including cul-de-sacs.
- ii. Cul-de-sac bulbs shall have a right-of-way dedication for street and utility purposes of a 57-foot radius.
- iii. Dedication of corner cut-offs at all street intersections.

- d. Onsite street improvements are as follows:

- i. Internal streets shall be constructed to full width of a Local Street of 36 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt

concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six-foot wide sidewalks as per City Standard 109 Type C.

- ii. Cul-de-sacs shall be constructed of a radius of 45 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six feet wide sidewalks as per City Standard 109 Type C.
85. Improvements may be subject to credits and reimbursements against development impact fees, subject to Federal and State laws, City Municipal Code, City Standards, City Policies, and City Council approval. All Credits and re-imbursements are subject to the review of the City Engineer and shall be consistent with the Transportation background focus study. Credits and re-imbursements shall not exceed the actual verified costs of the construction of the improvements or exceed the costs per unit identified in the background study as adopted by Resolution 06-166. The following sections are subject to credits and reimbursements.
- a. "Super Arterial Street Name" 31 feet of paving on both sides of the centerline.
 - b. "Major Arterial Street Name" 19 feet of paving on both sides of the centerline.
 - c. "Major Collector Street Name" 13' feet of paving on both sides of the centerline.
 - d. Intersection improvements of "Street name and Street Name".

Traffic Safety:

86. The Developer shall be directly and solely responsible developing a plan for the mitigation of impacts related to existing traffic levels plus project traffic prior to recordation of the final map.
- a. In order to mitigate traffic impacts of this project the developer shall perform the following:
 - i. The Developer shall perform a Traffic Impact Analysis for the project in compliance with CALTRANS requirements, and submit the study for review to both CALTRANS (only if required) and the City prior to approval. Once approved the developer will perform the recommended mitigations outlined in the study.
 - ii. The Developer shall pay the City's full Transportation Facility Development Impact Fee and any other street, traffic, or circulation fees that may be in place at the time of building permit issuance as a traffic mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place/in effect at the time of occupancy.
87. Prior to the recordation of the final map, the Developer shall design and construct a street lighting system in accordance with the American National Standard Practice for Roadway Lighting. This lighting system shall utilize LED lamps.

- a. Streetlights shall be energized when installed and maintained by the developer for eighteen (18) months, after which time the developer will proceed with contacting Southern California Edison to transfer maintenance charges to the City of Adelanto.
- b. Street Light Spacing shall be as follows:

Type of Street	Spacing	Lamp Size	Mounting Height
Local Streets	300 ft staggered to each side	LED equivalent of 9,500 HPSV	26 ft Concrete Pole with 6 ft Mast Arm
Super Arterials Major Arterials Major Collectors Local Collectors	150 ft staggered to each side	LED equivalent of 22,000 HPSV	31 ft Concrete Pole with 6 ft Mast Arm

- 88. Street name signs and traffic control devices, including full-width striping and striping transitioning into existing paving of any streets improved by this project, shall be constructed in accordance with the approved plans and designed per the Manual on Uniform Traffic Control Devices and City Standards at the time of improvement construction as directed by the City Engineer at the time of improvement construction. Street names for this project shall be submitted to the Engineering Department for City Council approval.
 - a. All signposts shall be installed with anchors when they are installed into concrete.
 - b. All street name signs shall be installed on 12 inch cap brackets.
 - c. Any sign or post removed by the developer shall be returned to the Street Department undamaged and unmolested.
 - d. All street striping, onsite and offsite, shall be installed by the developer. This includes “STOP” and stop bars at all “STOP” signs, fog lines and any other traffic safety striping that may apply as directed by the Street Department.
 - e. Curbs must be painted red 7.5 feet on each side of center in front of all fire hydrants.
 - f. Curbs must be painted white 7.5 feet on each side of center with 3 minute max stenciled of the curb in front of all mailboxes.
 - g. Each street section shall have a posted speed limit sign as directed by Public Works/Engineering Department staff.

Sewer Improvements:

- 89. Sewage disposal shall be consistent with the projects current Feasibility Study (the City will accept studies within 1 year from the date of Recordation of final map which may be extended 1 additional year) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of building permit.

90. The applicant shall connect the project to the City sewer system and pay all associated fees (connection fee, permit fee, inspection fee, etc.) in compliance with the Adelanto Public Utility Authority. The design shall conform to the City adopted sewer master plan or to requirements of the City Engineer. The sanitary sewer system shall be designed and constructed to collect and convey sewage to the City's Wastewater Treatment Plant.
91. Where new sewer mains are proposed for installation, including along existing paved roads, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the proposed sewer mains to City Standards, as directed by the City Engineer.
 - a. Sewer mains shall be a minimum diameter of 8 inch with PVC pipe and fittings unless otherwise approved by the Engineering Department staff. Service laterals shall be of PVC pipe. No structure shall be occupied until the collection system has been thoroughly cleaned, inspected, tested (leakage and mandrel), and accepted for maintenance by the City Public Works Department staff. All manhole and cleanout covers within paved areas shall be adjusted to finished grades after paving is completed, and shall be accessible during construction as directed by Public Works and Public Utilities staff. All such adjustments shall be done in a manner as to prevent entry of silt and/or debris into the sewer system.
 - b. Compaction test results for trench backfill shall be signed by a licensed civil engineer and submitted to the Engineering Department staff.

Water Improvements:

92. Water service shall be consistent with the current Feasibility Study (city will accept studies within year from the date of Recordation of final map which may be extended 1 additional year) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of building permit.
93. The Developer shall comply with all requirements of the Adelanto Public Utility Authority (APUA).
94. The applicant shall extend APUA water mains to service the project, and shall be responsible for paying all fees associated with said extension, including those fees implemented by Ordinance 4 of the APUA.
95. Water Improvement Design for the project shall conform to the City's adopted Water Master Plan and/or to the requirements of the City Engineer. All required backflow devices shall be installed by the developer.
96. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
97. All fire hydrants, air vacuums and all other above ground water facilities shall be placed within the sidewalk areas while maintaining a clear 4 foot wide pedestrian travel way. Water meter boxes and vaults, valve covers, etc., may be placed within sidewalks or paved areas provided such devices are set flush with finished surfaces as approved by the Engineering Department.

98. A set of water improvement plans shall be submitted to the San Bernardino County Fire Department for comment and review. At the time of the second plan check submittal, water improvement plans with the Fire Departments' corrections incorporated therein shall be submitted to the City Engineer along with the "redline" commented plans from the Fire Department.
99. Fire protection plans shall be designed per the requirements of the Adelanto Fire Marshall. Fire protection shall include but is not limited to:
 - b. Fire hydrants shall be spaced no more than 300 feet apart.
 - c. Fire hydrants shall be set to a level for "safe break away" and easy access, per the Water Department.
 - d. Blue dot identification on final pavement will be required for all hydrants installed.

Drainage Improvements:

100. The Developer shall prepare a hydrology and hydraulic calculations report to demonstrate that the post development flows proposed to be discharged into and through existing or any other storm drainage facilities do not exceed the maximum flows for which said facilities are designed. This shall be subject to review and approval of the City Engineer. The Hydrology and comprehensive drainage plan must be prepared by a licensed civil engineer to the satisfaction of the City Engineer and the Hydrology Report shall identify offsite flows that impact the proposed development and identify the increased onsite runoff flows. The Study shall address how the proposed development shall accept offsite flows that impact the proposed development and demonstrate how the proposed development will safely pass through the offsite flows while protecting the proposed development and maintaining to all-weather paved points of access to the community. Also, the Study shall demonstrate the how the proposed development will reduce the increased onsite post-development runoff to less than 90% of pre-developed drainage runoff flows. This study shall substantially conform to the accepted Adelanto Master Plan of Drainage and correlate with the submitted improvement plans. This study shall be engineered using County of San Bernardino Flood Control methodologies and included calculations, maps, diagrams and a written conclusion that contains recommendation of how offsite flows and increased onsite runoff shall be mitigated.
 - a. The Subdivider and Developer shall be responsible for obtaining all necessary permits and permissions from the department of Fish and Game and the Army Corps of Engineers and from any other regulatory agency for the alterations to any of the watercourses that are impacted by the proposed development.
 - b. All finished building floor elevations shall be 2.0 feet higher than the 100 year base flood elevations.
101. Storm flows may be conveyed in street sections to the extent that right-of-way limits shall accommodate a 100-year storm to a depth less than 0.7 feet deep from the flow line to provide all-weather emergency ingress and egress. If storm flows cannot be adequately conveyed by street sections, underground storm drains and other mitigation measures

shall be provided as recommended in the Hydrology/Hydraulics Report and approved by the City Engineer.

102. Prior to construction of any improvements or prior to any land disturbance, the Developer shall construct temporary drainage facilities and establish erosion control practices as necessary to minimize storm runoff and erosion and silt deposition. All construction storm drains, catch basins, the storm water runoff structures shall be provided with adequate capabilities to filter and retain sediment, grit, oil and grease to prevent pollution in storm water runoff, in compliance with the State Water Board Best Management Practices. The Developer shall obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activities, as directed by the California Water Resources Control Board and approved by the Engineering Department staff. During construction, all NPDES guidelines will be in full force and all Best Management Practices (BMP) shall be followed. For grading of areas greater than 1 acre, a full Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for review and approval by the Regional Water Quality Control Board.
103. The Developer shall provide adequate mitigation for storm drainage to avoid concentrating or increasing offsite flows, subject to review and approval by City Engineer.
 - a. In order to mitigate drainage flows that impact a tentative tract map, one of the following shall be performed prior to the approval of the improvement plans and prior to approval for map recordation and prior to the issuance to any permits:
 - i. Consistent with County Flood Control Standards, drainage systems shall be designed so that post-development drainage leaving the project is not greater than 90% of pre-development flows.
 1. The Developer shall install a detention basin capable of detaining the on-site flows to a level that is 90% of pre-developed levels for a minimum 100-year storm, subject to the review and approval by the City Engineer.
 2. Any properties used for drainage facilities shall be dedicated to the city for drainage uses or have an easement on it for drainage uses.
 3. Detention Basins shall be fully landscaped around surrounding street frontages.
 4. Detention Basins shall be fully enclosed in City Code compliant fencing.
 5. The Retention Basins shall have dry-wells at the inlets and outlets capable of percolating the accumulated storm water.
104. In order to mitigate the drainage impacts of this project the developer shall perform the following:
 - a. The Developer shall pay the City's full Drainage Facility Development Impact Fee and any other Drainage fees that may be in place at the time of building permit

issuance as a Drainage mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place at the time of occupancy.

105. All nuisance drainage must be conveyed across roads designated as Major Collectors or greater, via subsurface conveyance. This includes, but is not limited to, storm water drainage flows:

a. "name affected street"

106. Onsite Improvements:

- a. All finished pad elevations shall be 1.0 feet higher than all adjacent frontage street elevations, or 0.5 feet higher the top of adjacent curb.
- b. All lots shall be designed and graded to drain to fronting streets. No lot shall drain onto any property adjacent to the project. Lots shall be protected from storm runoff as approved by the Engineering Department staff.
- c. All lots shall be provided with driveway approaches per City Standard Drawings. Sewer and water service pipelines shall be placed outside of driveway areas unless otherwise approved by the Engineering Department staff.
- d. The tops of all cut slopes shall be in conformance to City Standards per the City Engineer. Retaining walls shall be utilized where required by the Engineering Department staff to ensure that unusable and non-visible slopes are not created at the sides or rear of any lot, and that there is a "flat" area in all side yards per City Standards.

107. Park and Landscaping:

- a. Prior to the grading permit for any phase of development, the Developer shall prepare final improvement plans for the landscaping and irrigation of parks, landscaped areas, and all open spaces. Said plans shall be prepared by a California licensed Landscape Architect and shall be subject to the review and approval of the Engineering and Planning Department staff.
- b. In order to mitigate impacts to City parks and services under the California Environmental Quality Act, the developer shall do the following:
 - i. Pay the equivalent value of the land and improvements to the City to be used to develop a park in the vicinity; paying full Park Impact Fees shall meet this requirement.
- c. Developer shall construct a six (6) foot high decorative masonry block perimeter walls (measured from the highest of the adjacent sides) as specified below and consistent with Planning Department requirements:

- I. The length of the project site along rear and side yards along “Directional” project boundary along the entire length of “Street Name Street” from “street Name” to “street name street”.
- d. Developer shall annex, and pay all fees associated with annexation, all landscaping, lighting and detention/retention areas in to the City’ Light and Landscaping Maintenance District. As a condition of building permit issuance, the developer shall pay to the City the pro-rata per lot share equivalent of twelve months maintenance costs of landscaping as determined by the City.
- e. If, due to design constraints, the masonry block perimeter wall is behind a property line and part of any lot is between the perimeter wall and the sidewalk, the developer shall offer for dedication said land as a landscape dedication to the City of Adelanto.
- f. A minimum five (5) foot irrigated landscape easement shall be provided between the edge of the sidewalk and the perimeter wall on all surrounding streets.
 - i. Landscaping shall be at the rate of one (1) tree and six (6) shrubs per 30 linear feet plus such vegetative cover necessary to cover a minimum of forty (40) percent of the total area with shrubs and ground cover.
 - ii. Turf is prohibited within public rights-of-way.
 - iii. Irrigation shall be designed to minimize maintenance and water consumption.
 - iv. All slopes over three feet in height shall be fully landscaped and irrigated.
- g. All easements and dedicated Right-of-Way land between the sidewalk and the perimeter masonry wall of the development shall be planted with drought tolerant vegetation and irrigation installed, as approved by Engineering or Planning Department. Said landscape easement and landscaped area shall be maintained by the developer. The landscaped area will there after be the responsibility of the City upon final acceptance. All sidewalks adjacent to landscaping areas shall have a 6-inch garden curb at the back of the sidewalk between the landscaped area and the sidewalk to prevent runoff across sidewalk.
 - i. All plant spacing shall be approved by the Engineering Department and Title 17.
 - ii. Landscaping and perimeter wall shall be separately bonded for.
 - iii. The following areas shall be fully landscaped and irrigated per this condition and City Code and Standards and annexed in to the City’s Landscaping Maintenance District:
 - v. The area between the decorative masonry block wall and the sidewalk the entire length of “street name street” from “street name street” to Street Name Street”.

- vi. The perimeter of the detention basins shall be fully landscaped and shall be fully enclosed in City Code compliant fencing.

ENGINEERING DEPARTMENT

General Conditions:

108. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
109. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
110. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.
111. All improvements as required by the City Engineer, shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
112. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
113. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
114. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer’s authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
115. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.

116. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
117. The following site specific improvements shall be completed:
- a. Onsite improvements are as follows:
 - i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements are as follows:
 - i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. **OR** The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.
118. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
119. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
120. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

See attached Building and Safety Conditions

FIRE DEPARTMENT

See attached Fire Department Conditions

BUILDING AND SAFETY DIVISION, CUP 16-01

- BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with City Ordinance No._____.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10 a dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11 Page two of the submitted building plans will be the conditions of approval
- BC12 Construction must comply with 2013 California Building Codes including the California Green Building Code
- BC13 Best Managements Practices (BMP's) are required for the site during construction
- BC14 Cover sheet to include deferred submittals, Construction Type and material quantities for determination of occupancy.

**SAN BERNARDINO COUNTY
FIRE DEPARTMENT**



**COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP**

**OFFICE OF THE FIRE MARSHAL
COMMUNITY SAFETY DIVISION
15900 Smoke Tree Street, 1st Floor, STE 131
Hesperia, CA. 92345
(760) 995-8190 - Fax (760) 995-8205**

**MARK A. HARTWIG
Fire Chief**

DATE: March 25, 2016

EXPIRATION: March 2017

**PONTIOUS ARCHITECTURE FORGENEX TRADING
MICHAEL PONTIOS
18343 HWY 18, STE 5**

**PERMIT NUMBER: F201600305
PROJECT NUMBER: 16-01
LOCATION: RACCOON AVE & RANCHO RD
PROJECT TYPE: CUP
OCCUPANCY TYPE: F1
APN: 0459-681-17-0000
PROPOSAL: Construct a 9,900 sq. ft. concrete tilt up for indoor cultivation.
PLANNER: De Manincor**

Dear Applicant:

With respect to the conditions of approval regarding the above referenced project, the San Bernardino County Fire Department requires the following fire protection measures to be provided in accordance with applicable local ordinances, codes, and/or recognized fire protection standards.

The *Fire Conditions Attachment* of this document sets forth the *FIRE CONDITIONS* and *STANDARDS* which are applied to this project.

FIRE CONDITIONS: All FIRE CONDITIONS FOR THIS PROJECT ARE ATTACHED

Page 1 of 6

Sincerely,

A handwritten signature in black ink, appearing to read "C. Markloff", with a date "3/25/16" written below it.

**Curtis Markloff, Fire Prevention Specialist
San Bernardino County Fire Department
North Desert Division Community Safety Division
Duty, Honor, Community**

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-01
PERMIT NUMBER: F201600305
LOCATION: RACCOON AVE & RANCHO RD

PARCEL: 0459-681-17-0000



CONDITIONS

Cond: EXPNOTE

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 with 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.

Cond: F01

Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F01]

Cond: F01A

Additional Requirements. In addition to the Fire requirements stated herein, other on site and 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. [F01A]

Cond: F03

Inspection by 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 "fire final". [F03]

Cond: F05

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. [F05]

Cond: F05B

Fire Flow Test. Your submittal did not include a flow test report to establish whether the public

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-01
PERMIT NUMBER: F201600305
LOCATION: RACCOON AVE & RANCHO RD

PARCEL: 0459-681-17-0000



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. [F05B]

Cond: CON0034802

Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400. This fee is in addition to fire fees that are paid to the City of Adelanto. [F40]

Cond: CON0034803

Access. The development shall have a minimum of 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.

Multi-Story Road Access Width:

Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]

Cond: F42

Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]

Cond: F43

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 [F43]

Cond: F44

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

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-01
PERMIT NUMBER: F201600305
LOCATION: RACCOON AVE & RANCHO RD
PARCEL: 0459-681-17-0000



topcoat of asphalt does not have to be installed until final inspection and occupancy. [F44]

Cond: F45

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 [F45]

Cond: F52

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 [F52]

Cond: F54

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]

Cond: F58

Sprinkler Installation Letter. The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation. [F58]

Cond: F59

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 manufacturer'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 [F59]

Cond: F59A

Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-01
PERMIT NUMBER: F201600305
LOCATION: RACCOON AVE & RANCHO RD
PARCEL: 0459-681-17-0000



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]

Cond: F62A

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]

Cond: F72

Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]

Cond: F80

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]

Cond: F82

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]

Cond: F88

Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

Cond: F93

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

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-01
PERMIT NUMBER: F201600305
LOCATION: RACCOON AVE & RANCHO RD



installed on public/private roads in accordance with the approved plan. Standard 901.4 [F93]

Cond: F94

Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8400 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

[F94]

Cond: F95

Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan. Standard 704. [F95]

**CITY OF ADELANTO
DEVELOPMENT SERVICES DEPARTMENT
Notice of Exemption**

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway
Adelanto, CA 92301

Project Title: **Location and Development Plan 16-01, Conditional Use Permit 16-01 and Minor Variance 16-01.**

Description of Project: Construct and operate a 9,900 square foot Medical Marijuana Cultivation facility on a 0.78 acre site in the Manufacturing/Industrial Zone in Industrial Park 2.

Project Location: West side of Raccoon Avenue between Yucca Road and Rancho Road, City of Adelanto, County of San Bernardino

Project Proponent: Pontious Architecture for Genex Trading.
Attn: Michael Pontious
18343 HWY 18, Suite 5
Apple Valley, CA 92307

Reasons why project is exempt:

The project is exempt per Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the project is covered under the EIR for Industrial Park III.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 32 (Section Number 15332)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section Number 15162

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 x.3001

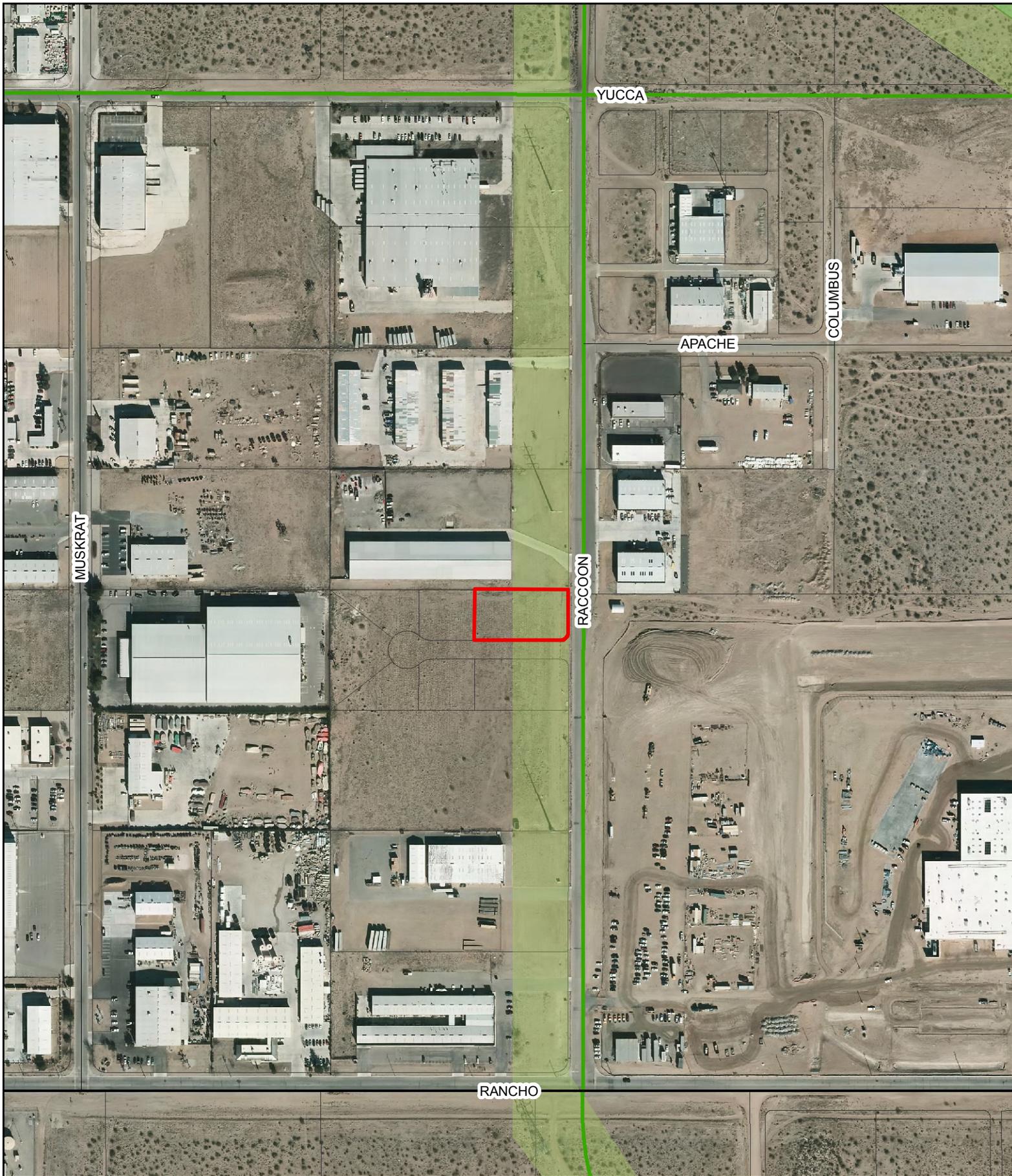
Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

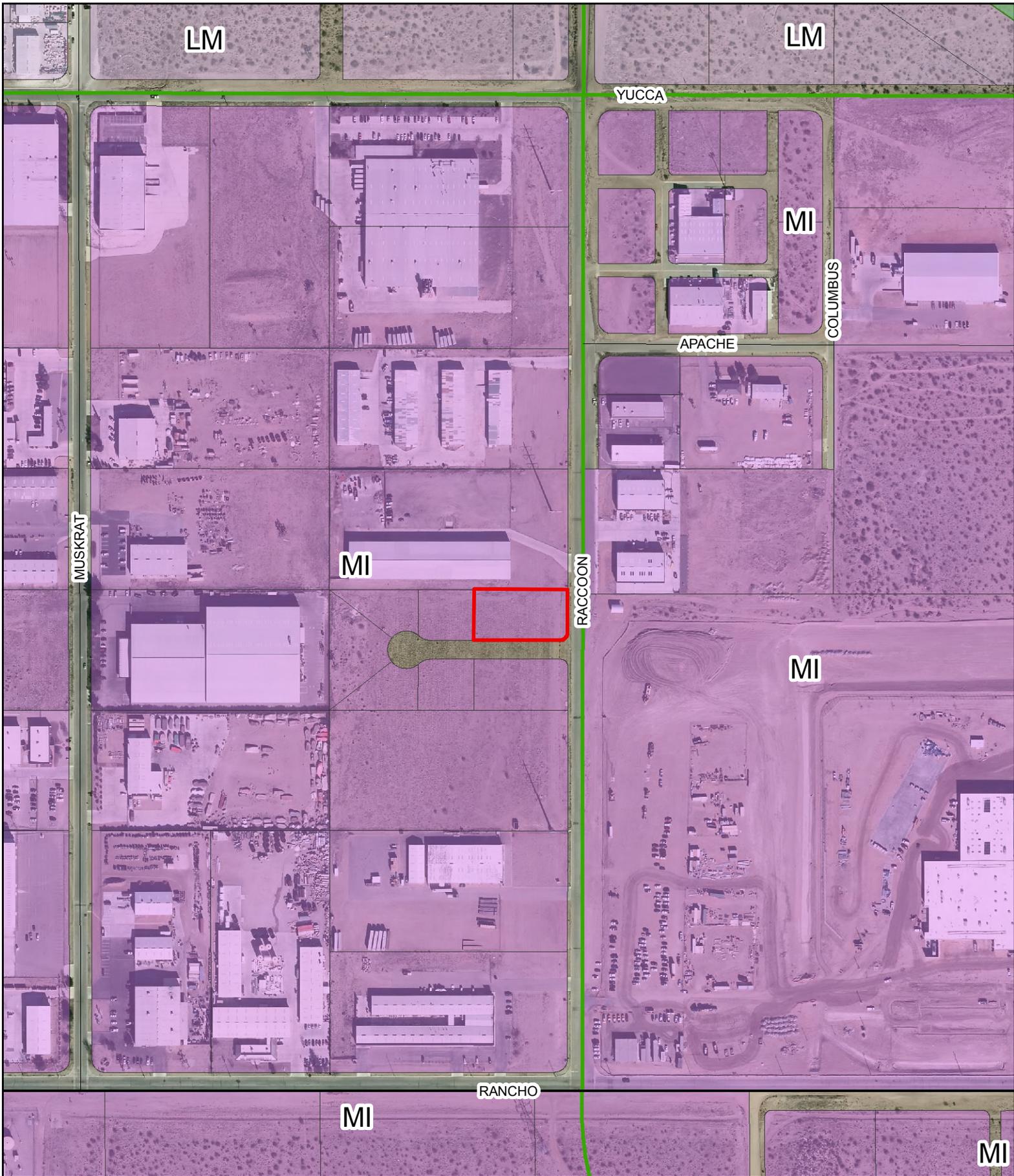
SIGNATURE/TITLE



CUP 16-01
Genex Trading
Aerial Exhibit



1 in = 330 feet



LM

LM

YUCCA

MI

COLUMBUS

APACHE

MUSKRAT

MI

RACCOON

MI

RANCHO

MI

MI



CUP 16-01 Genex Trading Zoning Exhibit



1 in = 330 feet

PROJECT DATA:

OWNER
 GENEX TRADING INC.
 DAVID ABOVIAN
 2310 N. FAIRVIEW STREET #206
 BURBANK, CA 91504

ARCHITECT
 MICHAEL PONTIUS, AIA
 PONTIUS ARCHITECTURE
 18343 HWY. 18, SUITE 5
 APPLE VALLEY, CA 92307
 (760) 242-5100

ADDRESS
 RACCOON AVE.
 ADELANTO, CA 92301

LEGAL DESCRIPTION
 APN: 0459-681-17
 Parcel 1 OF PM. 15626

PROJECT STATISTICS:

USE:	HEMP PRODUCTS
ZONE:	INDUSTRIAL
OCCUPANCY TYPE:	F1
CONSTRUCTION TYPE:	5B SPRINKLERED
PARKING REQUIRED:	20 SPACES
PARKING PROVIDED:	20 SPACES (INCLUSIVE OF 1 HDCCP. SPACE)
BUILDING HEIGHT:	20'-28"
LAND AREA:	0.78 ac (33,927 SQFT.)
BUILDING AREA:	9,900 SQFT.
BUILDING COVERAGE:	29%
PAVING AREA:	8,325 SQFT.
BUILDING COVERAGE:	25%
LANDSCAPE AREA:	5,012 SQFT.
LANDSCAPE COVERAGE:	14%
UNDEVELOPED AREA:	10,740 SQFT.
UNDEVELOPED COVERAGE:	32%

SITE LEGEND

- TOWN APPROVED CONCRETE DRIVE APPROACH.
- NEW CONCRETE SIDEWALK PER CITY STANDARD.
- NOT USED.
- PROPOSED FIRE HYDRANT
- NEW CONCRETE CURB AND GUTTER PER CITY STANDARD.
- PROPOSED DOUBLE DETECTOR CHECK VALVE PER CITY STD.
- TOW-AWAY SIGN PER CBC 11B-502.8 / 11B-502.8.1 / 11B-502.8.2
- PEDESTRIAN CONCRETE RAMP. SEE SHEET A-003 FOR DETAILS.
- ADA PARKING SIGN. SEE SHEET A-003 FOR DETAILS.
- PLANTING AREA WITH 100% IRRIGATION COVERAGE.
- LOADING ZONE.
- STAMPED COLORED CONCRETE
- PAINTED SYMBOL OVER ASPHALT. SEE SHEET A-003 FOR DETAILS.
- PARKING STALL STRIPING PER CITY STANDARD. SEE SHEET A-003
- 15' TALL PARKING LOT LIGHT STANDARD.
- 6" WIDE X 6" HIGH CONCRETE CURB PER CITY STANDARD.
- INGRESS AND EGRESS DIRECTIONAL ARROWS PER CITY STANDARD.
- MIN. 48" PEDESTRIAN ACCESS ROUTE.
- 8' OR 5' MIN. WIDE ACCESSIBLE UNLOADING AREA - STRIPPED. NO PARKING PAINTED PER CBC 11B-502.3.3
- 4' AC PAVING OVER COMPACTED NATIVE PER SOILS REPORT.
- CONCRETE WALK W/BROOM FINISH.
- PROPOSED FDC/P.I.V. PER FIRE DEPT. STANDARDS.
- 48" LONG CONCRETE WHEEL STOP - TYPICAL.
- TRASH ENCLOSURE WITH TRELIS PER CITY STANDARD 24.3 - EXTERIOR FINISHED TO MATCH BUILDING. SEE DETAIL SHEET A-002 FOR DETAILS.
- TRUNCATED DOMES PER CBC 11B-705.1.2.5
- UNDEVELOPED AREA.

ACCESSIBILITY NOTE:

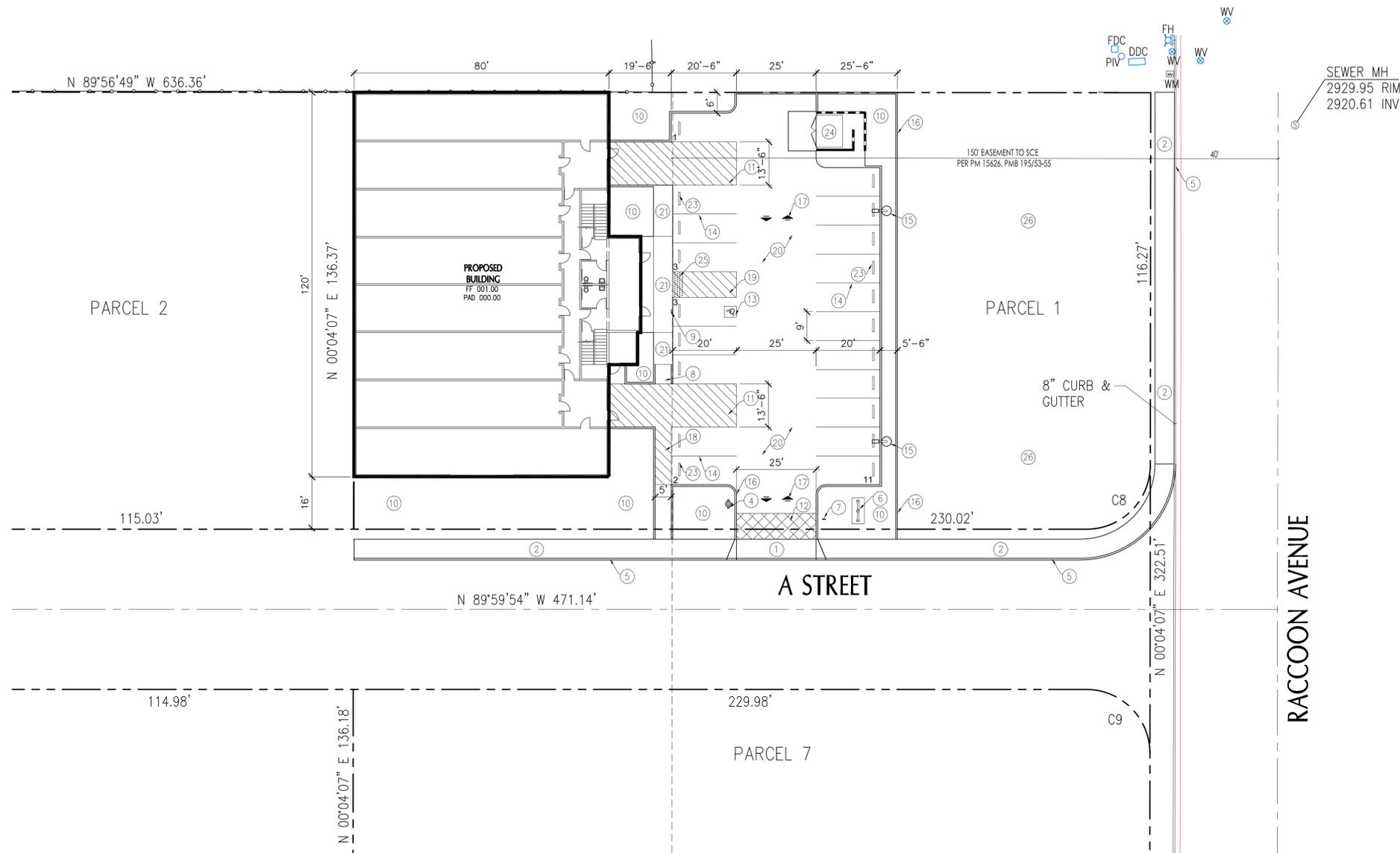
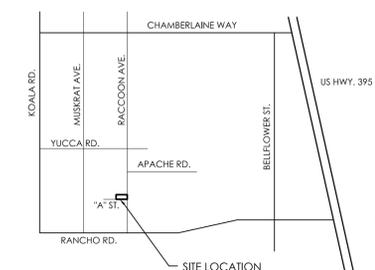
11B-502.3.3 MARKING: ACCESS AISLES SHALL BE MARKED WITH A BLUE PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BLUE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE AISLE SURFACE, PREFERABLY BLUE OR WHITE. THE WORDS "NO PARKING" SHALL BE PAINTED ON THE SURFACE WITHIN EACH ACCESS AISLE IN WHITE LETTERS A MINIMUM OF 12 INCHES IN HEIGHT AND LOCATED TO BE VISIBLE FROM THE ADJACENT VEHICULAR WAY. ACCESS AISLE MARKINGS MAY EXTEND BEYOND THE MINIMUM REQUIRED LENGTH.

11B-502.4 FLOOR OR GROUND SURFACES: PARKING SPACES AND ACCESS AISLES SERVING THEM SHALL COMPLY WITH SECTION 11B-502. ACCESS AISLES SHALL BE AT THE SAME LEVEL AS THE PARKING SPACES THEY SERVE. CHANGES IN LEVEL ARE NOT PERMITTED. SLOPES NOT STEEPER THAN 1:48 SHALL BE PERMITTED.

11B-502.6.3 LOCATION: A PARKING SPACE IDENTIFICATION SIGN SHALL BE VISIBLE FROM EACH PARKING SPACE. SIGNS SHALL BE PERMANENTLY POSTED EITHER IMMEDIATELY ADJACENT TO THE PARKING SPACE OR WITHIN THE PROJECTED PARKING SPACE WIDTH AT THE HEAD END OF THE PARKING SPACE. SIGNS MAY ALSO BE PERMANENTLY POSTED ON A WALL AT THE INTERIOR END OF THE PARKING SPACE.

11B-705.1.2.5 HAZARDOUS VEHICULAR AREAS: DETECTABLE WARNINGS AT HAZARDOUS VEHICULAR AREAS SHALL BE 36 INCHES IN WIDTH.

VICINITY MAP



SITE PLAN

SCALE: 1"=20'-0"



UTILITIES

ELECTRICITY: SOUTHERN CALIFORNIA EDISON CO.
 12353 HESPERIA ROAD
 VICTORVILLE, CA 92392
 (800) 442-4950

GAS: SOUTHWEST GAS CO.
 13471 MARIPOSA ROAD
 VICTORVILLE, CA 92392
 (760) 241-9321

TELEPHONE: VERIZON
 15168 LA PAZ ROAD
 VICTORVILLE, CA 92392
 (800) 772-5153

WATER: ADELANTO WATER DEPARTMENT
 11600 AIR EXPRESSWAY
 ADELANTO, CA 92301
 (760) 246-2300

APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE
 2013 CALIFORNIA MECHANICAL CODE
 2013 CALIFORNIA ELECTRICAL CODE
 2013 CALIFORNIA PLUMBING CODE
 2013 CALIFORNIA FIRE CODE
 2012 ENERGY CODE
 2013 CALIFORNIA GREEN CODE

TITLE 24-CA-STATE ACCESSIBILITY STANDARDS
 ALL CURRENT LOCAL BUILDING CODES AND ALL
 CURRENT STATE & FEDERAL
 ACCESSIBILITY STANDARDS.

NOTE:

ARCHITECTURAL SITE DRAWINGS ARE FOR REFERENCE ONLY. REFER TO CIVIL DRAWINGS FOR VERIFICATION BEFORE CONSTRUCTION BEGINS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND/OR CIVIL ENGINEER.

UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND SHOULD BE VARIFIED BEFORE CONSTRUCTION BEGINS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND/OR CIVIL ENGINEER.

THESE DRAWINGS CONTAIN GENERAL INFORMATION ABOUT THE CONFIGURATION OF THE EXISTING BUILDING AND ITS CONSTRUCTION. THEY HAVE BEEN MADE USING DIRECT OBSERVATION OF THE CONDITIONS. HOWEVER, THEY ARE NOT AS-BUILT DRAWINGS.

ACCESSIBILITY NOTE:

SEE SHEET A-003 FOR ADA SITE DETAILS AND A-004 FOR ACCESSIBILITY PATH OF TRAVEL

NOTE:

LIGHTING FIXTURES THROUGHOUT THE SITE SHALL BE A TYPE AND LOCATED IN SUCH A MANNER THAT NO LIGHT OR REFLECTED GLARE IS DIRECTED OFF-SITE AND NO LIGHT IS DIRECTED ABOVE A HORIZONTAL PLANE PASSING THROUGH THE BOTTOM OF THE FIXTURE. ALL GLARE SHALL BE DIRECTED ONTO THE SITE AND AWAY FROM ADJACENT PROPERTIES AND STREETS.



PONTIUS ARCHITECTURE

MICHAEL PONTIUS AIA
 18355 HWY 18, STE. E
 APPLE VALLEY, CA 92307

OFFICE: 760-242-5100
 FAX: 760-242-4600

www.pontiusarc.com



GENEX TRADING INC.
 AGRICULTURAL BUILDING LOT #1
 ADELANTO, CA

CLIENT:

DRAWING TITLE:
SITE PLAN

CONSULTANT:

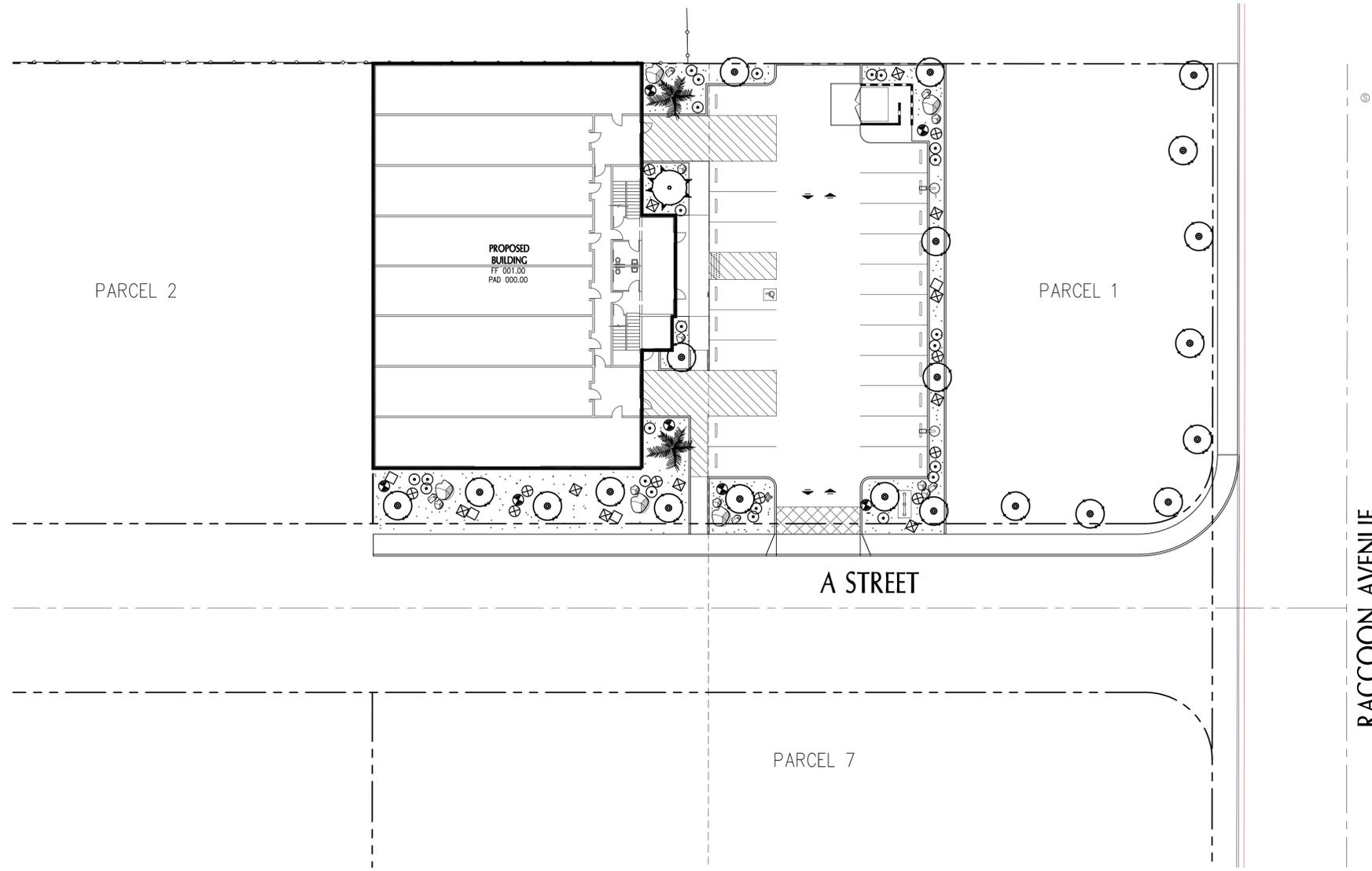
REVISIONS:	DATE	ITEM

DATE: 1-06-16

JOB NO: A12-12142015

SHEET NO:

A1



SHRUB PLANTING LEGEND *NOT ALL ITEMS ON LEDGER ARE USED

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
○	ROSMARINUS PROSTRATUS	DWARF ROSEMARY	1 GAL. / 36" O.C.
⊕	RHUS OVATA	SUGAR BUSH	5 GAL. / PER PLAN
⊙	FESTUCA OVINA GLAUCA	BLUE FESCUE	1 GAL. / 36" O.C.
⊖	ARTEMISIA "POWIS CASTLE"	POWIS CASTLE SAGE	1 GAL. / 36" O.C.
⊕	CAESALPINIA GILLIESII	BIRD OF PARADISE BUSH	5 GAL. / PER PLAN
⊗	PHOTINIA FRASERI	ROSACEAE	5 GAL. / 60" O.C.
◇	HESPERALOE PARVIFOLIA	RED YUCCA	1 GAL. / 36" O.C.
⊕	SIMMONDSIA CHINENSIS	JOJOBA	1 GAL. / 36" O.C.

TREE PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	SEE PLAN
	CERCIDIUM FLORIDUM	BLUE PALO VERDE	24" BOX
	PROSOPIS CHILENSIS	CHILEAN MESQUITE	24" BOX

ROCK LEGEND

	1/2" GRAVEL TO BE PLACED IN ALL PLANTERS - 2" DEEP
	BOULDER 2.5' MIN.

SITE PLAN
SCALE: 1"=20'-0"
NORTH

LANDSCAPE GENERAL NOTES

- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FULL AND COMPLETE IRRIGATION COVERAGE OF ALL LANDSCAPE AREAS, AND SHALL MAKE MINOR ADJUSTMENTS AS REQUIRED AS SITE CONDITIONS DICTATE.
- IRRIGATION SLEEVING UNDER ASPHALT OR CONCRETE AREAS SHALL BE PROVIDED AND INSTALLED BY LANDSCAPE CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL MAINTAIN LANDSCAPING AND IRRIGATION SYSTEM FOR A PERIOD OF 90 DAYS. SAID TIME PERIOD SHALL BEGIN AT TIME OF CERTIFICATE OF OCCUPANCY.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING ITEMS:
LABOR, MATERIAL, EQUIPMENT
TRENCHING/BACKFILLING
AUTOMATIC IRRIGATION CONTROL SYSTEM
AUTOMATIC IRRIGATION SYSTEM COMPLETE
TESTING OF ALL LANDSCAPE RELATED SYSTEMS
CLEAN/UP/HAULAWAY
AS BUILT DRAWINGS
ZONE VALVE CONTROL DIAGRAM
MATERIAL PROTECTION DURING CONSTRUCTION
MOWSTRIPS AND OTHER APPROVED EDGINGS PER PLAN.
CONFORMANCE WITH LOCAL BUILDING ORDINANCES.
- ANY DISCREPANCIES IN THESE DRAWINGS SHALL BE BROUGHT TO THE DESIGNERS ATTENTION PRIOR TO CONSTRUCTION.

TREE NOTES

- PIT SIZE: TWICE AS WIDE AS ROOTBALL.
- PLANTING DEPTH: TOP OF ROOTBALL 1" ABOVE FINISHED GRADE.
- BACKFILL MATERIAL: 50% NATIVE SOIL AND 50% SOIL AMENDMENT, WHICH SHALL BE 90% BARK-BASED PRODUCT, 0-1/4" SIZE, TREATED WITH NITROGEN, 1/2-0-0. CROWN FIRM TO REDUCE SETTLING.
- PLANTING TABLETS: 7 GRAM GRO-POWER PLANTING TABS. USE (9) FOR 5 GAL., (15) FOR 15 GAL., (16) FOR 24" BOX AND (20) FOR 36" BOX.
- EARTH BASIN: DIAMETER 12" LARGER THAN ROOTBALL (EXCEPT LAWN AREAS).
- MULCH/GROUND COVER: UNTREATED 90% BARK-BASED PRODUCT, 1/4" - 5/8" SIZE, COMMONLY KNOWN AS PATHWAY OR MINIATURE BARK. INSTALL BARK TO A DEPTH OF 2" WHERE DESIGNATED AS GROUND COVER.
- VITAMIN B-1: SUPERTHRIVE LIQUINOX START OR EQUAL. APPLY AS PER MANUFACTURERS RECOMMENDATIONS DURING THE SECOND WATERING OF THE BASINS.
- STAKES: 2" X 2" X 8' REDWOOD.
- STAKING HEIGHT: SUFFICIENT TO SUPPORT TRUNK IN VERTICAL, UNBENDING POSITION WHEN SECURED WITH CABLE TIES.
- CABLE TIES: 1/16" X 1/8" PLASTIC COATED CABLE, LENGTH AS REQUIRED. CABLE SHALL BE INSET THROUGH 8" LONG HOSE SECTION AND PLACED AROUND TREE TRUNK.

DESIGN INTENT
DESIGN AND SPECIFICATIONS ARE INTENDED TO MATCH THE FINISHES AND COLORS OF THE EXISTING BUILDING LOCATED TO THE SOUTH. GENERAL CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VERIFY SELECTIONS SHOWN AND NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION. INCLUDING, BUT NOT LIMITED TO: DRYWALL/EXTERIOR PLASTER FINISHES, LIGHT FIXTURES, DOORS AND FRAMES, STOREFRONT FINISH, FINISH FLOORING, CONCRETE FLATWORK, FREE FORM LOW WALL AND LANDSCAPING.

LANDSCAPE NOTE
ALL AREAS NOT COVERED WITH SOD OR PLANTING SHALL RECEIVE 1/4" GRAVEL. COLOR TO REFLECT NATURAL LANDSCAPE (SAND COLOR).

LANDSCAPE REQUIREMENTS
ALL COMMON OPEN SPACE SHALL BE LANDSCAPED. ALL LANDSCAPING AND IRRIGATION SHALL CONFORM TO CITY APPROVED DESIGN STANDARDS.

TOTAL LANDSCAPE AREA:

PLANT SPACING CRITERIA
MAX. SPACING OF ALL PLANTS SHALL BE AS INDICATED BELOW

ONE GALLON PLANTS	=	3'-0" O.C.
FIVE GALLON PLANTS	=	5'-0" O.C.
GROUND COVER	=	18" O.C.

THE SPACING CRITERIA SHALL SUPERSEDE THE NUMBER OF PLANTS INDICATED IN THE PLANT LEGEND AND SHOWN GRAPHICALLY ON THE PLAN.

SHRUB NOTES

- SEE TYPICAL TREE NOTES # 1,2,3,5,6 & 7.
- PLANT TABLETS: 7 GRAM GRO-POWER PLANTING TABLETS. USE (3) FOR 1 GAL., (8) FOR 5 GAL.



PONTIOUS ARCHITECTURE
MICHAEL PONTIOUS AIA
18355 HWY 18, STE. E
APPLE VALLEY, CA 92307
OFFICE: 760-242-5100
FAX: 760-242-4600
www.pontiousarc.com



GENEX TRADING INC.
AGRICULTURAL BUILDING LOT #1
ADELANTO, CA

CLIENT:
LANDSCAPE PLAN

CONSULTANT:

REVISIONS:	ITEM
Date	
DATE:	1-06-16
JOB NO:	A12-12142015

SHEET NO:
L1



PONTIOUS ARCHITECTURE

MICHAEL PONTIOUS AIA
18355 HWY 18, STE. E
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www.pontiousarc.com



CLIENT: **GENEX TRADING INC.**
AGRICULTURAL BUILDING LOT # 1
ADELANTO, CA

CLIENT:

DRAWING TITLE: **FLOOR PLAN**

DRAWING TITLE:

CONSULTANT:

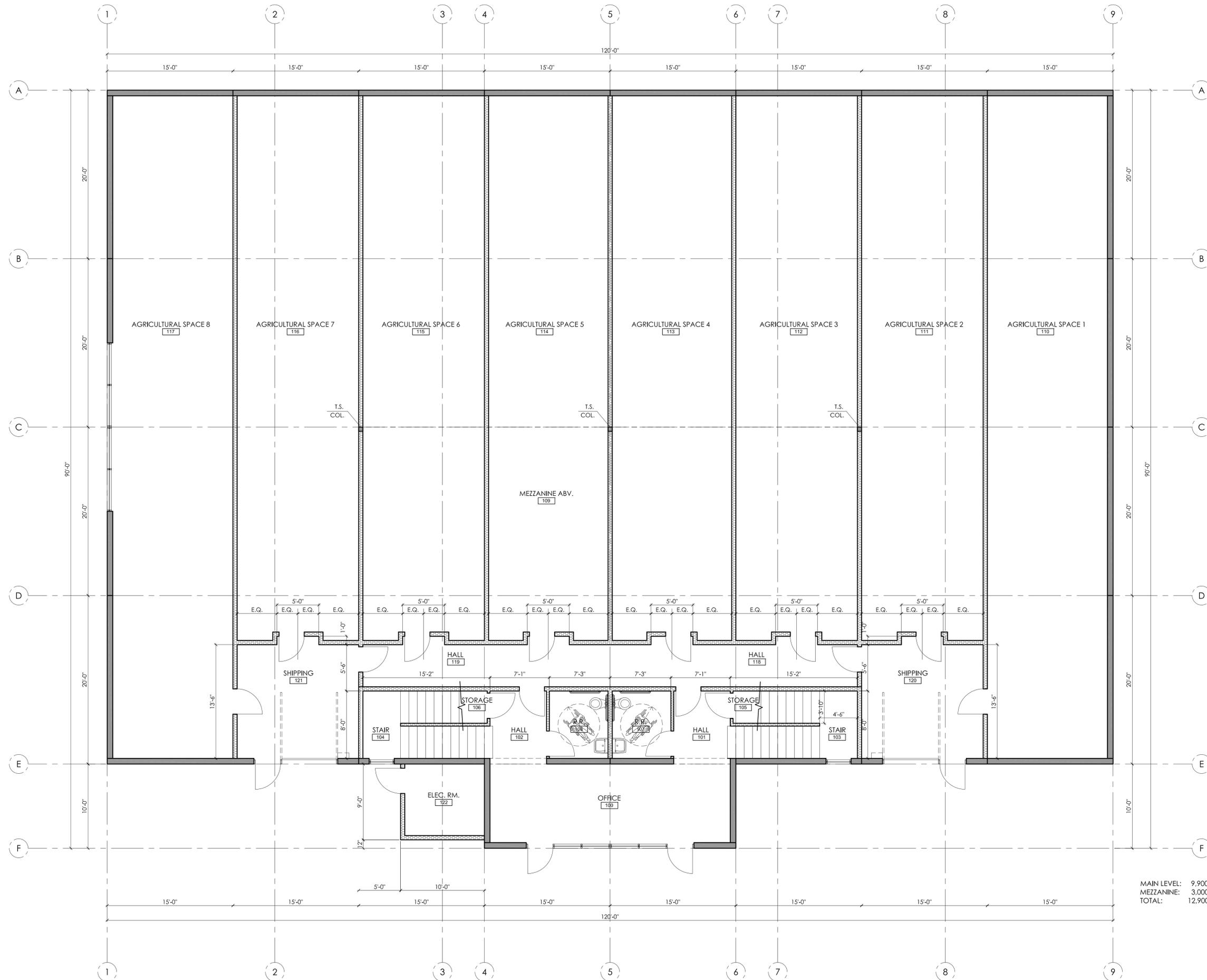
REVISIONS:	ITEM
Date	

DATE: 1-06-16

JOB NO: A12-12142015

SHEET NO:

A2



MAIN LEVEL: 9,900 SQFT.
MEZZANINE: 3,000 SQFT.
TOTAL: 12,900 SQFT.

FLOOR PLAN

SCALE: 3/16"=1'-0"





PONTIOUS ARCHITECTURE

MICHAEL PONTIOUS AIA
18355 HWY 18, STE. E
APPLE VALLEY, CA 92307
OFFICE: 760-242-5100
FAX: 760-242-4600

www.pontiousarc.com



GENEX TRADING INC.
AGRICULTURAL BUILDING LOT #1
ADELANTO, CA

CLIENT:

DRAWING TITLE:
ELEVATIONS

CONSULTANT:

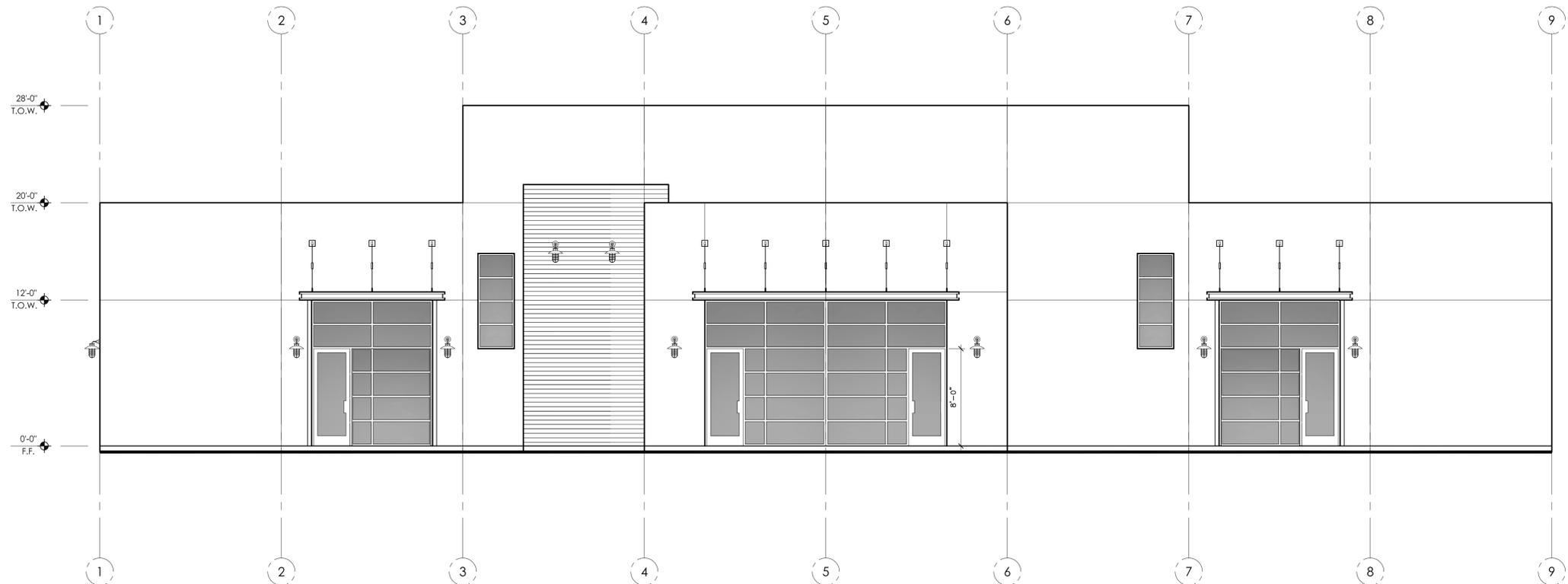
REVISIONS:	ITEM
Date	

DATE: 1-06-16

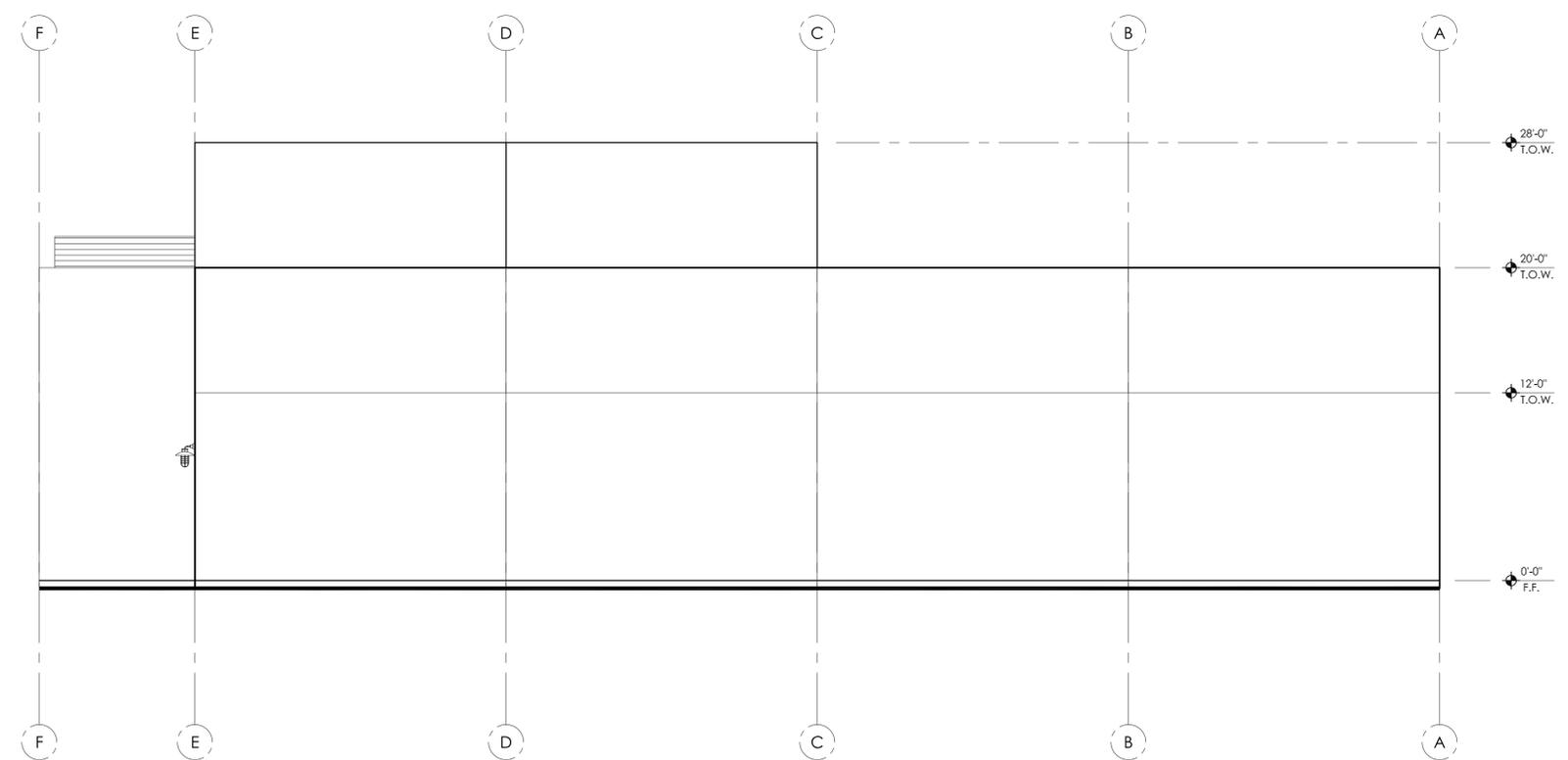
JOB NO: A12-12142015

SHEET NO:

A3



FRONT ELEVATION SCALE: 3/16"=1'-0"



LEFT ELEVATION SCALE: 3/16"=1'-0"



PONTIOUS ARCHITECTURE

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18355 HWY 18, STE. E
APPLE VALLEY, CA 92307
OFFICE: 760-242-5100
FAX: 760-242-4600

www.pontiousarc.com



GENEX TRADING INC.
AGRICULTURAL BUILDING LOT # 1
ADELANTO, CA

CLIENT:

DRAWING TITLE:
ELEVATIONS

CONSULTANT:

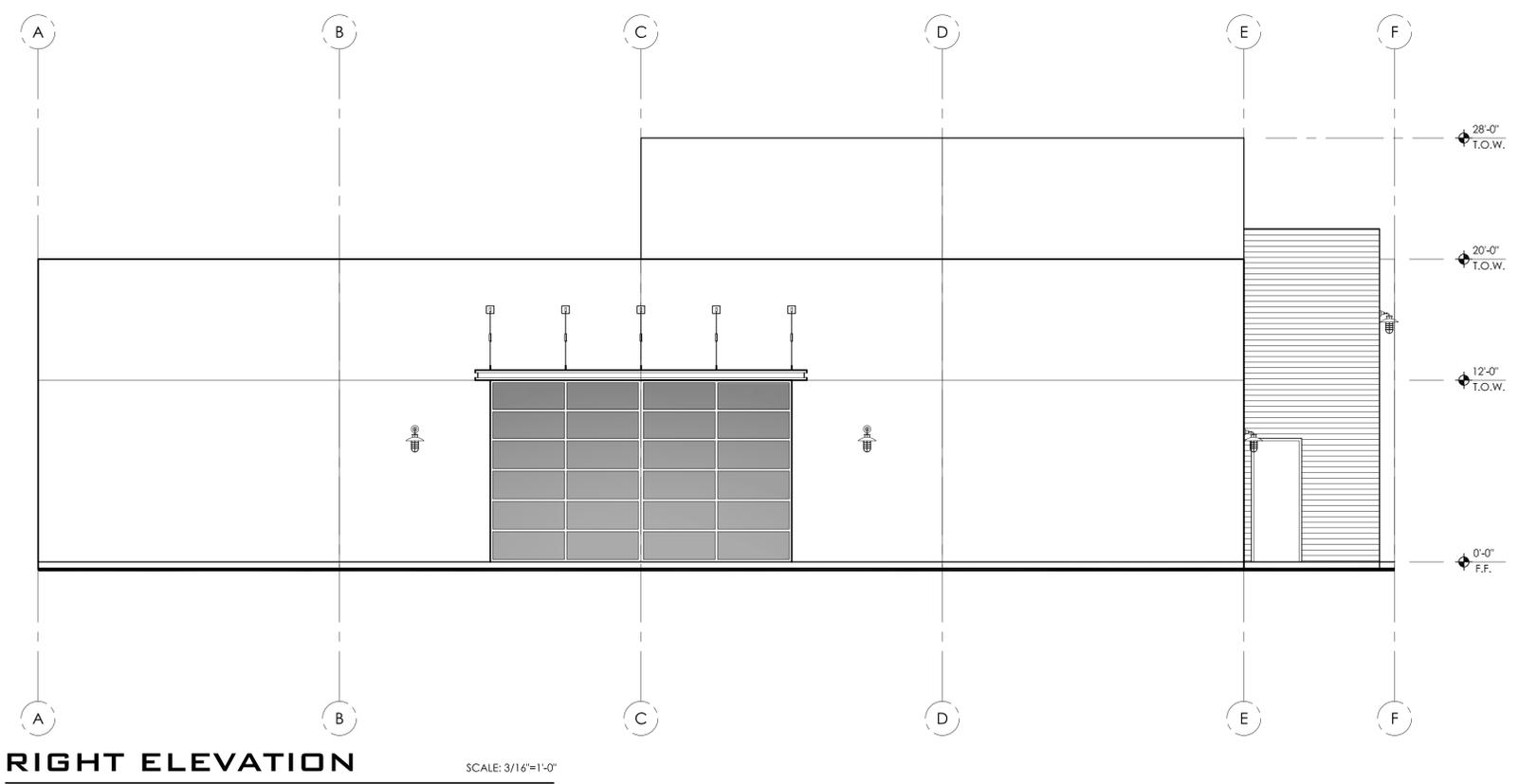
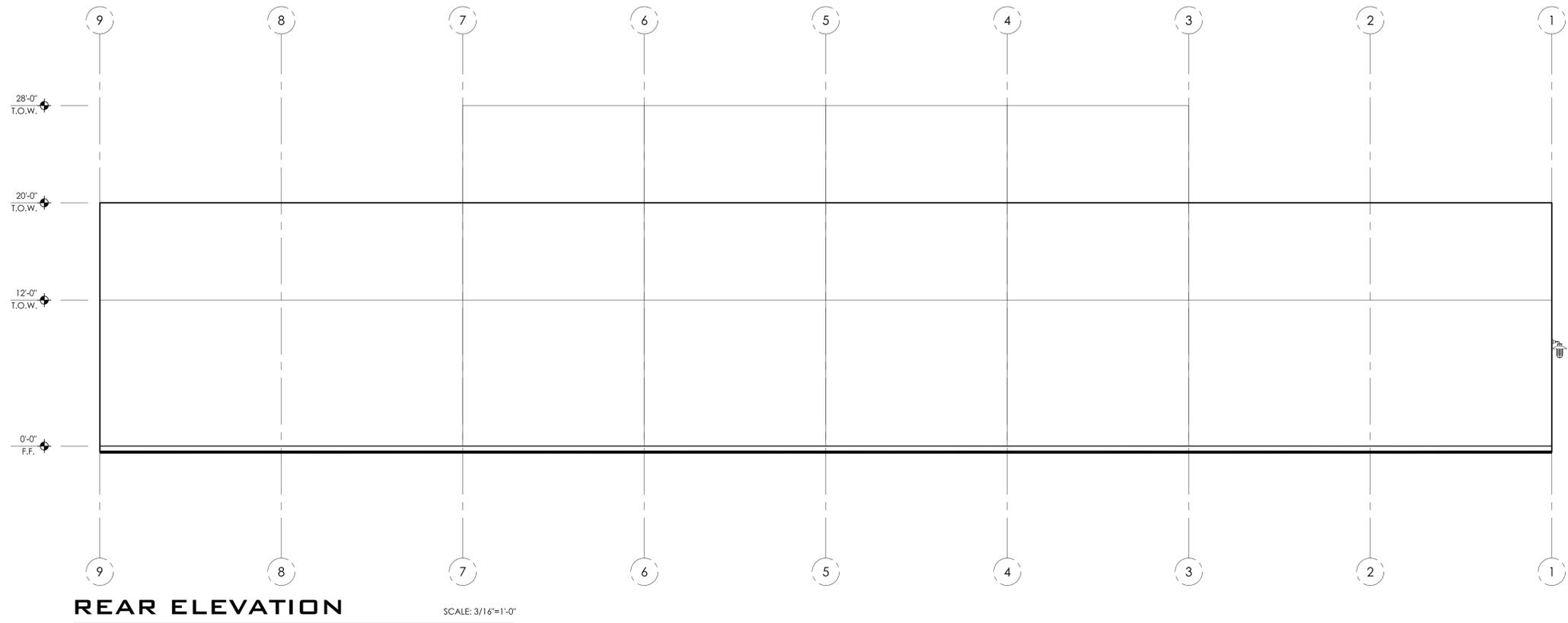
REVISIONS: Date	ITEM

DATE: 1-06-16

JOB NO: A12-12142015

SHEET NO:

A3.1





GENEX
TRADING
INC.

GENEX TRADING INC.
AGRICULTURAL BUILDING





PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Location and Development Plan 16-02, Conditional Use Permit 16-02, Minor Variance 16-02**, Pontious Architecture for Newco Trading proposes to construct a 9,900 square foot concrete tilt-up building for Medical Marijuana Cultivation and a reduction of the front yard setback, on .78 acres of land, in the cultivation zone in Industrial Park 2, known as parcel seven of Parcel Map 15626.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-17 **ADOPT** findings and **APPROVE** Location and Development Plan 16-02, Conditional Use Permit 16-02 and Minor Variance 16-02, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Pontious Architecture for Newco Trading
Attn: Michael Pontious
18343 Highway 18, Suite 5
Apple Valley, CA 92307

General Location: The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road, within the City of Adelanto, County of San Bernardino. The project site is within Section 31, Township 6 North, Range 5 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 0459-681-23

Environmental Determination: Exempt under section 15162 (Subsequent EIR's and Negative Declarations)

Related Cases: Tentative Parcel Map 15626

**Existing General Plan &
Current Zoning Designation:** Manufacturing Industrial (MI)

Surrounding General Plan and Zoning:

Direction	General Plan	Zoning
North	Manufacturing/Industrial (MI)	MI
South	Manufacturing/Industrial (MI)	MI
West	Manufacturing/Industrial (MI)	MI
East	Manufacturing/Industrial (MI)	MI

Existing Land Use: Vacant.

Surrounding Land Uses: The following chart shows the surrounding land uses:

Direction	Land Use
North	Vacant
South	Vacant
East	Developed GEO Detention Facility
West	Vacant

PROJECT DESCRIPTION

Pontious Architecture for Newco Trading proposes Location and Development Plan 16-02 to construct a 9,900 square foot concrete tilt-up structure; Conditional Use Permit 16-02 to allow the Cultivation of Medical Marijuana; Minor Variance 16-02 to reduce the front yard setback to the building from 25 feet to 16 feet due to the loss of building area from a 150 foot wide Southern California Edison Easement, on 0.78-acres of land. The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road.

DEVELOPMENT STANDARDS

Development Standard	Required	Provided
Minimum Lot Size	20,000 sf	0.78 acre
Minimum Lot Width	100 feet	230.02 feet
Minimum Lot Depth	100 feet	116.27 feet
Minimum Front Setback		
• To Building	25 feet	16 feet
• To Parking Area	10 feet	14 feet
Minimum Side Yard Setback		
• Street Side Building	25 feet	160 feet
• Street Side Parking	10 feet	85 feet
• All others	0 feet	0 feet
Maximum Building Height	75 feet	28 feet
Minimum Rear Yard Setback	0 feet	0 feet
Landscaping Required	10% of the project area	14%

PARKING

The proposed project is for a Medical Marijuana Cultivation facility. The cultivation facility requires 20 spaces. The applicant is providing 20 spaces which include one accessible space.

DRAINAGE

A drainage study was performed by J.E. Miller & Associates, which demonstrated that off-site flows will be handled by a drainage channel and on-site flows will be mitigated by a detention basin. The detention basin is located in the SCE easement.

TRAFFIC & CIRCULATION

One point of access has been provided from Raccoon Court also known as A Street. The access point connects with Raccoon Avenue which connects with Rancho Road which connects with Highway 395.

NOISE

The project site is Manufacturing/Industrial zoning and is located adjacent to Raccoon Avenue. This project will not impact surrounding properties as this portion of Raccoon Avenue is located within industrial park II. There are no residential properties in the immediate area.

ENVIRONMENTAL CONSIDERATIONS:

The project qualifies as exempt pursuant to Section 15162 (Subsequent EIR's and Negative Declarations as the project is covered by the prior adopted Environmental Impact Report for Industrial Park II.

Water Quality

Low Impact Development (LID) principles to control storm water and prevent pollutants from entering and degrading surface or ground waters are included in the Conditions of Approval.

Air Quality

The Mojave Desert Air Quality Management District submitted comments and recommendations in response to the Project Submittal that was circulated for this project which are incorporated in our conditions of Approval.

OTHER

The applicant and operator are required to maintain continued compliance with section 17.80.080 of the Adelanto Municipal Code regarding the Cultivation of Medical Marijuana.

ATTACHMENTS:

Resolution P-16-17
Conditions of Approval
Notice of Exemption

Aerial Exhibit
Site Plan
Elevations

RESOLUTION NO. P-16-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING LOCATION AND DEVELOPMENT PLAN 16-02, CONDITIONAL USE PERMIT 16-02 AND MINOR VARIANCE 16-02, TO CONSTRUCT AND OPERATE A 9,900 SQUARE FOOT MEDICAL MARIJUANA CULTIVATION FACILITY ON 0.78-ACRES OF LAND LOCATED ON THE WEST SIDE OF RACCOON AVENUE BETWEEN RANCHO ROAD AND YUCCA ROAD, WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. ASSESSOR'S PARCEL NUMBERS 0459-681-23.

WHEREAS, the applicant, Pontious Architecture for Newco Trading, requests to construct and operate a 9,900 square foot medical marijuana cultivation facility on 0.78-acres of land, located on the west side of Raccoon Avenue between Rancho Road and Yucca Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, the applicant has consented to all conditions of approval; and

WHEREAS, a duly noticed public hearing was held on the proposed project on July 5, 2016, to hear and consider testimony for or against the proposed project; and

WHEREAS, the City of Adelanto, as lead agency, determined that the project is exempt from the California Environmental Quality Act under Section 15162 as the project is covered under the Environmental Impact Report for Industrial Park 2; and

WHEREAS, a Notice of Exemption is proposed for adoption; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the environmental information included in the staff report prior to taking action on proposed Location and Development Plan 16-02, Conditional Use Permit 16-02 and Minor Variance 16-02. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds and determines that:

Location and Development Plan 16-02

- (a) That the proposed Location and Development Plan is consistent with the General Plan;

The project is consistent with the General Plan as the site is designated Manufacturing/Industrial (MI) in an Industrial Park, which is consistent with Title 17 of the Zoning Code which allows for medical marijuana cultivation facilities in the MI zone in an Industrial Park with approval of a LDP and CUP.

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to the west and south are vacant and the property to the east and north is developed industrial, so the project will not adversely affect surrounding properties.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The overall site is approximately 0.78-acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

Conditional Use Permit 16-02:

- (f) That the proposed Conditional Use Permit is consistent with the General Plan;

The project is consistent with the General Plan as the site is designated MI and is in an Industrial Park, which is consistent with Appendix A of Title 17 of the Zoning Code which allows medical marijuana cultivation facilities with approval of a LDP and CUP.

- (g) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to the west and south are vacant and the property to the east and north is developed industrial, so the project will not adversely affect surrounding properties.

- (h) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The overall site is approximately 0.78-acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (i) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (j) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

Minor Variance 16-02

- (k) That there are exceptional or extraordinary circumstances or conditions applicable to the property which do not apply generally to other properties in the same vicinity and zone; and

The site in which the applicant wishes to build is encumbered by a Southern California Edison easement which reduces the buildable area by 50%.

- (l) That such Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question; and

Other properties in the area are able to utilize their sites and obtain full build out potential while the applicant for this project is denied the use of 50% of the property.

- (m) That the granting of such Variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity; and

The granting of a reduced setback will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity.

- (n) That in granting the Variance, the spirit and intent of this Zoning Code will be observed; and

In granting this Variance, the spirit and intent of this Zoning Code will be observed by allowing the applicant to utilize the property for the intended use without impacting others in the area.

- (o) That the Variance does not grant special privilege to the applicant; and

The Variance does not grant special privilege as the Variance is for a reduced setback to allow the applicant to build a facility similar to others in the area.

- (p) That the Variance request is consistent with the General Plan of the City of Adelanto.

The request is consistent with the General Plan as it promotes development.

RESOLUTION NO. P-16-17

July 5, 2016

Page 4

SECTION 5. The Planning Commission hereby approves, Location and Development Plan 16-02, Conditional Use Permit 16-02 and Minor Variance 16-02.

ATTACHMENTS:

1. Conditions of Approval

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July, 2016.

Chris Waggener
Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

RESOLUTION NO. P-16-17

July 5, 2016

Page 5

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-17 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July, 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July, 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-17
July 5, 2016**

**Conditions of Approval
Location and Development Plan 16-02
Conditional Use Permit 16-02
Minor Variance 16-02**

PROJECT: A proposal to construct a 9,900 square foot concrete tilt-up building for the Cultivation of Medical Marijuana on a 0.78-acre property located within the MI (Manufacturing/Industrial) Zone, in Industrial Park 2. The project site is located on the west side of Raccoon Avenue between Rancho Road and Yucca Road within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-681-23

Applicant: Pontious Architecture for Newco Trading

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; **by July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial construction under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the City's Development Code.
3. **Phasing.** This Location and Development Plan, Conditional Use Permit and Minor Variance are for the construction of a 9,900 square foot building for the Cultivation of Medical Marijuana on a 0.78-acre parcel. Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 0.78-acre site as shown on the Site Plan, unless otherwise indicated.

4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Location and Development Plan 16-02, Conditional Use Permit 16-02, Minor Variance 16-02. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Fees.** All fees and charges the City has or intends to adopt that are due at the time of utility connection or when building permit(s) is/are issued shall be paid, as required by the City.

6. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.

7. **Fish and Game.** The applicant/owner shall pay a fee of \$50 for the Department of Fish and Game determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50 made payable to the "Clerk of the Board of Supervisors"**. The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.

8. **Architectural Design.** The proposed architectural design shall be consistent with the design standards provided in the Adelanto General Plan. Elements of the architectural design and features shall be consistent throughout the commercial center.

The City is in the process of adopting formal design guidelines for all development within the City of Adelanto. If these guidelines are adopted prior to the issuance of a building permit, this project will be subject to a formal Design Review process.

9. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following MI (Manufacturing/Industrial) zoning district regulations and section 17.80.080 regarding the cultivation of medical marijuana:

- Minimum Lot Size: 20,000 square feet
- Minimum Lot Width: 100 feet
- Minimum Lot Depth: 100 feet
- Minimum Front Setbacks:
 - To Building 25 feet
 - To Parking 10 feet

- Minimum Side Setback:

Street Side to Building	25 feet
Street Side to Parking	10 feet
All others	0 feet
 - Minimum Rear Setback: 0 feet
 - Maximum Height 45 feet
10. **Maintenance Responsibility.** The maintenance of graded slopes and landscaped areas shall be the responsibility of the developer until the transfer to an approved maintenance authority. Grading permits shall not be issued for any areas to be graded and remain undeveloped for an extended period (e.g.: for subsequent phases of a development) until a re-vegetation plan is approved by the Planning Department, and until bonds are posted for re-vegetation, or erosion control program for wind erosion.
 11. **Plans.** Plan submittals shall be prepared and signed by a California Licensed Architect or Engineer per State of California, Business and Professions Code. All plans shall be drawn to a standard scale.
 12. **Development Restrictions.** The physical development of the Cultivation Facility shall be reviewed and approved by the City. Any use, activity, and/or development occurring on the site without appropriate City approvals shall constitute a code violation and shall be treated as such. Placement of any construction trailer or storage of construction materials shall require separate review and approval by the City.
 13. **Compliance with Environmental Mitigation.** The developer shall comply with the Mitigation Measures identified in the EIR for Industrial Park 2.
 14. **Trash Enclosures.** Trash receptacles proposed on the site shall be enclosed by a six (6) foot high solid masonry wall with solid, view-obstructing gates. A pedestrian entrance shall be provided into each trash enclosure.
 15. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.
 16. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - i. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - ii. Any other required approval from an outside agency.

Prior to Issuance of Grading Permits:

17. **Grading Plans.** Grading plans shall be reviewed and approved by the Planning Department for compliance with the approved Development Plan prior to the issuance of a grading permit.
18. **Joshua Trees.** Prior to the commencement of grading, the applicant shall relocate all Joshua trees applicable to the Relocation Program per the requirements of the City Development Code and California Desert Native Plant Act.
19. **Proof of Mitigation.** Prior to the issuance of grading permits, the developer shall submit written proof, satisfactory to the Planning Director, that any concerns of the California Department of Fish and Game, including but not limited to Mohave ground squirrel, have been mitigated in a manner acceptable to the Department of Fish and Wildlife.
20. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.

Prior to Issuance of Building Permits:

21. **Development Impact Fees.** The City of Adelanto has implemented development impact fees for various infrastructure and capital facilities needs generated by new development. These fees will provide for various capital facilities including, but not limited to, roads, parks, flood control and drainage, public facilities, and fire fighting facilities. This project shall be subject to all such existing and future development impact fees which are in effect at the time building permits are issued.
22. **Assessment Districts.** Prior to the issuance of building permits, this project shall annex into Assessment Districts for the maintenance of Street Lighting, public landscaping and street sweeping, and the applicant hereby agrees to waive the right to protest the formation of said districts.
23. **Building Plans.** Building plans shall be reviewed and approved the Planning Department for conformance to the Conditions of Approval and the approved Development Plan prior to issuance of a building permit.
24. **Water Quality.** The applicant shall submit to the City Engineer for approval, a Water Quality Management Plan (WQMP), including a project description and identifying Best Management Practices (BMPs) that will be used on-site to reduce pollutants into the storm drain system to the maximum extent practicable. The Water Quality Management Plan shall identify the structural and non-structural measures consistent with the City's adopted requirements.
25. **Equipment Screening.** All mechanical equipment and vents, ground or rooftop shall be screened from public view. Roof gutters and downspouts are not permitted on the exterior of the building unless integrated into the architecture of the building. In addition, all screening shall be an integral part of the building, details of which shall be provided to the Planning Department for review and approval. Any proposed change shall be reviewed and approved by the Planning Department.

26. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage for the commercial center to the south. The project shall remain in full compliance with all City sign regulations at all times.
27. **Utility Lines.** All utility lines shall be placed underground.
28. **Landscaping.** The developer shall submit three (3) copies of construction level Landscape and Irrigation Plans to the Planning Department, accompanied by the appropriate filing fee. The plans shall be prepared by a registered landscape architect and include the location, number, genus, species, and container size of the plants. The cover page shall identify the total square footage of the landscaped area and note how it is to be maintained. Use of water efficient fixtures and drought tolerant plants is encouraged.
- All landscaping and irrigation systems shall be in compliance with Section 17.60 of the Adelanto Municipal Code. Plans will be reviewed and approved by the Planning Department.
 - A minimum of 5% of the project site shall be landscaped, exclusive of areas within the public right-of-way. A minimum of 5% of the parking area must be landscaped, in compliance with Table 25-1 in Chapter 17.25 of the Municipal Code.
 - The developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought-tolerant plants and efficient irrigation systems. Species shall be in compliance with Section 17.60.80.
29. **Parking.** The project shall provide 20 parking spaces for 9,900 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements.
30. **Design Guidelines.** The City of Adelanto has adopted standard design guidelines for all new development. These guidelines are in place and this project may be subject to design review.
- a. The parking lot shall have one planter Island/strip for every seven spaces.
31. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval or issuance of grading permits, a new copy of the City approval letter shall be signed by the current development parties.

During Construction:

32. **Approved Plans.** All construction shall be per building permits issued by the Building Department and UBC Standards, and dust control shall be exercised at all times during construction.

33. **Dust Control.** The applicant shall apply water to the disturbed portions of the project site at least two times per day. On days where wind speeds are sufficient to transport fugitive dust beyond the working area boundary, the applicant shall increase watering to the point that fugitive dust no longer leaves the property (typically a moisture content of 10%), and/or the applicant shall terminate grading and loading operations.
34. **Construction Practices.** To reduce potential noise and air quality nuisances, the following items shall be listed as "General Notes" on the construction drawings:
- i. Construction activity and equipment maintenance is limited to the hours between 7:00 a.m. and dusk on weekdays. Construction may not occur on weekends or State holidays, without prior consent of the Building Official. Non-noise generating activities (e.g. interior painting) are not subject to these restrictions.
 - ii. Stationary construction equipment that generates noise in excess of 65 dBA at the project boundaries must be shielded and located at least 100 feet from occupied residences. The equipment area with appropriate acoustic shielding shall be designated on building and grading plans. Equipment and shielding shall remain in the designated location throughout construction activities.
 - iii. Construction routes are limited to City of Adelanto designated truck routes.
 - iv. Water trucks or sprinkler systems shall be used during clearing, grading, earth moving, excavation, or transportation of cut or fill materials to prevent dust from leaving the site and to create a crust after each day's activities cease. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.
 - v. A person or persons shall be designated to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. The name and telephone number of such person(s) shall be provided to the City.
 - vi. All grading equipment shall be kept in good working order per factory specifications.
35. **Construction Activity.**
- i. The contractor shall provide verification that all construction equipment is in proper tune per the manufacturer's recommendation.
 - ii. Roll off trash bins and chemical toilets for construction workers shall be required on all construction sites and temporary fencing provided around the construction sites and/or a row of temporary fencing provided at such location as to prevent any building materials from blowing off of the construction site.
 - iii. During those periods when grading is being conducted, the contractor shall inspect the adjacent paved roadways at least two times per week, and shall sweep the street if visible dirt or dust, attributable to the project, can be seen on the roadway.

36. **Archeological Resources.** If prehistoric or historic resources over 50 years of age are encountered during land modification, then activities in the immediate area of the finds shall be halted so that an archaeologist can assess the find, determine its significance, and make recommendations for appropriate mitigation measures. A historical resources management report shall be submitted by the professional to document the monitoring, to evaluate resource significance and integrity, and if necessary, to evaluate project impacts and propose mitigation measures to mitigate potential adverse impacts. If archeological resources are encountered during grading, ground disturbance activities shall cease so a qualified archeological monitor can evaluate the resources. If discovered resources merit long-term consideration, adequate funding shall be provided to collect, curate and report their resources in accordance with standard archaeological management requirements. If the City finds that a developer encounters cultural resources and fails to notify the Planning Department, the City will place those responsible for the destruction of historic and archaeologically significant resources on file with the County of San Bernardino and the State of California, Office of Historic Preservation.
37. **Paleontological Resources.** If paleontological resources are encountered during grading, ground disturbance activities shall cease so a qualified paleontological monitor can evaluate any paleontological resources exposed during the grading activity. If paleontological resources are encountered, adequate funding shall be provided to collect, curate and report on these resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens will be sent to the Earth Sciences Division of the San Bernardino County Museum.
38. **Human Remains.** If human remains are encountered on the property, then 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 Coroner at either 1) 15329 Bonanza Road, Unit 8, Victorville, CA 92392 or (760) 955-8535; or 2) 175 South Lena Road, San Bernardino, CA 92415-0037 or (909) 387-2978.
39. **Abandoned Wells.** Any abandoned wells on the property or similar structures that might result in groundwater contamination shall be destroyed in a manner approved by the City and San Bernardino County Environmental Health Department.

Prior to Certificate of Occupancy:

40. **Landscaping and Irrigation.** Landscaping and irrigation shall be consistent with the approved Landscape Plan for the project. The variety of tree to be provided is subject to approval of Planning and Public Works Departments and the trees are to be maintained by the property owner. The Developer shall be responsible for planting landscaping in compliance with Section 17.60 of the Adelanto Municipal Code, entitled "Water Conservation/Landscaping Ordinance", including but not limited to native drought-tolerant plants and efficient irrigation systems. Species shall be in compliance with Section 17.60.80.
41. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans.

42. **Unit Identification.** Each unit shall include a lighted address fixture. This fixture shall allow for replacement of the bulbs, and shall be reviewed and approved by the Fire Department.

CONSERVATION

43. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
44. “Saving by Design” Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
45. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Recordation Conditions:

46. Prior to the city reviewing any final maps, a document consenting to the subdivision shall be signed and acknowledged by the legal owners of record for the real property being subdivided. This document shall be submitted to the City of Adelanto along with the first application for plan review for the final map, following Tentative Map Approval by the Planning Commission.
47. All final maps, including any subsequent development phasing, shall be conforming to the approved Tentative Map which was approved with the adoption of these conditions of approval and shall be based on a recent field survey which shall be submitted to the City Engineer for review and approval.
48. Final Maps shall meet all requirements of the Adelanto Municipal Code, and shall include the following:
- a. All easements within the City of Adelanto’s rights of way shall be subordinated to the City of Adelanto.
 - b. All easements and rights-of-way, both existing and as required to comply with the improvement requirements of these conditions of approval shall be acquired by the Developer pursuant to the subdivision map act and the Adelanto Municipal Code.
49. A noise and aviation easement on all subdivision parcels and roadways shall be granted and conveyed to the Southern California Logistics Airport as required in the City adopted Land Use Plan.
50. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
51. Should Mello-Roos, or Community Facilities Districts, or Community Service Districts, or Assessment Districts, or other special financing districts be formed to provide for City

Infrastructure or City Services, this project shall annex into the districts and pay all fees associated with annexation into the districts, and the applicant shall agree to waive the right to protest the formation of said districts.

52. Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be responsible for obtaining all necessary dedications of rights-of-way for offsite infrastructure improvements, right-of-entry for offsite grading, and easements for ingress, egress, drainage, utilities and other legal requirements for impacts associated with the development of this project, as determined and directed by the City Engineer. If the Developer cannot acquire a property interest in property required for off-site improvements, Government Code § 66462.5 shall apply and the City retains the right to:
 - a. Require the Developer to enter into an agreement to complete the improvements pursuant to Government Code § 66462 at such time as the City acquires an interest in the land that will permit the improvement to be made;
 - b. Require the Developer to pay the cost of acquiring the offsite real property interests required in connection with the subdivision.
53. The design of all public infrastructure elements shall conform to the requirements of the City General Plan and the current edition of the City's standard specifications for construction, and any alterations required and approved by the Public Works Department and engineering department staff.
54. The following plans and reports shall be prepared by a competent California licensed civil engineer prior to any site development or disturbance of the natural vegetation of the site. All required plans shall be drawn in ink at an appropriate scale on Mylar sheets, for approval by the City Engineer. Improvement plans for all of the conditioned improvements shall be submitted to the City and reviewed and approved by the City Engineer. All of the conditioned improvement plans shall be approved by the City Engineer concurrently for review.

Plans Required:

- a. Street Plans - Plan/Profile at 1" = 40' (Hor), 1" = 4' (Vert), plus Title/Index and Detail Sheets.
 - i. Yucca Road from the Western Project Boundary to Adelanto Road, with proper fire department turnarounds.
- b. Precise Grading Plan 1" = 30', A grading plan conforming to the requirements of the Uniform Building Code, appendix 33 1997 edition, shall be prepared and submitted to the City Engineer for approval.
- c. Water - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on Water improvements Plan shall be a min scale of 1"=100' and clearly identify Fire Hydrant locations, valves and pipeline locations.

- d. Sewer - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets. Index map on sewer improvements Plan shall be a min scale of 1"=100' and clearly identify Manhole locations, and pipeline locations.
- e. Street Striping and Signage 1" = 40'.
 - i. Yucca Road from the Western Project Boundary to Adelanto Road.
- f. A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and approved by the California State Water Quality Control Board prior to the issuance of any permits for grading. The erosion control plan must be submitted to the City for review and approval and must include an active WDID number.
- g. Onsite Underground Utility Plan at 1" = 40' showing the location of all undergrounded utilities including sewers, water, storm drain, gas, electric, telephone, and data and cable television lines. This plan shall be shown schematically based on plans prepared by utility agencies to illustrate the location of any access valves, manholes and hand holes.

Reports Required:

- a. Soils Report. A preliminary soils report as prepared by a California licensed geotechnical engineer skilled in soils/foundation investigations shall be submitted for review by the Engineering Department staff along with the first submittal of Street Plans and/or other improvement plans for review. Within the required soils report special attention shall be directed to the rip ability of the proposed road cuts and stability of manufactured slopes. The geotechnical engineer shall determine the setback requirements to support loading without failures in the soil mass.
 - b. Hydrology Report. A comprehensive drainage plan to the satisfaction of the City Engineer shall be prepared by a licensed Civil Engineer and submitted to the City for approval. The project must accommodate existing drainage flows that impact the project site and impact access to the project site and mitigate offsite drainage that impacts the project. The project must mitigate the increase onsite runoff from pre-development to post-development flows.
55. At the time of first submittal of Final map, the Developer shall provide An Engineer's estimate of construction prepared by the Developer to be approved by the Engineering Department staff and pay to the City of Adelanto all applicable fees.
56. Prior to the recordation of any Final Map: improvement plans for all of the conditioned improvements shall be reviewed and approved by the City Engineer; and the City Engineer must find the Final Map to be in substantial compliance with the tentative map and the conditions of approval; and proper security bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated; and the public landscaping and public lighting for this project shall be annexed into the City Landscaping and Lighting Districts; and a Subdivision Improvement Agreement shall be executed by the subdivider; and the City Council must approve the Final Map for recordation.

57. Proper Security Bonds at prevailing wage costs of the improvements shall be posted with the City for all the conditioned and required improvements that are to be publicly dedicated, including the setting of proper monumentation for the subdivision. Prior to issuance of any permits to construct any improvements, the developer shall enter into an improvement agreement to construct the project improvements per City approved plans and post securities with the City of Adelanto to guarantee completion of construction and payment of labor and materials and one year warranty of the improvements. These securities shall be provided by the Developers and all assignees and successors to the City. The following are the required security amounts and release procedure:
- a. The subdivider shall at all times guarantee the subdivider's performance of this entitlement by furnishing to the City, and maintaining, good and sufficient Security as required by the City on forms approved by City for the purposes and in the amounts as follows:
 - i. To assure faithful performance of this entitlement in regard to said Improvements in an amount of 100% of the estimated cost of the Improvements; and
 - ii. To secure payment to any contractor, subcontractor, persons renting equipment, or furnishing labor materials for the Improvements required to be constructed or installed pursuant to this entitlement in the additional amount of 100% of the estimated cost of the Improvements; and
 - iii. To guarantee or warranty the work done pursuant to this entitlement for a period of one year following Acceptance thereof by City against any defective work or labor done or defective materials furnished in the amount of 20% of the estimated cost of the Improvements.
 - b. Release of Security. Subject to approval by the City, the Security required by this entitlement shall be released as follows:
 - i. Security given for faithful performance of any act, obligation, work or agreement shall be released upon Acceptance of the Improvements, subject to the provisions of subsection (b) hereof.
 - ii. In accordance with the requirements of Government Code Section 64999.7, the City Engineer shall allow a partial release of faithful performance Security pursuant to the following procedures. No partial release of Security for labor and materials shall be allowed.
 1. Subdivider shall have one opportunity to engage in the process of pre-warranty partial release of performance Security as described in this subsection (b) between the start of work and completion and acceptance of all work on the Improvements. The process allowing for a partial release of performance Security shall occur only when the cost estimate of the remaining work does not exceed twenty percent (20%) of the total original performance Security.
 2. At such time that the Subdivider believes that the obligation to perform the work for which the performance Security was required

is complete, the Subdivider may notify the City Engineer in writing of the completed work and request a warranty bond walk. This notice shall include with such notification a written list of work completed. Upon receipt of the written notice, the City Engineer shall have twenty (20) business days to review and comment or approve the completion of the required work. If the City Engineer does not agree that all work has been completed in accordance with the plans and specifications for the Improvements, he or she shall supply to the Subdivider a list of all remaining work to be completed.

General Grading Conditions:

58. Prior to the Issuance of a Grading Permit the following must be completed.
- a. Native Vegetation Removal Permit & Joshua Tree Survey. Prior to the disturbance of any native indigenous plant life, a Joshua Tree Survey must be performed by the city Staff to determine the chances for successful relocation of existing plant life.
 - b. Land Disturbance Permit. Prior to disturbing the land a Land disturbance permit must be applied for and disturbance of land greater than 1 Acre. The following must be submitted along with the application for the permit:
 - iii. Native Vegetation Removal Permit
 - iv. WDID (Storm Water Control Board Permit Number)
 - v. Fish and Game Grading Concordance Letter.
 - c. Rough Grading Plan must be approved, and signed by the City Engineer prior to the issuance of the grading permit.
59. During the grading and land disturbance operations the following must be observed:
- a. All grading for the proposed subdivision lots shall be confined to the subdivision boundary limits unless the Developer first secures letters of permission to grade across property lines from any and all affected adjacent property owners.
 - b. Compaction Report. Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical engineer who shall obtain all required permits and submit reports on progress and test results to the Engineering Department staff for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the Engineering Department staff for review and approval, which may require additional tests at the expense of the Developer.
 - i. All soils within street improvements must be compacted to 90% and 95% within twelve inches of surface.
 - c. No un-bound or re-vegetated soil shall be left exposed to wind erosion. If construction operations have not begun within a short duration then the developer

shall immediately provide proper soil erosion management techniques including chemical soil binding and re-vegetation of graded pads, or an equivalent technique approved by the Engineering Department staff.

General Construction Conditions:

60. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
61. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
62. All improvements shown on the approved improvement plans, as required by the City Engineer, shall be constructed prior to occupancy of any dwelling. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
63. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the tentative map approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
64. During construction, temporary pedestrian and traffic control devices shall be constructed as deemed necessary by the City Public Works Department staff at locations where construction traffic disrupts normal traffic. Such measures and devices shall include but are not limited to: flagmen, barricades, portable electric traffic signals and street sweeping.
65. All utilities plans (i.e. Edison electrical, telephone, cable, etc.) must be approved by the City Engineer prior to installation.
 - a. No utility access point, manholes, vaults, or air vents shall be located within sidewalks or pedestrian travel ways or within 12” of curb and gutters.
 - b. All utilities shall be installed underground to all lots per Public Utilities Commission requirements. No above Ground utility lines shall be permitted within or adjacent to this subdivision for the utilities servicing this project. All aboveground structures shall be located inside either the City Right-of-Way or a dedicated utility easement and located outside of the pedestrian walkways.
66. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.

67. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
68. Additional Fees required for Building permit Issuance:
 - a. Prior to issuance of any permits to construct any public improvements, the Developer shall pay to the City of Adelanto all applicable fees.
 - b. The Developer shall pay any applicable impact fees that may apply at the time of building permit.
 - c. The Developer shall pay any outstanding assessment district fees due at the time of building permit.
 - d. The Developer shall pay any sewer and water connection fees and buy-in fees outlined in the feasibility study at the time of building permit.
69. The Developer shall obtain all required right-of-way dedications needed for the required improvements prior to final approval of improvement plans, issuance of any permits, and approval of Final Map for each phases of the subdivision and the Developer shall construct and complete all street improvements required for the phase of the subdivision prior to issuance of any building permits for that phase of the subdivision, and as directed by the City Engineer.
70. All buildings in all phases must have two paved points of access (to permit turn around for the Fire Department) and all terminating paved accesses longer than 150 feet must have proper standard fire turn around or as approved by the Fire Department.
71. Pavement transitions meeting Department of Transportation design standards shall be installed by the developer where project street improvements widen or reduce the street widths.
72. Final sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
73. Streets shall not be paved until all underground utilities are installed.
74. There shall be no intersecting street centerlines greater than or less than 90° (+/- 10°) degrees unless otherwise approved by the Engineering Department staff.
75. Pavement structural section shall be designed based on soils tests (R-Value conducted by an acceptable soils testing laboratory) and Traffic Index as approved by the City Engineer.

76. All sidewalks shall have a minimum width of six feet and a minimum unobstructed width of four feet. The location of pedestrian ramps shall be determined in accordance with Federal and State laws at the time of construction and shall meet current Federal, State, and Local Americans with Disabilities Act (A.D.A.) standards. Sidewalks, pedestrian ramps and sidewalk/drive approach connections shall be built to current Federal, State, and Local A.D.A. standards.
77. All curb heights and gutter widths shall be based on requirements as set forth by the Hydrology/Hydraulics Report and approved by the Engineering Department staff.
78. All covers for utility manholes, valves, and vaults shall be adjusted to final grade after final paving.
79. Street asphalt concrete pavement shall be placed in multiple lifts depending on design asphalt thickness with the final lift placed after the Repair & Replace (R&R) and Point & Patch is completed.
80. Prior to the time that lumber is deposited on site for approved construction in a specific phase, all curbs and gutters and pavement shall be completed within that phase area and compaction reports for utility trenches and street base shall be approved. Model complexes are excluded from this condition but are required to provide access and fire flow in a manner as approved by the Fire Department.
81. Sleeves for lighting and landscape purposes will be allowed in the public street right-of-way when necessary, subject to the approval of the Engineering Department staff.
82. Where proposed street improvements are proposed to pave streets where existing or proposed sewer mains are located, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the sewer mains to City Standards, as directed by the City Engineer.
83. All utility tie-ins and other work that disturbs existing public right of way improvements shall be restored per City Encroachment Permit Provisions, or as directed by the Engineering Department staff:
 - a. Any disturbance of pavement newer than 12 months requires the entire area of the disturbed pavement and the entire width of any travel lane disturbed to be cold-planed (grinded down) a tenth of a foot (0.1 feet) and resurfaced with AC, PG 70-10, as directed by the Engineering Department staff.
 - b. All disturbed sections of pavement that is older than 12 months must be trenched according to City Standards, permanently resurfaced using the minimum of the existing AC plus one (1) inch of AC and six (6) inches of Class II base. The resurfaced areas shall remain in place for a minimum of thirty (30) days and a maximum of forty-five (45) days. Then after that period is over, the resurfaced area and the entire width of any travel lane disturbed are to be cold-planed (grinded down) a tenth of a foot (0.1 feet) and resurfaced with AC, PG 70-10, as directed by Engineering Department staff.

- c. Any disturbance of existing concrete work shall be considered reconstruction and must meet current A.D.A. standards. Reconstruction must consist of full concrete saw cut panels, as directed by the Engineering Department staff.

Street Improvement Conditions:

84. Prior to the issuance of any building permits, the following street dedications and improvements shall be completed as required for each phase (deviations shall be approved by the City Engineer):

- a. Offsite street dedications on and north of Holly Road are as follows:

- i. Dedication for street and utility purposes to provide for a Collector half width of fifty-six (56) feet for "Raccoon Road" located along the eastern boundary of this project
- ii. Dedication for street and utility purposes to provide for a Local Collector half width of thirty (30) feet for "Raccoon Court also known as A Street" located along the northern boundary of this project

- b. Offsite street improvements on and north of Holly Road are as follows:

- i. Collectors shall be constructed to half-width of 32 feet of asphalt concrete paving consisting of a minimum of 4 inches of asphalt concrete over 6 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 7.0, whichever is greater, 8 inch concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. This requirement shall apply to the west half of Raccoon Road located along the eastern boundary of this project.
- ii. Local Collectors shall be constructed to half-width of 18 feet of asphalt concrete paving consisting of a minimum of 4 inches of asphalt concrete over 6 inches of Class 2 base material, or per "R" value test for a Traffic Index (TI) of 6.0, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C. This requirement shall apply to the south half of Raccoon Court located along the northern boundary of this project.

- c. Onsite street dedications are as follows:

- i. Dedication for street and utility purposes to provide for a street full-width of a Local Street of sixty (60) feet for all interior streets, including cul-de-sacs.
- ii. Cul-de-sac bulbs shall have a right-of-way dedication for street and utility purposes of a 57-foot radius.
- iii. Dedication of corner cut-offs at all street intersections.

- d. Onsite street improvements are as follows:

- i. Internal streets shall be constructed to full width of a Local Street of 36 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt

concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six-foot wide sidewalks as per City Standard 109 Type C.

- ii. Cul-de-sacs shall be constructed of a radius of 45 feet of asphalt concrete paving consisting of a minimum of 3 inches of asphalt concrete over 4 inches of type 2 base material, or per "R" value test for a Traffic Index (TI) of 5.0, whichever is greater, 8" concrete curb and gutters, and six feet wide sidewalks as per City Standard 109 Type C.
85. Improvements may be subject to credits and reimbursements against development impact fees, subject to Federal and State laws, City Municipal Code, City Standards, City Policies, and City Council approval. All Credits and re-imbursements are subject to the review of the City Engineer and shall be consistent with the Transportation background focus study. Credits and re-imbursements shall not exceed the actual verified costs of the construction of the improvements or exceed the costs per unit identified in the background study as adopted by Resolution 06-166. The following sections are subject to credits and reimbursements.
- a. "Super Arterial Street Name" 31 feet of paving on both sides of the centerline.
 - b. "Major Arterial Street Name" 19 feet of paving on both sides of the centerline.
 - c. "Major Collector Street Name" 13' feet of paving on both sides of the centerline.
 - d. Intersection improvements of "Street name and Street Name".

Traffic Safety:

86. The Developer shall be directly and solely responsible developing a plan for the mitigation of impacts related to existing traffic levels plus project traffic prior to recordation of the final map.
- a. In order to mitigate traffic impacts of this project the developer shall perform the following:
 - i. The Developer shall perform a Traffic Impact Analysis for the project in compliance with CALTRANS requirements, and submit the study for review to both CALTRANS (only if required) and the City prior to approval. Once approved the developer will perform the recommended mitigations outlined in the study.
 - ii. The Developer shall pay the City's full Transportation Facility Development Impact Fee and any other street, traffic, or circulation fees that may be in place at the time of building permit issuance as a traffic mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place/in effect at the time of occupancy.
87. Prior to the recordation of the final map, the Developer shall design and construct a street lighting system in accordance with the American National Standard Practice for Roadway Lighting. This lighting system shall utilize LED lamps.

- a. Streetlights shall be energized when installed and maintained by the developer for eighteen (18) months, after which time the developer will proceed with contacting Southern California Edison to transfer maintenance charges to the City of Adelanto.
- b. Street Light Spacing shall be as follows:

Type of Street	Spacing	Lamp Size	Mounting Height
Local Streets	300 ft staggered to each side	LED equivalent of 9,500 HPSV	26 ft Concrete Pole with 6 ft Mast Arm
Super Arterials Major Arterials Major Collectors Local Collectors	150 ft staggered to each side	LED equivalent of 22,000 HPSV	31 ft Concrete Pole with 6 ft Mast Arm

- 88. Street name signs and traffic control devices, including full-width striping and striping transitioning into existing paving of any streets improved by this project, shall be constructed in accordance with the approved plans and designed per the Manual on Uniform Traffic Control Devices and City Standards at the time of improvement construction as directed by the City Engineer at the time of improvement construction. Street names for this project shall be submitted to the Engineering Department for City Council approval.
 - a. All signposts shall be installed with anchors when they are installed into concrete.
 - b. All street name signs shall be installed on 12 inch cap brackets.
 - c. Any sign or post removed by the developer shall be returned to the Street Department undamaged and unmolested.
 - d. All street striping, onsite and offsite, shall be installed by the developer. This includes “STOP” and stop bars at all “STOP” signs, fog lines and any other traffic safety striping that may apply as directed by the Street Department.
 - e. Curbs must be painted red 7.5 feet on each side of center in front of all fire hydrants.
 - f. Curbs must be painted white 7.5 feet on each side of center with 3 minute max stenciled of the curb in front of all mailboxes.
 - g. Each street section shall have a posted speed limit sign as directed by Public Works/Engineering Department staff.

Sewer Improvements:

- 89. Sewage disposal shall be consistent with the projects current Feasibility Study (the City will accept studies within 1 year from the date of Recordation of final map which may be extended 1 additional year) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of building permit.

90. The applicant shall connect the project to the City sewer system and pay all associated fees (connection fee, permit fee, inspection fee, etc.) in compliance with the Adelanto Public Utility Authority. The design shall conform to the City adopted sewer master plan or to requirements of the City Engineer. The sanitary sewer system shall be designed and constructed to collect and convey sewage to the City's Wastewater Treatment Plant.
91. Where new sewer mains are proposed for installation, including along existing paved roads, sewer wyes shall be installed and laterals shall be installed to the edge of right-of-way in front of all existing structures along the proposed sewer mains to City Standards, as directed by the City Engineer.
 - a. Sewer mains shall be a minimum diameter of 8 inch with PVC pipe and fittings unless otherwise approved by the Engineering Department staff. Service laterals shall be of PVC pipe. No structure shall be occupied until the collection system has been thoroughly cleaned, inspected, tested (leakage and mandrel), and accepted for maintenance by the City Public Works Department staff. All manhole and cleanout covers within paved areas shall be adjusted to finished grades after paving is completed, and shall be accessible during construction as directed by Public Works and Public Utilities staff. All such adjustments shall be done in a manner as to prevent entry of silt and/or debris into the sewer system.
 - b. Compaction test results for trench backfill shall be signed by a licensed civil engineer and submitted to the Engineering Department staff.

Water Improvements:

92. Water service shall be consistent with the current Feasibility Study (city will accept studies within year from the date of Recordation of final map which may be extended 1 additional year) and the developer shall pay all fees pursuant to the current Feasibility Study at the time of building permit.
93. The Developer shall comply with all requirements of the Adelanto Public Utility Authority (APUA).
94. The applicant shall extend APUA water mains to service the project, and shall be responsible for paying all fees associated with said extension, including those fees implemented by Ordinance 4 of the APUA.
95. Water Improvement Design for the project shall conform to the City's adopted Water Master Plan and/or to the requirements of the City Engineer. All required backflow devices shall be installed by the developer.
96. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
97. All fire hydrants, air vacuums and all other above ground water facilities shall be placed within the sidewalk areas while maintaining a clear 4 foot wide pedestrian travel way. Water meter boxes and vaults, valve covers, etc., may be placed within sidewalks or paved areas provided such devices are set flush with finished surfaces as approved by the Engineering Department.

98. A set of water improvement plans shall be submitted to the San Bernardino County Fire Department for comment and review. At the time of the second plan check submittal, water improvement plans with the Fire Departments' corrections incorporated therein shall be submitted to the City Engineer along with the "redline" commented plans from the Fire Department.
99. Fire protection plans shall be designed per the requirements of the Adelanto Fire Marshall. Fire protection shall include but is not limited to:
 - b. Fire hydrants shall be spaced no more than 300 feet apart.
 - c. Fire hydrants shall be set to a level for "safe break away" and easy access, per the Water Department.
 - d. Blue dot identification on final pavement will be required for all hydrants installed.

Drainage Improvements:

100. The Developer shall prepare a hydrology and hydraulic calculations report to demonstrate that the post development flows proposed to be discharged into and through existing or any other storm drainage facilities do not exceed the maximum flows for which said facilities are designed. This shall be subject to review and approval of the City Engineer. The Hydrology and comprehensive drainage plan must be prepared by a licensed civil engineer to the satisfaction of the City Engineer and the Hydrology Report shall identify offsite flows that impact the proposed development and identify the increased onsite runoff flows. The Study shall address how the proposed development shall accept offsite flows that impact the proposed development and demonstrate how the proposed development will safely pass through the offsite flows while protecting the proposed development and maintaining to all-weather paved points of access to the community. Also, the Study shall demonstrate the how the proposed development will reduce the increased onsite post-development runoff to less than 90% of pre-developed drainage runoff flows. This study shall substantially conform to the accepted Adelanto Master Plan of Drainage and correlate with the submitted improvement plans. This study shall be engineered using County of San Bernardino Flood Control methodologies and included calculations, maps, diagrams and a written conclusion that contains recommendation of how offsite flows and increased onsite runoff shall be mitigated.
 - a. The Subdivider and Developer shall be responsible for obtaining all necessary permits and permissions from the department of Fish and Game and the Army Corps of Engineers and from any other regulatory agency for the alterations to any of the watercourses that are impacted by the proposed development.
 - b. All finished building floor elevations shall be 2.0 feet higher than the 100 year base flood elevations.
101. Storm flows may be conveyed in street sections to the extent that right-of-way limits shall accommodate a 100-year storm to a depth less than 0.7 feet deep from the flow line to provide all-weather emergency ingress and egress. If storm flows cannot be adequately conveyed by street sections, underground storm drains and other mitigation measures

shall be provided as recommended in the Hydrology/Hydraulics Report and approved by the City Engineer.

102. Prior to construction of any improvements or prior to any land disturbance, the Developer shall construct temporary drainage facilities and establish erosion control practices as necessary to minimize storm runoff and erosion and silt deposition. All construction storm drains, catch basins, the storm water runoff structures shall be provided with adequate capabilities to filter and retain sediment, grit, oil and grease to prevent pollution in storm water runoff, in compliance with the State Water Board Best Management Practices. The Developer shall obtain a National Pollutant Discharge Elimination System (NPDES) General Permit for storm water discharges associated with construction activities, as directed by the California Water Resources Control Board and approved by the Engineering Department staff. During construction, all NPDES guidelines will be in full force and all Best Management Practices (BMP) shall be followed. For grading of areas greater than 1 acre, a full Storm Water Pollution Prevention Plan (SWPPP) shall be prepared for review and approval by the Regional Water Quality Control Board.
103. The Developer shall provide adequate mitigation for storm drainage to avoid concentrating or increasing offsite flows, subject to review and approval by City Engineer.
 - a. In order to mitigate drainage flows that impact a tentative tract map, one of the following shall be performed prior to the approval of the improvement plans and prior to approval for map recordation and prior to the issuance to any permits:
 - i. Consistent with County Flood Control Standards, drainage systems shall be designed so that post-development drainage leaving the project is not greater than 90% of pre-development flows.
 1. The Developer shall install a detention basin capable of detaining the on-site flows to a level that is 90% of pre-developed levels for a minimum 100-year storm, subject to the review and approval by the City Engineer.
 2. Any properties used for drainage facilities shall be dedicated to the city for drainage uses or have an easement on it for drainage uses.
 3. Detention Basins shall be fully landscaped around surrounding street frontages.
 4. Detention Basins shall be fully enclosed in City Code compliant fencing.
 5. The Retention Basins shall have dry-wells at the inlets and outlets capable of percolating the accumulated storm water.
104. In order to mitigate the drainage impacts of this project the developer shall perform the following:
 - a. The Developer shall pay the City's full Drainage Facility Development Impact Fee and any other Drainage fees that may be in place at the time of building permit issuance as a Drainage mitigation measures for this project. If the Development Impact Fee collection is deferred from the time of building permit issuance to the time of issuance of the certificate of occupancy, the developer shall pay the Development Impact Fees that are in place at the time of occupancy.

105. All nuisance drainage must be conveyed across roads designated as Major Collectors or greater, via subsurface conveyance. This includes, but is not limited to, storm water drainage flows:
- a. "name affected street"
106. Onsite Improvements:
- a. All finished pad elevations shall be 1.0 feet higher than all adjacent frontage street elevations, or 0.5 feet higher the top of adjacent curb.
 - b. All lots shall be designed and graded to drain to fronting streets. No lot shall drain onto any property adjacent to the project. Lots shall be protected from storm runoff as approved by the Engineering Department staff.
 - c. All lots shall be provided with driveway approaches per City Standard Drawings. Sewer and water service pipelines shall be placed outside of driveway areas unless otherwise approved by the Engineering Department staff.
 - d. The tops of all cut slopes shall be in conformance to City Standards per the City Engineer. Retaining walls shall be utilized where required by the Engineering Department staff to ensure that unusable and non-visible slopes are not created at the sides or rear of any lot, and that there is a "flat" area in all side yards per City Standards.
107. Park and Landscaping:
- a. Prior to the grading permit for any phase of development, the Developer shall prepare final improvement plans for the landscaping and irrigation of parks, landscaped areas, and all open spaces. Said plans shall be prepared by a California licensed Landscape Architect and shall be subject to the review and approval of the Engineering and Planning Department staff.
 - b. In order to mitigate impacts to City parks and services under the California Environmental Quality Act, the developer shall do the following:
 - i. Pay the equivalent value of the land and improvements to the City to be used to develop a park in the vicinity; paying full Park Impact Fees shall meet this requirement.
 - c. Developer shall construct a six (6) foot high decorative masonry block perimeter walls (measured from the highest of the adjacent sides) as specified below and consistent with Planning Department requirements:
 - i. The length of the project site along rear and side yards along "Directional" project boundary along the entire length of "Street Name Street" from "street Name" to "street name street".
 - d. Developer shall annex, and pay all fees associated with annexation, all landscaping, lighting and detention/retention areas in to the City' Light and

Landscaping Maintenance District. As a condition of building permit issuance, the developer shall pay to the City the pro-rata per lot share equivalent of twelve months maintenance costs of landscaping as determined by the City.

- e. If, due to design constraints, the masonry block perimeter wall is behind a property line and part of any lot is between the perimeter wall and the sidewalk, the developer shall offer for dedication said land as a landscape dedication to the City of Adelanto.
- f. A minimum five (5) foot irrigated landscape easement shall be provided between the edge of the sidewalk and the perimeter wall on all surrounding streets.
 - i. Landscaping shall be at the rate of one (1) tree and six (6) shrubs per 30 linear feet plus such vegetative cover necessary to cover a minimum of forty (40) percent of the total area with shrubs and ground cover.
 - ii. Turf is prohibited within public rights-of-way.
 - iii. Irrigation shall be designed to minimize maintenance and water consumption.
 - iv. All slopes over three feet in height shall be fully landscaped and irrigated.
- g. All easements and dedicated Right-of-Way land between the sidewalk and the perimeter masonry wall of the development shall be planted with drought tolerant vegetation and irrigation installed, as approved by Engineering or Planning Department. Said landscape easement and landscaped area shall be maintained by the developer. The landscaped area will there after be the responsibility of the City upon final acceptance. All sidewalks adjacent to landscaping areas shall have a 6-inch garden curb at the back of the sidewalk between the landscaped area and the sidewalk to prevent runoff across sidewalk.
 - i. All plant spacing shall be approved by the Engineering Department and Title 17.
 - ii. Landscaping and perimeter wall shall be separately bonded for.
 - iii. The following areas shall be fully landscaped and irrigated per this condition and City Code and Standards and annexed in to the City's Landscaping Maintenance District:
 - 1. The area between the decorative masonry block wall and the sidewalk the entire length of "street name street" from "street name street" to Street Name Street".
 - 2. The perimeter of the detention basins shall be fully landscaped and shall be fully enclosed in City Code compliant fencing.

ENGINEERING DEPARTMENT

General Conditions:

108. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
109. The City of Adelanto shall be “added insured” on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
110. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.
111. All improvements as required by the City Engineer, shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City’s standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer’s expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
112. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
113. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
114. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer’s authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
115. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
116. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
117. The following site specific improvements shall be completed:
 - a. Onsite improvements are as follows:

- i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements are as follows:
 - ii. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. **OR** The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.
- 118. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
- 119. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
- 120. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

See attached Fire Department Conditions.

BUILDING AND SAFETY DIVISION, CUP 16-02

- BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with City Ordinance No._____.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10 a dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11 Page two of the submitted building plans will be the conditions of approval
- BC12 Construction must comply with 2013 California Building Codes including the California Green Building Code
- BC13 Best Managements Practices (BMP's) are required for the site during construction
- Cover sheet to include deferred submittals, Construction Type and material quantities for determination of occupancy.

**SAN BERNARDINO COUNTY
FIRE DEPARTMENT**



**COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP**

**OFFICE OF THE FIRE MARSHAL
COMMUNITY SAFETY DIVISION**
15900 Smoke Tree Street, 1st Floor, STE 131
Hesperia, CA. 92345
(760) 995-8190 - Fax (760) 995-8205

MARK A. HARTWIG
Fire Chief

DATE: March 25, 2016

EXPIRATION: March 2017

**PONTIOUS ARCH
MICHAEL PONTIOUS
18343 HWY 18, STE 5**

**PERMIT NUMBER: F201600306
PROJECT NUMBER: 16-02
LOCATION: RACCOON AVE BETWEEN RANCHO RD
PROJECT TYPE: CUP
OCCUPANCY TYPE: F1
APN: 0459-681-23-0000
PROPOSAL: Construct a 9,900 sq. ft. concrete tilt up for indoor cultivation.
PLANNER: De Manincor**

Dear Applicant:

With respect to the conditions of approval regarding the above referenced project, the San Bernardino County Fire Department requires the following fire protection measures to be provided in accordance with applicable local ordinances, codes, and/or recognized fire protection standards.

The ***Fire Conditions Attachment*** of this document sets forth the ***FIRE CONDITIONS*** and ***STANDARDS*** which are applied to this project.

FIRE CONDITIONS: All FIRE CONDITIONS FOR THIS PROJECT ARE ATTACHED

Page 1 of 6

Sincerely,

A handwritten signature in black ink, appearing to read "C. Markloff" with a date "3/25/16" written below it.

Curtis Markloff, Fire Prevention Specialist
San Bernardino County Fire Department
North Desert Division Community Safety Division
Duty, Honor, Community

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-02
PERMIT NUMBER: F201600306
LOCATION: RACCOON AVE BETWEEN
RANCHO RD
PARCEL: 0459-681-23-0000



CONDITIONS

Cond: EXPNOTE

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 with 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.

Cond: F01

Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F01]

Cond: F01A

Additional Requirements. In addition to the Fire requirements stated herein, other on site and 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. [F01A]

Cond: F03

Inspection by 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 "fire final". [F03]

Cond: F05

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. [F05]

Cond: F05B

Fire Flow Test. Your submittal did not include a flow test report to establish whether the public

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
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PERMIT NUMBER: F201600306
LOCATION: RACCOON AVE BETWEEN
RANCHO RD
PARCEL: 0459-681-23-0000



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. [F05B]

Cond: CON0034805

Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400. This fee is in addition to fire fees that are paid to the City of Adelanto. [F40]

Cond: CON0034804

Access. The development shall have a minimum of 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.

Multi-Story Road Access Width:

Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]

Cond: F42

Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. [F42]

Cond: F43

Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cui-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 [F43]

Cond: F44

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

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
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RANCHO RD
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topcoat of asphalt does not have to be installed until final inspection and occupancy. [F44]

Cond: F45

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 [F45]

Cond: F52

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 [F52]

Cond: F54

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]

Cond: F58

Sprinkler Installation Letter. The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation. [F58]

Cond: F59A

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]

Cond: F59

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

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
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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 [F59]

Cond: F62A

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]

Cond: F72

Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4 [F72]

Cond: F80

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]

Cond: F82

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]

Cond: F88

Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

Cond: F93

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

FIRE CONDITIONS ATTACHMENT

DATE: 03-25-2016
PROJECT: 16-02
PERMIT NUMBER: F201600306
LOCATION: RACCOON AVE BETWEEN
RANCHO RD
PARCEL: 0459-681-23-0000



installed on public/private roads in accordance with the approved plan. Standard 901.4 [F93]

Cond: F94

Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8400 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

[F94]

Cond: F95

Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan. Standard 704. [F95]

CITY OF ADELANTO
DEVELOPMENT SERVICES DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway
Adelanto, CA 92301

Project Title: **Location and Development Plan 16-02, Conditional Use Permit 16-02 and Minor Variance 16-02.**

Description of Project: Construct and operate a 9,900 square foot Medical Marijuana Cultivation Facility on a 0.78 acre site in the Manufacturing/Industrial Zone, in Industrial Park 2.

Project Location: West side of Raccoon Avenue between Yucca Road and Rancho Road, City of Adelanto, County of San Bernardino

Project Proponent: Pontious Architecture for Newco Trading.
Attn: Michael Pontious
18343 HWY 18, Suite 5
Apple Valley, CA 92307

Reasons why project is exempt:

The project is exempt per Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the project is covered under the EIR for Industrial Park 2.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 32 (Section Number 15332)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section Number 15162

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 x.3001

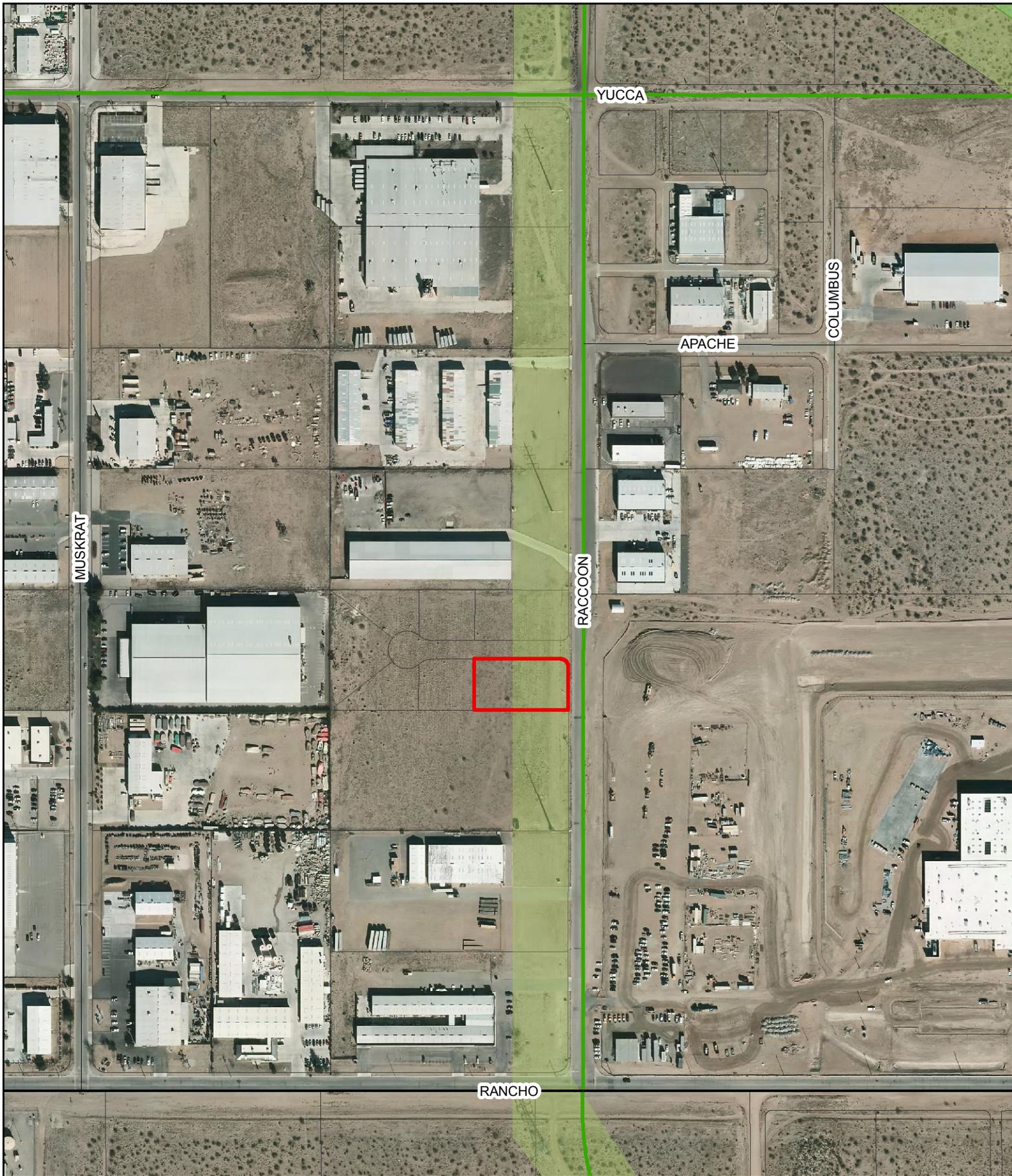
Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

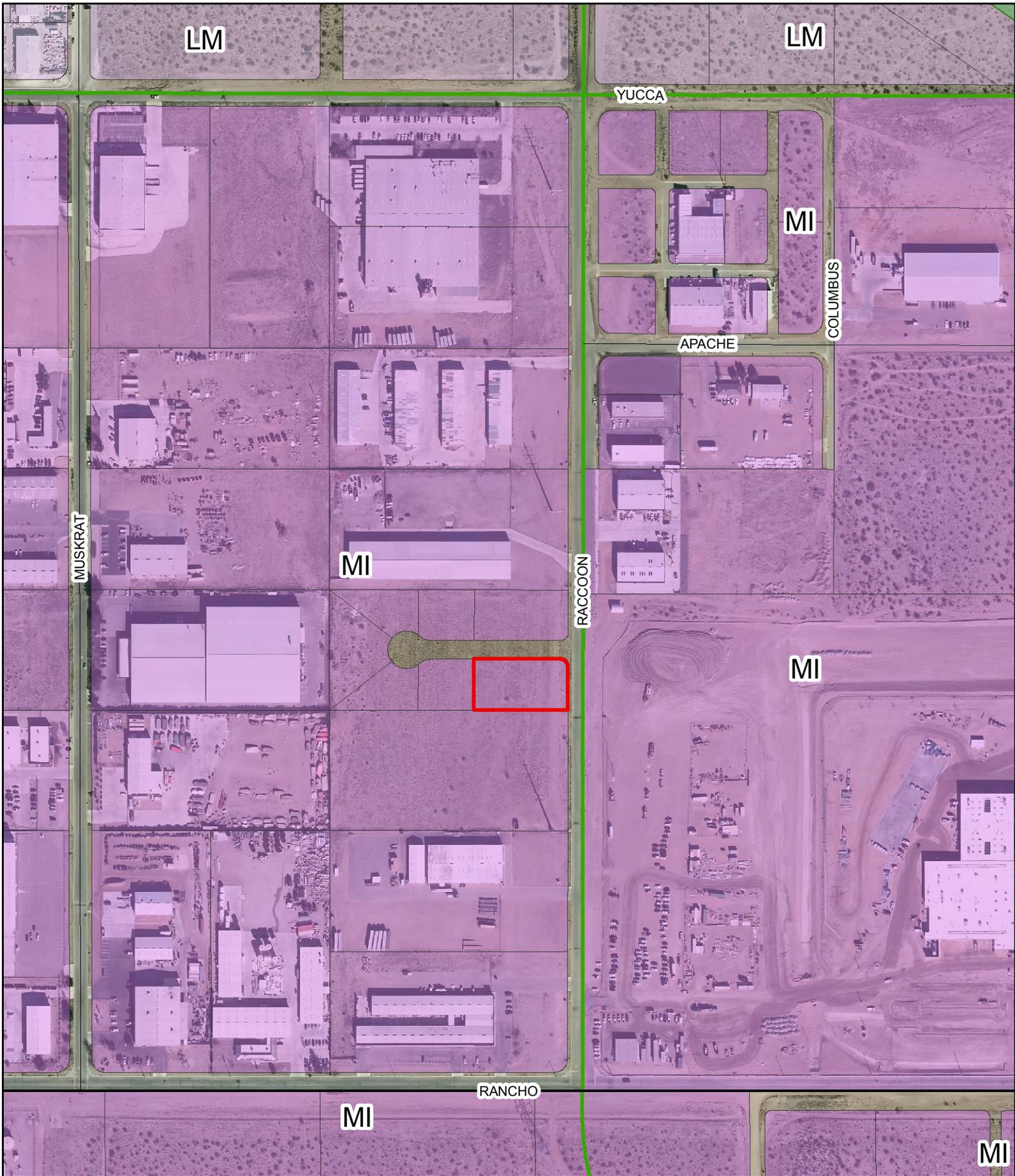
SIGNATURE/TITLE



CUP 16-02
Newco Trading
Aerial Exhibit



1 in = 330 feet



CUP 16-02
Newco Trading
Zoning Exhibit



1 in = 330 feet

PROJECT DATA:

OWNER
 NEWCO TRADING
 AVETIS HARUTYUNYAN
 7541 BLUEBELL AVE.
 NORTH HOLLYWOOD, CA 91605

ARCHITECT
 MICHAEL PONTIUS, AIA
 PONTIUS ARCHITECTURE
 18343 HWY. 18, SUITE 5
 APPLE VALLEY, CA 92307
 (760) 242-5100

ADDRESS
 RACCOON AVE.
 ADELANTO, CA 92301

LEGAL DESCRIPTION
 APN: 0459-681-23
 Parcel 7 OF PM. 15626

PROJECT STATISTICS:

USE:	HEMP PRODUCTS
ZONE:	INDUSTRIAL
OCCUPANCY TYPE:	F1
CONSTRUCTION TYPE:	5B SPRINKLERED
PARKING REQUIRED:	20 SPACES
PARKING PROVIDED:	20 SPACES (INCLUSIVE OF 1 HDCCP. SPACE)
BUILDING HEIGHT:	20'-28"
LAND AREA:	0.78 ac (33,927 SQFT.)
BUILDING AREA:	9,900 SQFT.
BUILDING COVERAGE:	29%
PAVING AREA:	8,325 SQFT.
BUILDING COVERAGE:	25%
LANDSCAPE AREA:	5,012 SQFT.
LANDSCAPE COVERAGE:	14%
UNDEVELOPED AREA:	10,740 SQFT.
UNDEVELOPED COVERAGE:	32%

SITE LEGEND

- TOWN APPROVED CONCRETE DRIVE APPROACH.
- NEW CONCRETE SIDEWALK PER CITY STANDARD.
- NOT USED.
- PROPOSED FIRE HYDRANT
- NEW CONCRETE CURB AND GUTTER PER CITY STANDARD.
- PROPOSED DOUBLE DETECTOR CHECK VALVE PER CITY STD.
- TOW-AWAY SIGN PER CBC 11B-502.8 / 11B-502.8.1 / 11B-502.8.2
- PEDESTRIAN CONCRETE RAMP. SEE SHEET A-003 FOR DETAILS.
- ADA PARKING SIGN. SEE SHEET A-003 FOR DETAILS.
- PLANTING AREA WITH 100% IRRIGATION COVERAGE.
- LOADING ZONE.
- STAMPED COLORED CONCRETE
- PAINTED SYMBOL OVER ASPHALT. SEE SHEET A-003 FOR DETAILS.
- PARKING STALL STRIPING PER CITY STANDARD. SEE SHEET A-003
- 15' TALL PARKING LOT LIGHT STANDARD.
- 6" WIDE X 6" HIGH CONCRETE CURB PER CITY STANDARD.
- INGRESS AND EGRESS DIRECTIONAL ARROWS PER CITY STANDARD.
- MIN. 48" PEDESTRIAN ACCESS ROUTE.
- 8' OR 5' MIN. WIDE ACCESSIBLE UNLOADING AREA - STRIPPED. NO PARKING PAINTED PER CBC 11B-502.3.3
- 4" AC PAVING OVER COMPACTED NATIVE PER SOILS REPORT.
- CONCRETE WALK W/BROOM FINISH.
- PROPOSED FDC/P.I.V. PER FIRE DEPT. STANDARDS.
- 48" LONG CONCRETE WHEEL STOP - TYPICAL.
- TRASH ENCLOSURE WITH TRELIS PER CITY STANDARD 24.3 - EXTERIOR FINISHED TO MATCH BUILDING. SEE DETAIL SHEET A-002 FOR DETAILS.
- TRUNCATED DOMES PER CBC 11B-705.1.2.5
- UNDEVELOPED AREA.

ACCESSIBILITY NOTE:

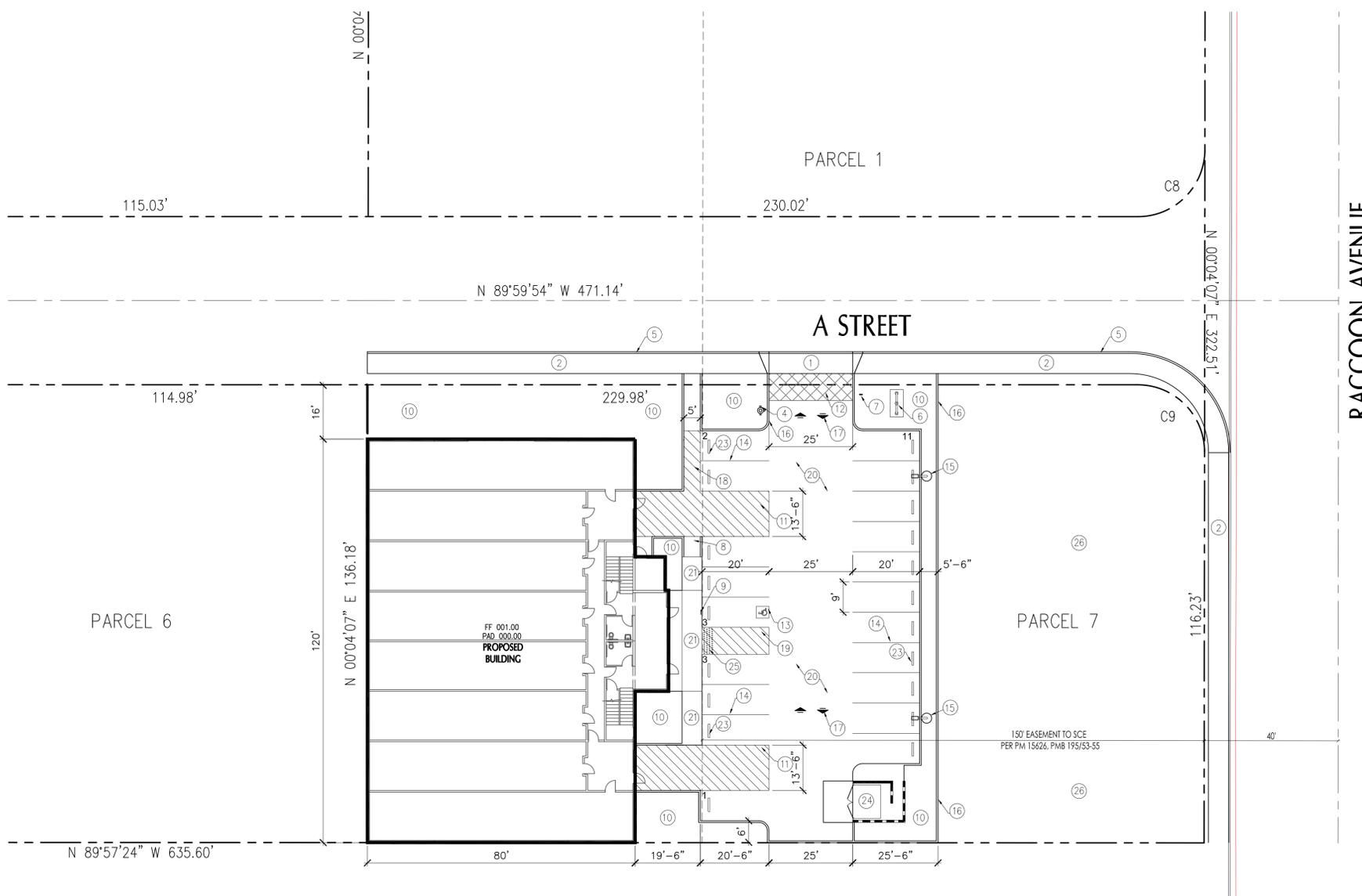
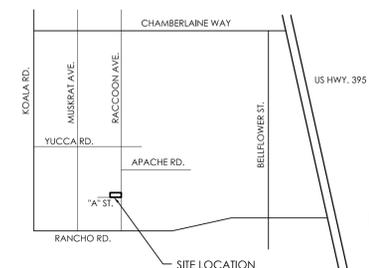
11B-502.3.3 MARKING: ACCESS AISLES SHALL BE MARKED WITH A BLUE PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BLUE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE AISLE SURFACE, PREFERABLY BLUE OR WHITE. THE WORDS "NO PARKING" SHALL BE PAINTED ON THE SURFACE WITHIN EACH ACCESS AISLE IN WHITE LETTERS A MINIMUM OF 12 INCHES IN HEIGHT AND LOCATED TO BE VISIBLE FROM THE ADJACENT VEHICULAR WAY. ACCESS AISLE MARKINGS MAY EXTEND BEYOND THE MINIMUM REQUIRED LENGTH.

11B-502.4 FLOOR OR GROUND SURFACES: PARKING SPACES AND ACCESS AISLES SERVING THEM SHALL COMPLY WITH SECTION 11B-502. ACCESS AISLES SHALL BE AT THE SAME LEVEL AS THE PARKING SPACES THEY SERVE. CHANGES IN LEVEL ARE NOT PERMITTED. SLOPES NOT STEEPER THAN 1:48 SHALL BE PERMITTED.

11B-502.6.3 LOCATION: A PARKING SPACE IDENTIFICATION SIGN SHALL BE VISIBLE FROM EACH PARKING SPACE. SIGNS SHALL BE PERMANENTLY POSTED EITHER IMMEDIATELY ADJACENT TO THE PARKING SPACE OR WITHIN THE PROJECTED PARKING SPACE WIDTH AT THE HEAD END OF THE PARKING SPACE. SIGNS MAY ALSO BE PERMANENTLY POSTED ON A WALL AT THE INTERIOR END OF THE PARKING SPACE.

11B-705.1.2.5 HAZARDOUS VEHICULAR AREAS: DETECTABLE WARNINGS AT HAZARDOUS VEHICULAR AREAS SHALL BE 36 INCHES IN WIDTH.

VICINITY MAP



SITE PLAN

SCALE: 1"=20'-0"



UTILITIES

ELECTRICITY: SOUTHERN CALIFORNIA EDISON CO.
 12353 HESPERIA ROAD
 VICTORVILLE, CA 92392
 (800) 442-4950

GAS: SOUTHWEST GAS CO.
 13471 MARIPOSA ROAD
 VICTORVILLE, CA 92392
 (760) 241-9321

TELEPHONE: VERIZON
 15168 LA PAZ ROAD
 VICTORVILLE, CA 92392
 (800) 772-5153

WATER: ADELANTO WATER DEPARTMENT
 11600 AIR EXPRESSWAY
 ADELANTO, CA 92301
 (760) 246-2300

APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE
 2013 CALIFORNIA MECHANICAL CODE
 2013 CALIFORNIA ELECTRICAL CODE
 2013 CALIFORNIA PLUMBING CODE
 2013 CALIFORNIA FIRE CODE
 2012 ENERGY CODE
 2013 CALIFORNIA GREEN CODE

TITLE 24-CA-STATE ACCESSIBILITY STANDARDS
 ALL CURRENT LOCAL BUILDING CODES AND ALL
 CURRENT STATE & FEDERAL
 ACCESSIBILITY STANDARDS.

NOTE:

ARCHITECTURAL SITE DRAWINGS ARE FOR REFERENCE ONLY. REFER TO CIVIL DRAWINGS FOR VERIFICATION BEFORE CONSTRUCTION BEGINS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND/OR CIVIL ENGINEER.

UTILITY LOCATIONS ARE FOR REFERENCE ONLY AND SHOULD BE VERIFIED BEFORE CONSTRUCTION BEGINS. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND/OR CIVIL ENGINEER.

THESE DRAWINGS CONTAIN GENERAL INFORMATION ABOUT THE CONFIGURATION OF THE EXISTING BUILDING AND ITS CONSTRUCTION. THEY HAVE BEEN MADE USING DIRECT OBSERVATION OF THE CONDITIONS. HOWEVER, THEY ARE NOT AS-BUILT DRAWINGS.

ACCESSIBILITY NOTE:

SEE SHEET A-003 FOR ADA SITE DETAILS AND A-004 FOR ACCESSIBILITY PATH OF TRAVEL

NOTE:

LIGHTING FIXTURES THROUGHOUT THE SITE SHALL BE A TYPE AND LOCATED IN SUCH A MANNER THAT NO LIGHT OR REFLECTED GLARE IS DIRECTED OFF-SITE AND NO LIGHT IS DIRECTED ABOVE A HORIZONTAL PLANE PASSING THROUGH THE BOTTOM OF THE FIXTURE. ALL GLARE SHALL BE DIRECTED ONTO THE SITE AND AWAY FROM ADJACENT PROPERTIES AND STREETS.



PONTIUS ARCHITECTURE
 MICHAEL PONTIUS AIA
 18355 HWY 18, STE. E
 APPLE VALLEY, CA 92307

OFFICE: 760-242-5100
 FAX: 760-242-4600

www.pontiousarc.com



NEWCO TRADING
 AGRICULTURAL BUILDING LOT #7
 ADELANTO, CA

CLIENT:

DRAWING TITLE:
SITE PLAN

CONSULTANT:

REVISIONS:	DATE	ITEM

DATE: 1-06-16

JOB NO: A13-12142015

SHEET NO:

A1



PONTIOUS ARCHITECTURE

MICHAEL PONTIOUS AIA
18355 HWY 18, STE. E
APPLE VALLEY, CA 92307
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FAX: 760-242-4600

www.pontiousarc.com



CLIENT:
NEWCO TRADING
AGRICULTURAL BUILDING LOT #7
ADELANTO, CA

DRAWING TITLE:
LANDSCAPE PLAN

CONSULTANT:

REVISIONS:	ITEM
Date	

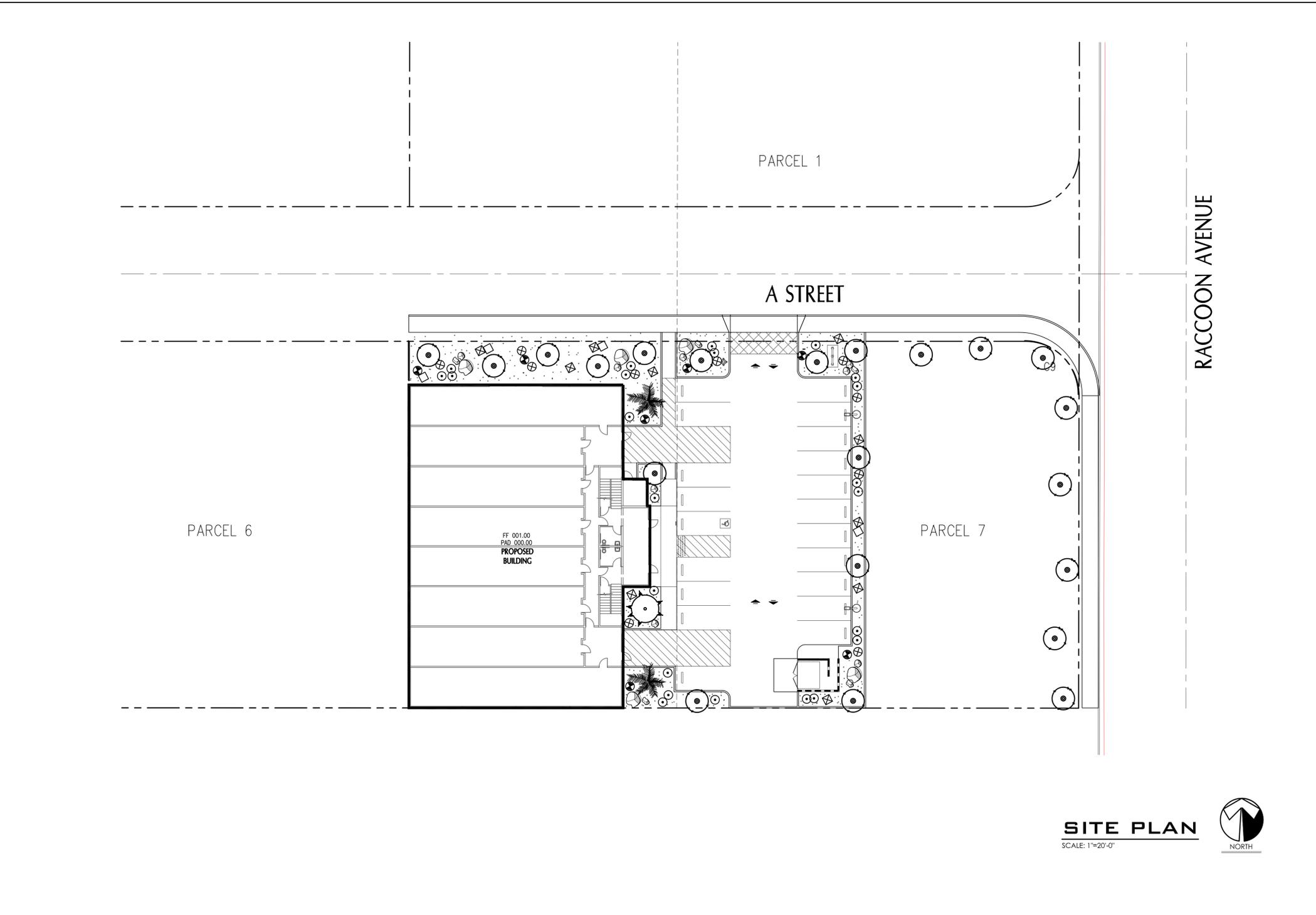
DATE: 1-06-16

JOB NO: A13-12142015

SHEET NO:

L1

SHRUB PLANTING LEGEND			
*NOT ALL ITEMS ON LEDGER ARE USED			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
○	ROSMARINUS PROSTRATUS	DWARF ROSEMARY	1 GAL. / 36" O.C.
⊕	RHUS OVATA	SUGAR BUSH	5 GAL. / PER PLAN
⊙	FESTUCA OVINA GLAUCA	BLUE FESCUE	1 GAL. / 36" O.C.
⊖	ARTEMISIA "POWIS CASTLE"	POWIS CASTLE SAGE	1 GAL. / 36" O.C.
⊕	CAESALPINIA GILLIESII	BIRD OF PARADISE BUSH	5 GAL. / PER PLAN
⊗	PHOTINIA FRASERI	ROSACEAE	5 GAL. / 60" O.C.
◇	HESPERALOE PARVIFOLIA	RED YUCCA	1 GAL. / 36" O.C.
⊕	SIMMONDSIA CHINENSIS	JOJOBA	1 GAL. / 36" O.C.
TREE PLANTING LEGEND			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE/SPACING
	WASHINGTONIA ROBUSTA	MEXICAN FAN PALM	SEE PLAN
	CERCIDIUM FLORIDUM	BLUE PALO VERDE	24" BOX
	PROSOPIS CHILENSIS	CHILEAN MESQUITE	24" BOX
ROCK LEGEND			
	1/2" GRAVEL TO BE PLACED IN ALL PLANTERS - 2" DEEP		
	BOULDER 2.5' MIN.		



LANDSCAPE GENERAL NOTES

- THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FULL AND COMPLETE IRRIGATION COVERAGE OF ALL LANDSCAPE AREAS, AND SHALL MAKE MINOR ADJUSTMENTS AS REQUIRED AS SITE CONDITIONS DICTATE.
- IRRIGATION SLEEVING UNDER ASPHALT OR CONCRETE AREAS SHALL BE PROVIDED AND INSTALLED BY LANDSCAPE CONTRACTOR.
- LANDSCAPE CONTRACTOR SHALL MAINTAIN LANDSCAPING AND IRRIGATION SYSTEM FOR A PERIOD OF 90 DAYS. SAID TIME PERIOD SHALL BEGIN AT TIME OF CERTIFICATE OF OCCUPANCY.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FOLLOWING ITEMS:
LABOR, MATERIAL, EQUIPMENT
TRENCHING/BACKFILLING
AUTOMATIC IRRIGATION CONTROL SYSTEM
AUTOMATIC IRRIGATION SYSTEM COMPLETE
TESTING OF ALL LANDSCAPE RELATED SYSTEMS
CLEAN/UP/HAULAWAY
AS BUILT DRAWINGS
ZONE VALVE CONTROL DIAGRAM
MATERIAL PROTECTION DURING CONSTRUCTION
MOWSTRIPS AND OTHER APPROVED EDGINGS PER PLAN.
CONFORMANCE WITH LOCAL BUILDING ORDINANCES.
- ANY DISCREPANCIES IN THESE DRAWINGS SHALL BE BROUGHT TO THE DESIGNERS ATTENTION PRIOR TO CONSTRUCTION.

TREE NOTES

- PIT SIZE: TWICE AS WIDE AS ROOTBALL.
- PLANTING DEPTH: TOP OF ROOTBALL 1" ABOVE FINISHED GRADE.
- BACKFILL MATERIAL: 50% NATIVE SOIL AND 50% SOIL AMENDMENT, WHICH SHALL BE 90% BARK-BASED PRODUCT, 0-1/4" SIZE, TREATED WITH NITROGEN, 1/2-0-0. CROWN FIRM TO REDUCE SETTLING.
- PLANTING TABLETS: 7 GRAM GRO-POWER PLANTING TABS. USE (9) FOR 5 GAL., (15) FOR 15 GAL., (16) FOR 24" BOX AND (20) FOR 36" BOX.
- EARTH BASIN: DIAMETER 12" LARGER THAN ROOTBALL (EXCEPT LAWN AREAS).
- MULCH/GROUND COVER: UNTREATED 90% BARK-BASED PRODUCT, 1/4" - 5/8" SIZE, COMMONLY KNOWN AS PATHWAY OR MINIATURE BARK. INSTALL BARK TO A DEPTH OF 2" WHERE DESIGNATED AS GROUND COVER.
- VITAMIN B-1: SUPERTHRIVE LIQUINOX START OR EQUAL. APPLY AS PER MANUFACTURERS RECOMMENDATIONS DURING THE SECOND WATERING OF THE BASINS.
- STAKES: 2" X 2" X 8' REDWOOD.
- STAKING HEIGHT: SUFFICIENT TO SUPPORT TRUNK IN VERTICAL, UNBENDING POSITION WHEN SECURED WITH CABLE TIES.
- CABLE TIES: 1/16" X 1/8" PLASTIC COATED CABLE, LENGTH AS REQUIRED. CABLE SHALL BE INSET THROUGH 8" LONG HOSE SECTION AND PLACED AROUND TREE TRUNK.

DESIGN INTENT

DESIGN AND SPECIFICATIONS ARE INTENDED TO MATCH THE FINISHES AND COLORS OF THE EXISTING BUILDING LOCATED TO THE SOUTH. GENERAL CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VERIFY SELECTIONS SHOWN AND NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION. INCLUDING, BUT NOT LIMITED TO: DRYWALL/EXTERIOR PLASTER FINISHES, LIGHT FIXTURES, DOORS AND FRAMES, STOREFRONT FINISH, FINISH FLOORING, CONCRETE FLATWORK, FREE FORM LOW WALL AND LANDSCAPING.

LANDSCAPE NOTE

ALL AREAS NOT COVERED WITH SOD OR PLANTING SHALL RECEIVE 1/4" GRAVEL. COLOR TO REFLECT NATURAL LANDSCAPE (SAND COLOR).

LANDSCAPE REQUIREMENTS

ALL COMMON OPEN SPACE SHALL BE LANDSCAPED. ALL LANDSCAPING AND IRRIGATION SHALL CONFORM TO CITY APPROVED DESIGN STANDARDS.

TOTAL LANDSCAPE AREA:

PLANT SPACING CRITERIA

MAX. SPACING OF ALL PLANTS SHALL BE AS INDICATED BELOW

ONE GALLON PLANTS	=	3'-0" O.C.
FIVE GALLON PLANTS	=	5'-0" O.C.
GROUND COVER	=	18" O.C.

THE SPACING CRITERIA SHALL SUPERSEDE THE NUMBER OF PLANTS INDICATED IN THE PLANT LEGEND AND SHOWN GRAPHICALLY ON THE PLAN.

SHRUB NOTES

- SEE TYPICAL TREE NOTES # 1,2,3,5,6 & 7.
- PLANT TABLETS: 7 GRAM GRO-POWER PLANTING TABLETS. USE (3) FOR 1 GAL., (8) FOR 5 GAL.



PONTIOUS ARCHITECTURE

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FAX: 760-242-4600

www.pontiousarc.com



NEWCO TRADING
AGRICULTURAL BUILDING LOT #7
ADELANTO, CA

CLIENT:

DRAWING TITLE:
FLOOR PLAN

CONSULTANT:

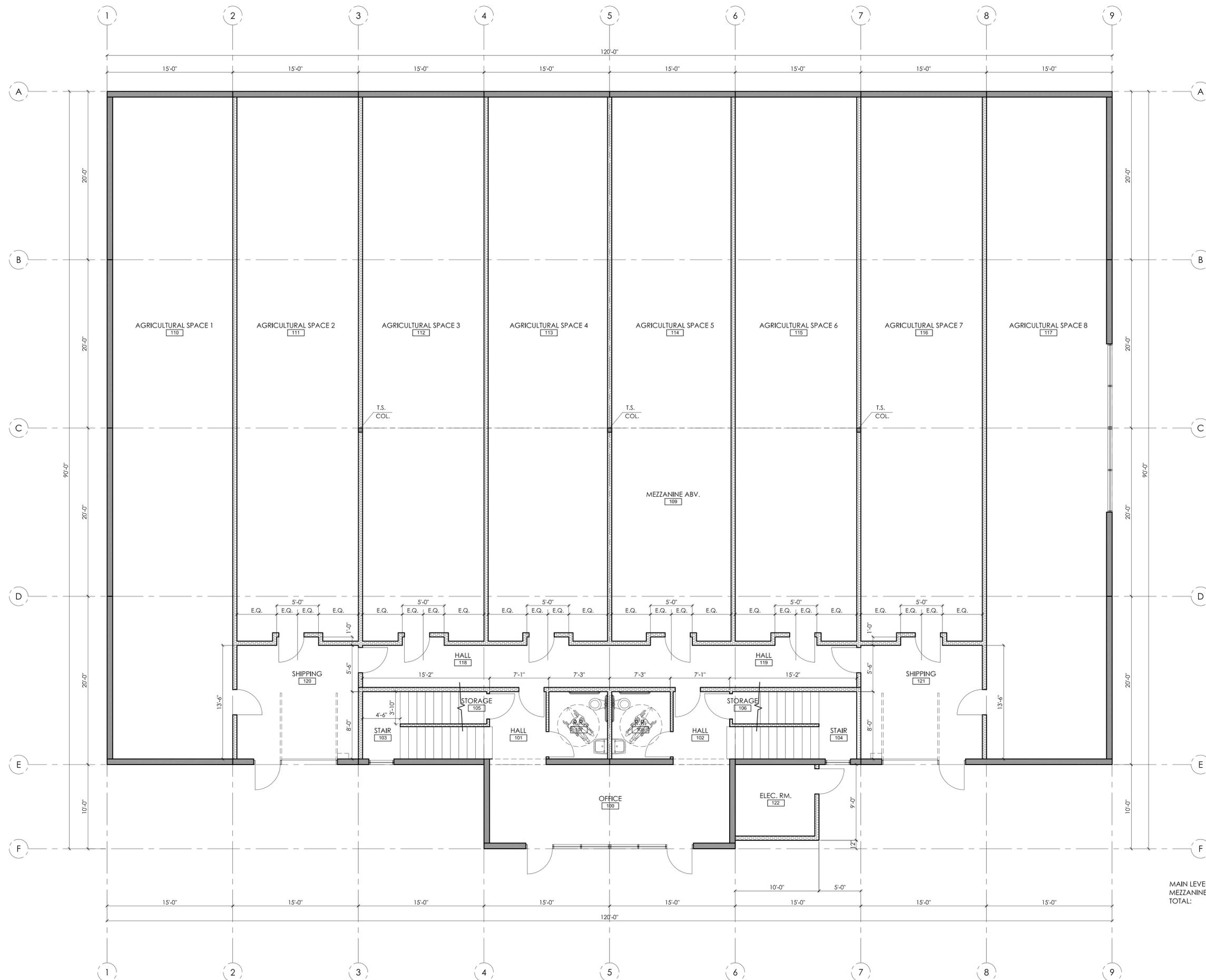
REVISIONS:	DATE	ITEM

DATE: 1-06-16

JOB NO: A13-12142015

SHEET NO:

A2

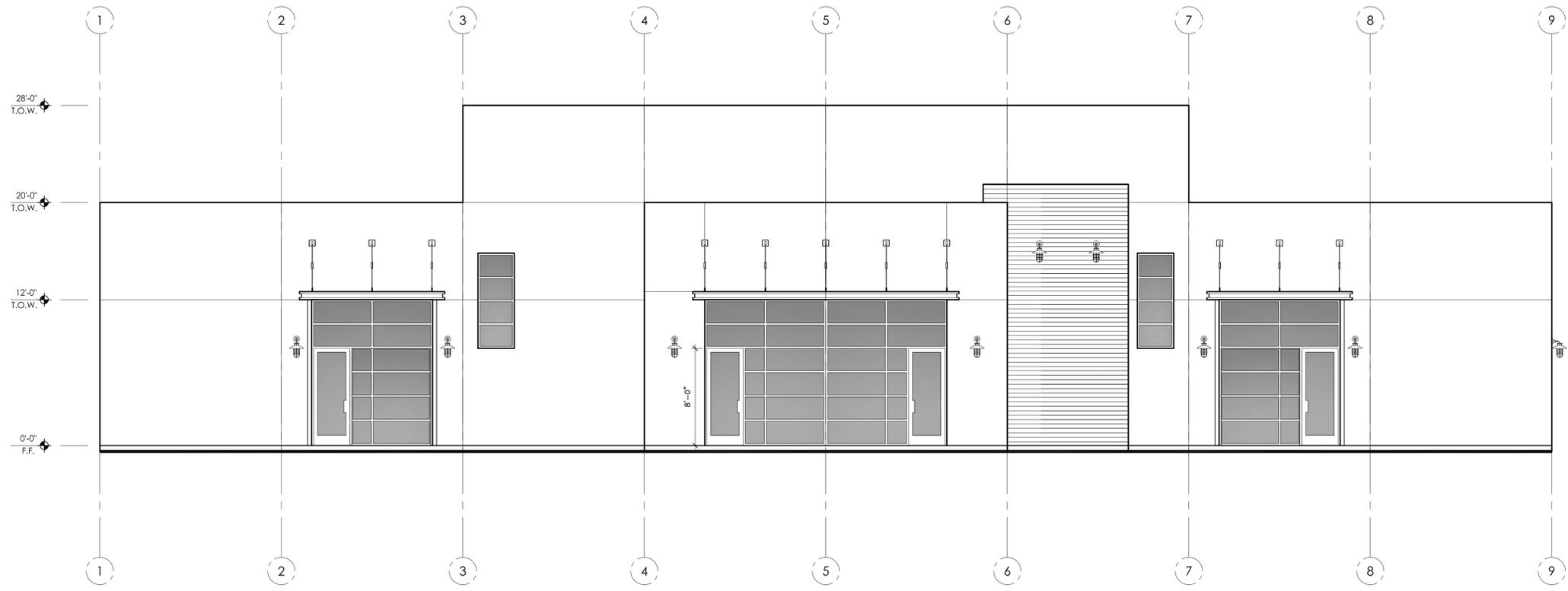


MAIN LEVEL: 9,900 SQFT.
MEZZANINE: 3,000 SQFT.
TOTAL: 12,900 SQFT.

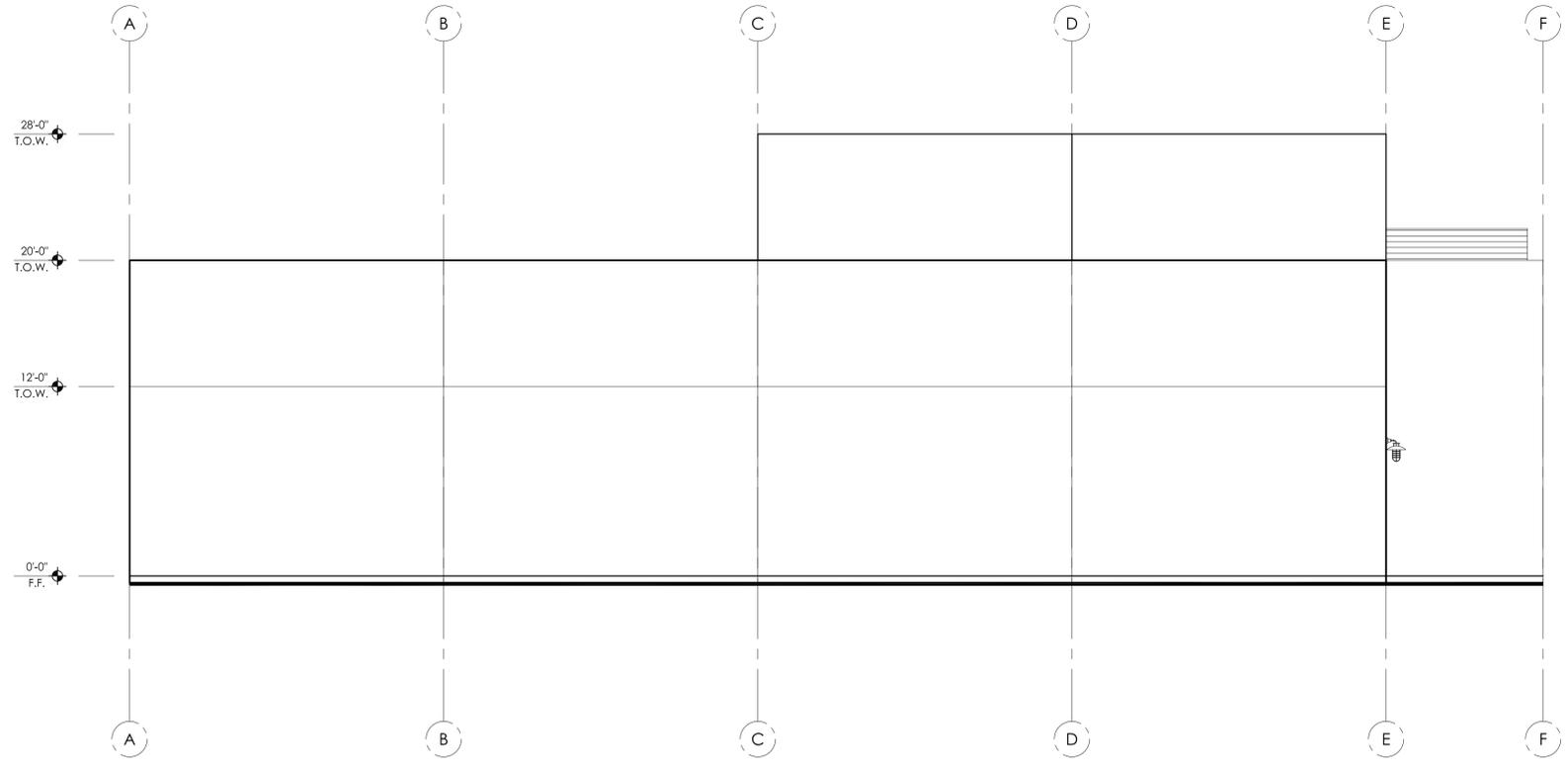
FLOOR PLAN

SCALE: 3/16"=1'-0"





FRONT ELEVATION SCALE: 3/16"=1'-0"



LEFT ELEVATION SCALE: 3/16"=1'-0"



PONTIOUS ARCHITECTURE

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www.pontiousarc.com



NEWCO TRADING
AGRICULTURAL BUILDING LOT #7
ADELANTO, CA

CLIENT:

DRAWING TITLE:
ELEVATIONS

CONSULTANT:

REVISIONS:	ITEM
Date	

DATE: 1-06-16
JOB NO: A13-12142015

SHEET NO:

A3



**PONTIOUS
ARCHITECTURE**

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FAX: 760-242-4600
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NEWCO TRADING
AGRICULTURAL BUILDING LOT #7
ADELANTO, CA

CLIENT:

DRAWING TITLE:
ELEVATIONS

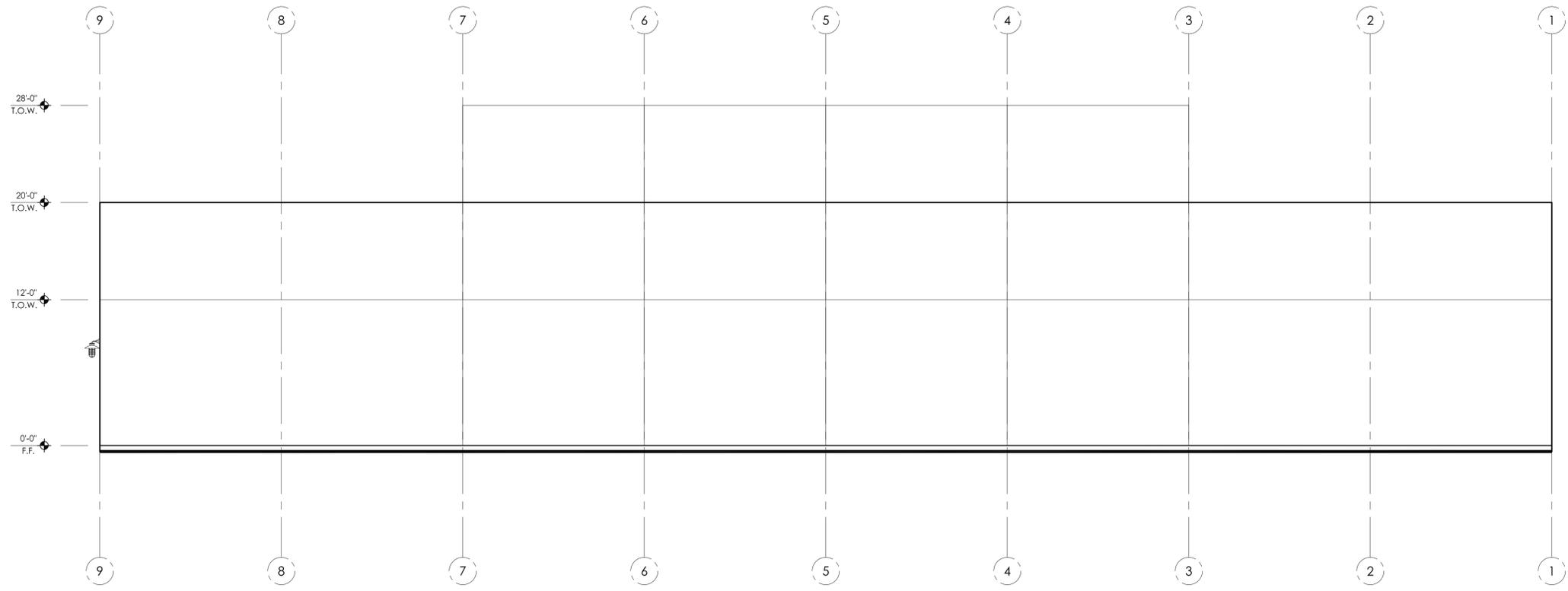
CONSULTANT:

REVISIONS:	ITEM
Date	

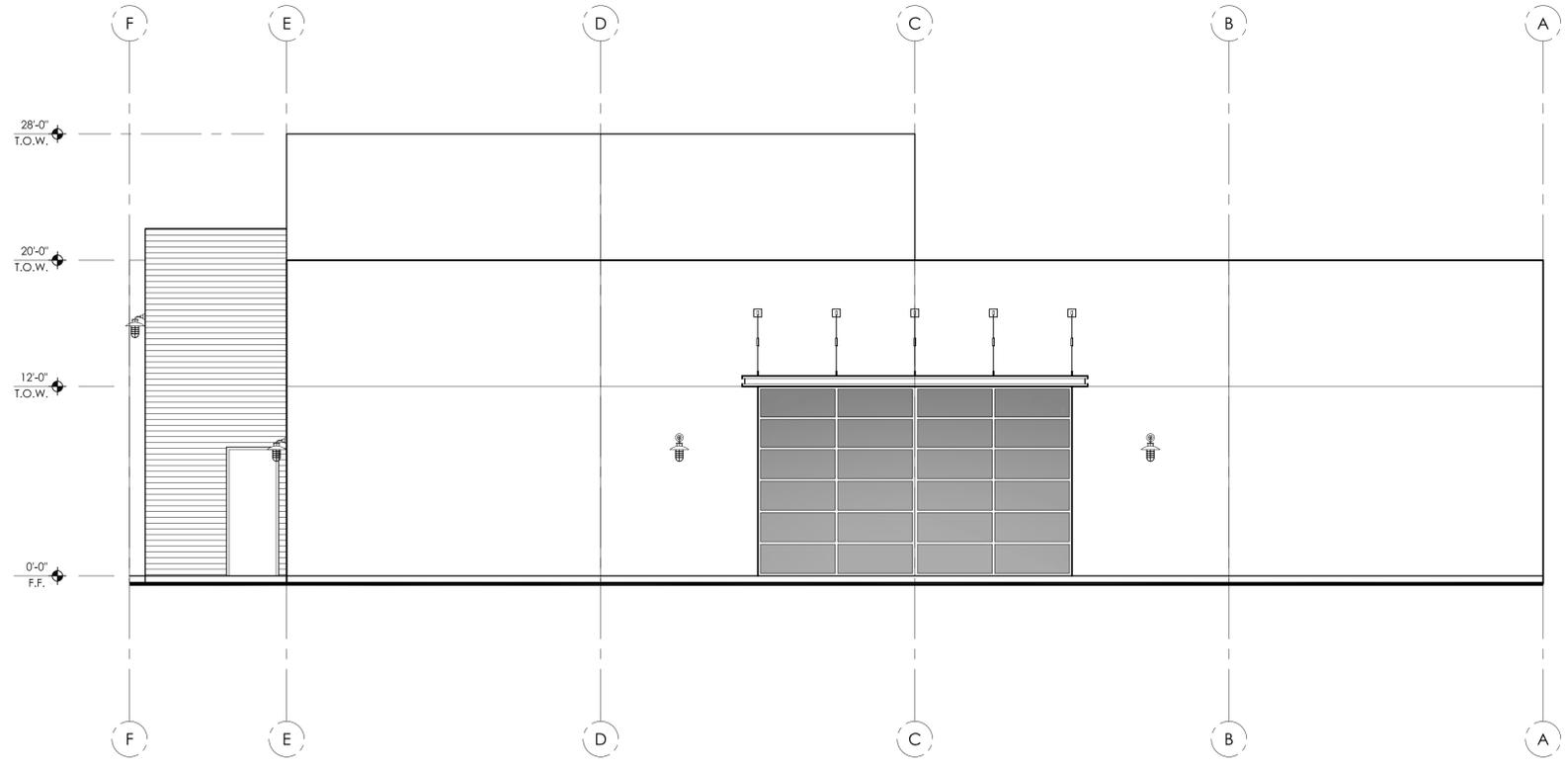
DATE: 1-06-16
JOB NO: A13-12142015

SHEET NO:

A3.1



REAR ELEVATION SCALE: 3/16"=1'-0"



RIGHT ELEVATION SCALE: 3/16"=1'-0"



NEWCO
TRADING

NEWCO TRADING
AGRICULTURAL BUILDING





PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Conditional Use Permit 16-03**, HD Biotech, Inc., proposes the indoor cultivation of medical marijuana in an existing 34,000 square foot facility in Industrial Park 2. The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-11 **ADOPT** findings and **APPROVE** Conditional Use Permit 16-03, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: HD Biotech, Inc.
Attn: Katherine Hall
19123 Outer HWY 18
Apple Valley, CA 92307

General Location: The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, within the City of Adelanto, County of San Bernardino. The project site is within Section 31, Township 6 North, Range 5 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 0459-681-03

Environmental Determination: Exempt under Section 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit 15-07

**Existing General Plan &
Current Zoning Designation:** Manufacturing/Industrial (MI)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Manufacturing/Industrial	MI
South	Manufacturing/Industrial	MI
West	Manufacturing/Industrial	MI
East	Manufacturing/Industrial	MI

Existing Land Use: Manufacturing/Industrial.

Surrounding Land Uses: The following chart shows the surrounding land uses:

<i>Direction</i>	<i>Land Use</i>
North	Developed Industrial
South	Undeveloped
East	Developed Industrial
West	Developed Industrial

PROJECT DESCRIPTION

HD Biotech, Inc., proposes the indoor cultivation of medical marijuana in an existing 34,000 square foot facility on 4.69 acres of land. The actual growing area is estimated at 9,240 square feet. The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road.

DEVELOPMENT STANDARDS

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Minimum Lot Size	20,000 sf	1.11 acre
Minimum Lot Width	100 feet	232.50 feet
Minimum Lot Depth	100 feet	204.71 feet
Minimum Front Setback		
• To Building	25 feet	63.7 feet
• To Parking Area	10 feet	26.7 feet
Minimum Side Yard Setback		
• Street Side to Building	25 feet	NA
• Street Side to Parking	10 feet	62 and 31 feet
• All others	0 feet	
Maximum Building Height	50 feet	23 feet
Minimum Rear Yard Setback	Same as Side Yard	30 feet
Landscaping Required	10% of the project area	27%

PARKING

The proposed project is for a 34,000 square foot indoor medical marijuana cultivation facility. The industrial building requires 68 spaces at one space for every 500 square feet. The applicant is providing 81 spaces which include two accessible spaces.

DRAINAGE

A drainage study was not included with this project as the approval is for an existing facility.

TRAFFIC & CIRCULATION

The site fronts on Rancho Road, which is paved and includes curb and gutter. The applicant is proposing to have two driveways for access to the site. Rancho Road is a Major Street that connects to HWY 395 to the east providing the all-weather external access to and from the site that would allow adequate fire and emergency vehicles access to all areas of the site.

NOISE

The project site is in the Manufacturing/Industrial zoning district and is located adjacent to Rancho Road. This project will not create impacts due to noise as the site is surrounded by industrial uses.

ENVIRONMENTAL CONSIDERATIONS:

The development of this project is Exempt from the California Environmental Quality Act under section 15162 (Subsequent EIR's and Negative Declarations) as this project is covered under the Environmental Impact Report for Industrial Park 2.

OTHER

The applicant and operator are required to maintain continued compliance with section 17.80.080 of the Adelanto Municipal Code regarding the Cultivation of Medical Marijuana.

ATTACHMENTS:

- Resolution P-16-11
- Conditions of Approval
- Notice of Exemption
- Aerial Exhibit
- Site Plan
- Floor Plan

RESOLUTION NO. P-16-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING CONDITIONAL USE PERMIT 16-03 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION OF MEDICAL MARIJUANS AT AN EXISTING 34,000 SQUARE FOOT FACILITY ON APPROXIMATELY 4.69-ACRES OF LAND LOCATED ON THE NORTHWEST CORNER OF RANCHO ROAD AND RACCOON AVENUE, AT 10042 RANCHO ROAD. ASSESSOR'S PARCEL NUMBER 0459-681-03.

WHEREAS, the applicant, HD Biotech, Inc., has proposed Conditional Use Permit 16-03 to allow for the indoor cultivation of medical marijuana at an existing 34,000 square foot facility located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-03. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from the California Environmental Quality Act under sections 15162 (subsequent EIR's and Negative Declarations) as this project is covered under the EIR for Industrial Park 2.

SECTION 4. The Planning Commission hereby finds and determines:

- (a) That the proposed Conditional Use is consistent with the General Plan;

The proposed Land Use/Zoning designation is Manufacturing/Industrial (MI), which allows for the indoor cultivation of medical marijuana in the industrial park with the approval of a Conditional Use Permit;

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are similar uses currently existing in the vicinity of the proposed project.

- (c) That the site for the proposed Conditional Use is of adequate size and shape to accommodate the use and buildings proposed;

The site is approximately 4.69 acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed Conditional Use complies with all applicable development standards of the zoning district; and

The proposed project has been conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed Conditional Use observes the spirit and intent of this Zoning Code;

The proposed, indoor cultivation of medical marijuana is in an existing Facility and is an appropriate use in the Manufacturing/Industrial Zone in an Industrial Park with the approval of a Conditional Use Permit.

SECTION 5. The requested Conditional Use Permit 16-03 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July 2016.

Chris Waggener
Chairman for the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

I, Virginia Cervantes, Planning Secretary to the Planning Commission for the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-11 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-11
July 5, 2016**

**Conditions of Approval
Conditional Use Permit 16-03**

PROJECT: A proposal to allow the indoor cultivation of medical marijuana at an existing 34,000 square foot facility on a 4.69-acre property. The project site is located on the northwest corner of Rancho Road and Raccoon Avenue, at 10042 Rancho Road within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-681-03.

Applicant: Katherine Hall for HD Biotech, Inc.

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; by **July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial use under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the City's Development Code.
3. **Phasing.** This Conditional Use Permit is for the indoor cultivation of medical marijuana at an existing 34,000 square foot facility on a 4.69-acre parcel. Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 4.69-acre site as shown on the Site Plan, unless otherwise indicated.
4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit 16-03.

The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.
6. **Fish and Game.** The applicant/owner shall pay a fee of \$50.00 for the Department of Fish and Game determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50.00 made payable to the "Clerk of the Board of Supervisors".** The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.
7. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the Special Use Standards, Section 17.80.080 regarding the cultivation of medical marijuana.
8. **Compliance with Environmental Mitigation.** The project has been found exempt under section's 15162 (subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the project is covered under the scope of the EIR for Industrial Park 2.
9. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.
10. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - b. Any other required approval from an outside agency.
11. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage requirements identified in

section 17.80.080 of the Adelanto Municipal Code. The project shall remain in full compliance with all City sign regulations at all times.

12. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval or issuance of grading permits, a new copy of the City approval letter shall be signed by the current development parties.
13. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
14. "Saving by Design" Southern California Edison Energy Efficiency – Contact Maya Aubrey (maya.aubrey@sce.com) for electrical efficiency information.
15. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Conditions:

16. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
17. The City of Adelanto shall be "added insured" on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
18. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.
19. All improvements as required by the City Engineer shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City's standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer's expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
20. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
21. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.

22. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
23. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
24. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
25. The following site specific improvements shall be completed:
 - a. Onsite improvements are as follows:
 - i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements are as follows:
 - i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. **OR** The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.
26. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
27. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
28. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

29. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

30. No Fire Department Conditions were received for this project.

BUILDING AND SAFETY DIVISION, CUP 16-03

- BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with City Ordinance No._____.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10 a dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11 Page two of the submitted building plans will be the conditions of approval
- BC12 Construction must comply with 2013 California Building Codes including the California Green Building Code
- BC13 Best Managements Practices (BMP's) are required for the site during construction
- BC14 Cover sheet to include deferred submittals, Construction Type and material quantities for determination of occupancy.

CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/P.O. Box 10
Adelanto, CA 92301

Project Title: Conditional Use Permit 16-03

Description of Project: A proposal by Katherine Hall for HD Biotech, Inc., for the indoor cultivation of medical marijuana at an existing 34,000 square foot facility.

Project Location: 10042 Rancho Road, Adelanto, County of San Bernardino

Project Proponent: HD Biotech, Inc.
Attn: Katherine Hall
19123 Outer HWY 18
Apple Valley, CA 92307

Reasons why project is exempt:

The project is exempt under section's 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the scope of the EIR for Industrial Park 2.
Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 03 (Section Number 15303) (c)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section 15162 (Subsequent EIR's and Negative Declarations).

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 Ext. 3001

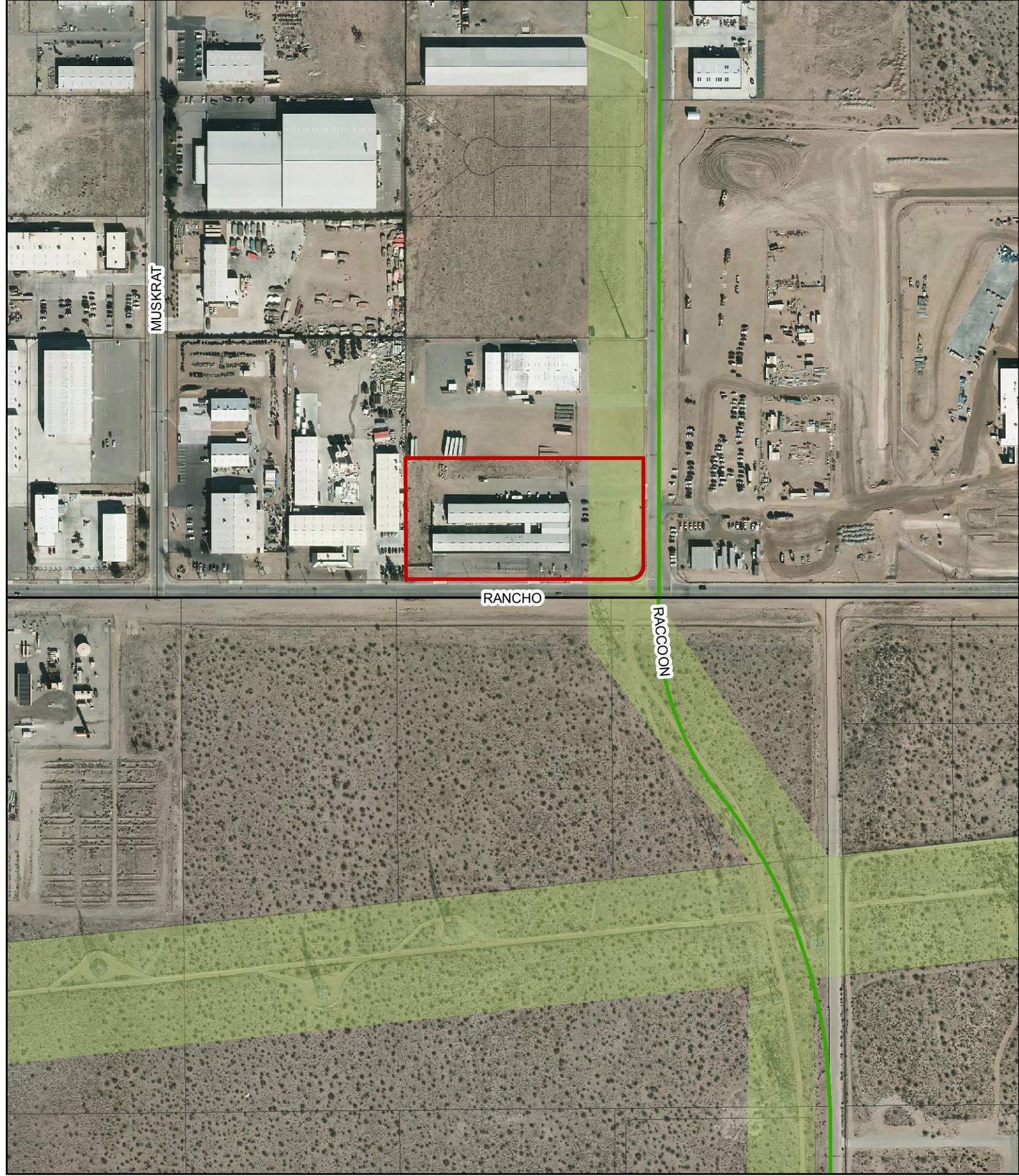
Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



MUSKRAT

RANCHO

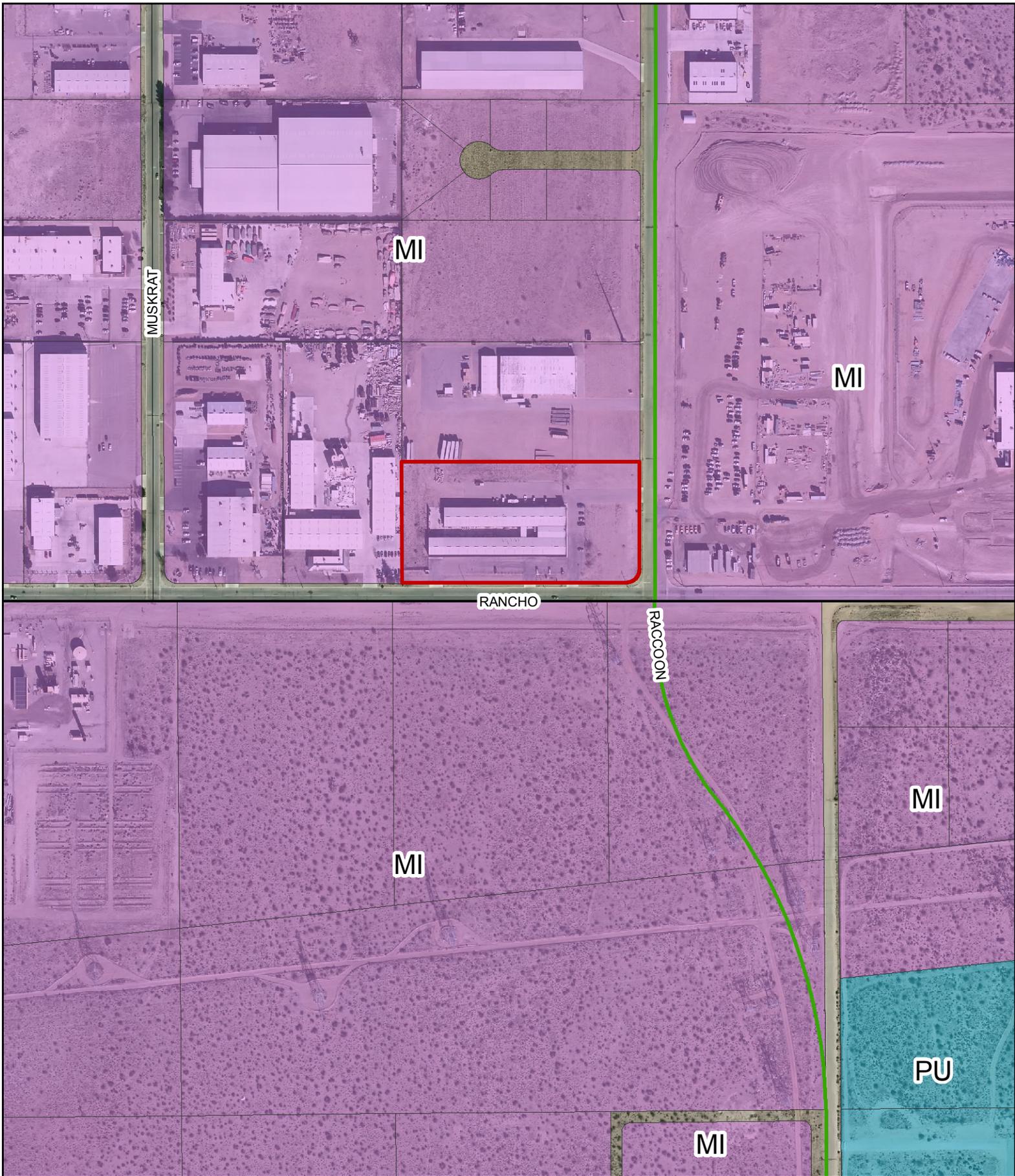
RACCOON



CUP 16-03
HD Biotech, Inc
Aerial Exhibit



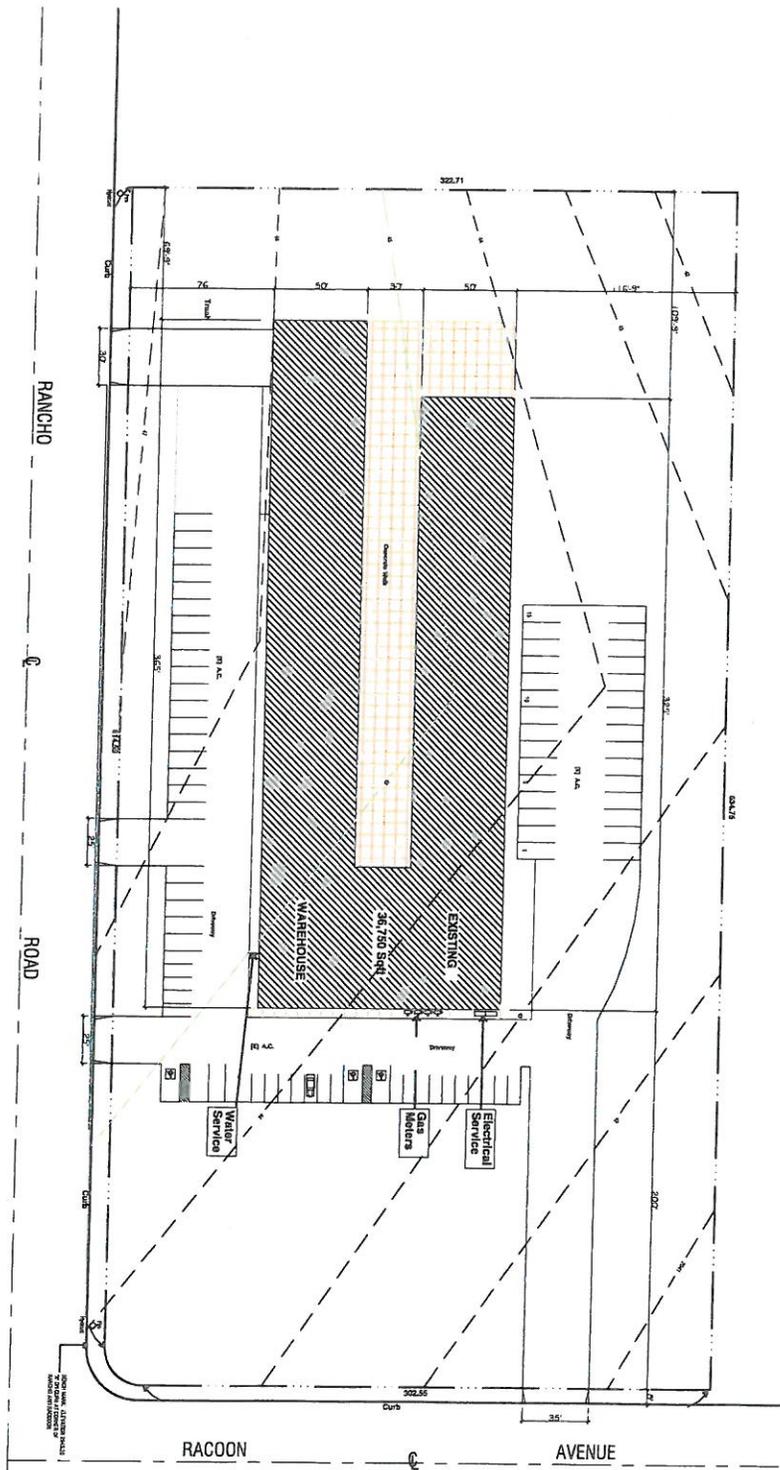
1 in = 330 feet



CUP 16-03
HD Biotech, Inc
Zoning Exhibit



1 in = 330 feet



PLOT - PLAN

SCALE 1" = 30'

LEGAL DESCRIPTION:
 A PORTION OF APN. # 458-44-01, PARCEL #3, PARCEL MAP 11774 GOVERNMENT LOTS 1 & 2 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 8 NORTH, RANGE 9 WEST.



BUILDING:
 36,750 SQFT

PARKING:
 STANDARD 9 X 20 54
 COMPACT 7 X 15 24
 HA 7'ICAP 3
 TO A.C. 81

NO.	DATE	REVISION

FINE TON & TGF
 ENGINEERS ARCHITECTS

PROJECT:
 PUT BIOTECH
 INC.
 10-30-2015
 PROJECT NO. 15-01
 SHEET NO. 11
 PROJECT DATE: 10-02-15

ALTEC
 Engineering Inc.

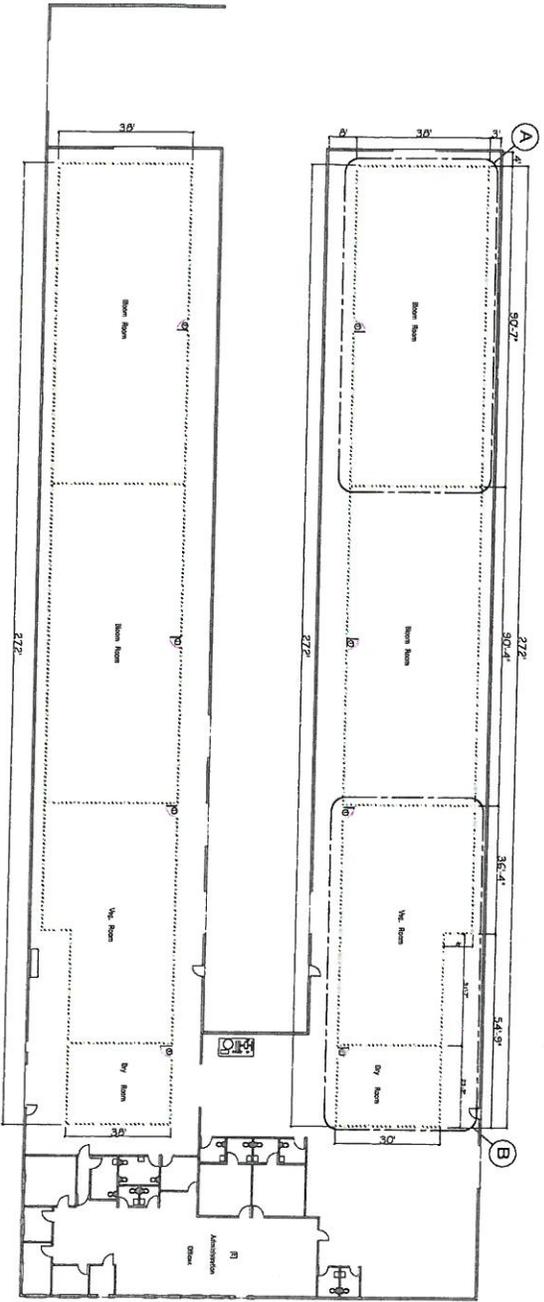
1000 15th Ave N
 Suite 100
 Grand Rapids, MI 49503

TENANT
HD BIOTECH
 Inc.

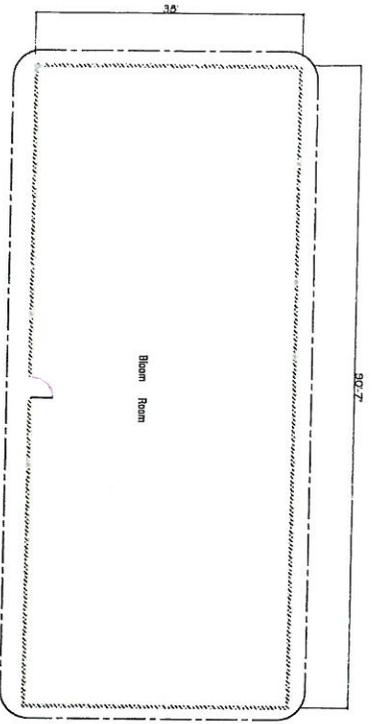
10042
 Racoon Road
 Grand Rapids, MI
 49510-2235
 909
 380/2418

SHEET NAME:
 PLOT PLAN
T-1.1

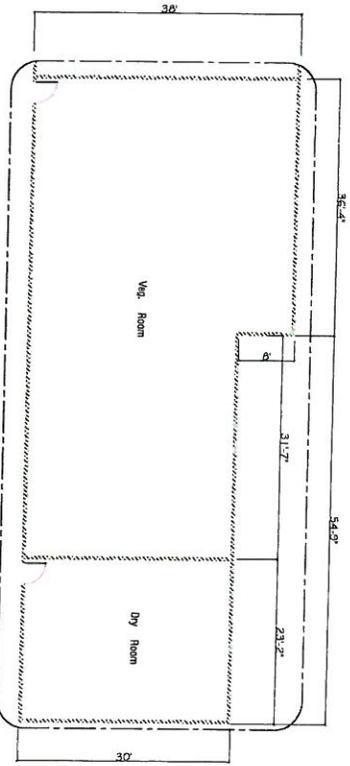
DATE:
 10-02-15



PROPOSED CULTIVATION ROOMS FLOOR PLAN
SCALE 1" = 18'-0"



PROPOSED BLOOM ROOM PLAN
SCALE 1" = 8'-0"



PROPOSED 'VEG' & DRY ROOM PLAN
SCALE 1" = 8'-0"

LOOK SCHEDULE

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	10-21-15	[Signature]
2	ISSUED FOR CONSTRUCTION		
3	ISSUED FOR OCCUPANCY		

FIVE TON
&
TGF
CONSULTING

PROJECT: HD Biotech
DATE: 10-30-2015
DRAWN BY: B.C.
CHECKED BY: V.T.
PROJECT NO.: 10-02-15

ALTEC
Engineering
Inc.

1001 US Hwy 18
Canaan, VT 05590
Tel: 802-253-1234

TENANT
HD
BIOTECH
Inc.

10042
Rancho Road
Arcadia, CA
92310-2235
381.2515

SHEET NO. A-1.1
PROPOSED FLOOR PLAN
SHEET NO. A-1.1
SCALE 1" = 8'-0"

NO. 1001 US Hwy 18
Canaan, VT 05590
Tel: 802-253-1234



PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

BY Becky Reynolds, Project Planner

SUBJECT: **Conditional Use Permit 16-04:** Mr. Matthew S. Antony representing Calcanna Patient Services, Inc., is requesting a Conditional Use Permit for a conversion/renovation to an existing 1,800 square foot industrial unit for the purpose of medical marijuana cultivation, located within an existing 20,000 square foot warehouse in Industrial Park 2. The project site is located approximately 645 feet north of Rancho Road, on the east side of Muskrat Road, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Numbers 0459-681-08.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-16, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-04 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Calcanna Patient Services, Inc.
Attn: Matthew Antony
10471 Wellworth Ave.
Los Angeles, CA 90024

General Location: The project site is located at 17031 Muskrat Road, approximately 645 feet north Rancho Road within the City of Adelanto, County of San Bernardino.

Assessor's Parcel Number: 0459-681-08

Environmental Determination: Exempt under section 15162 (Subsequent EIR's and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit No. 15-11

Existing General Plan & Manufacturing/Industrial (MI)
Zoning Designations:

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Manufacturing/Industrial	MI
South	Manufacturing/Industrial	MI
East	Manufacturing/Industrial	MI
West	Manufacturing/Industrial	MI

Existing Land Use: The project site is developed with an industrial building.

Surrounding Land Uses: The following chart shows the surrounding land uses:

<i>Direction</i>	<i>Land Use</i>
North	Developed Manufacturing/Industrial
South	Developed Manufacturing/Industrial
East	Developed Manufacturing/Industrial
West	Vacant

PROJECT DESCRIPTION:

Calcanna Patient Services, Inc. is requesting a Conditional Use Permit for a Medical Marijuana Cultivation Facility at an existing warehouse. The actual growing area is estimated at 1,800 square feet. The project is located at 17031 Muskrat Road.

DRAINAGE

The project site is fully developed. The applicant is not proposing any additional structures or grading as part of the Conditional Use Permit.

TRAFFIC & CIRCULATION

Access to the project site is provided via Muskrat Road north of Rancho Road. This provides paved, all-weather external access to the site that would allow adequate fire and emergency vehicles access to all areas of the site. The project currently is developed with twenty-four (24) striped, paved parking spaces.

NOISE

The site is located in an existing industrial area with industrial uses nearby. The amount of traffic due to the operation of a Marijuana Cultivation facility is similar to existing uses in the area. Therefore, noise impacts will not be significant.

July 5, 2016

ENVIRONMENTAL CONSIDERATIONS:

The development of this project is Exempt from the California Environmental Quality Act under section 15162 (Subsequent EIR's and Negative Declarations) as this project is covered under the Environmental Impact Report for Industrial Park 2.

ATTACHMENTS:

1. Resolution P-16-16
2. Conditions of Approval
3. Notice of Exemption
4. Aerial Map
5. Site Plan

RESOLUTION NO. P-16-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS AND APPROVING CONDITIONAL USE PERMIT 16-04 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW FOR AN 1,800 SQUARE FOOT INDOOR CULTIVATION OF MEDICAL MARIJUANA FACILITY WITHIN AN EXISTING 20,000 INDUSTRIAL BUILDING, ON APPROXIMATELY 4.71 ACRES OF LAND, LOCATED AT 10731 MUSKRAT ROAD, IN INDUSTRIAL PARK 2, WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, ASSESSOR'S PARCEL NUMBER 0459-681-08.

WHEREAS, the applicant, Matthew S. Antony of Calcanna Patient Services, has proposed Conditional Use Permit 16-04 for conversion/renovation of an existing 1,800 square foot unit for cultivation of medical marijuana facility within an existing 20,000 square foot industrial building, in Industrial Park 2, within the Manufacturing/Industrial zone, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, the applicant accepts all conditions of approval; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-04. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from environmental review pursuant to Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

SECTION 4. The Planning Commission hereby finds and determines:

- (a) That the proposed Conditional Use Permit is consistent with the General Plan;

Allowing the conversion/renovation of a marijuana cultivation facility requires a Conditional Use Permit within the Manufacturing/Industrial (MI) Zone;

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are manufacturing/industrial uses currently existing in the vicinity of the proposed project.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The entire site is approximately 4.71-acres in size, which exceeds the minimum 20,000 square feet, required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed use complies with all applicable development standards of the zoning district;

The proposed project has been conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed medical marijuana cultivation facility is permitted as a Conditional Use.

SECTION 5. The requested Conditional Use Permit 16-04 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July 2016.

Chris Waggener
Chairman to the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

RESOLUTION NO. P-16-16

July 5, 2016

PAGE 3

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-16 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day July of 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-16
July 5, 2016**

**Conditions of Approval
Conditional Use Permit 16-04**

PROJECT: A proposal to convert/renovate an existing 1,800 square foot industrial unit to a medical marijuana cultivation facility, within an existing 20,000 square foot industrial warehouse, which is part of a 4.71-acre property located within the MI (Manufacturing/Industrial) Zone. The project site is located approximately 645 feet north of Rancho Road, at 10731 Muskrat Road, in Industrial Park 2, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-681-08.

Applicant: Calcanna Patient Services, Inc.

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; by **July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial use under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordant with the City's Development Code.
3. **Phasing.** This Conditional Use Permit is for the operation of a medical marijuana cultivation facility, Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire project, unless otherwise indicated.
4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit 16-04.

The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.

6. **Fish and Game.** The applicant/owner shall pay a fee of \$50 for the Department of Fish and Wildlife determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50 made payable to the "Clerk of the Board of Supervisors"**. The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.

7. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following MI (Manufacturing/Industrial) zoning district regulations and section 17.80.080 regarding the cultivation of medical marijuana:
 - Minimum Lot Size: 20,000 square feet
 - Minimum Lot Width: 100 feet
 - Minimum Lot Depth: 100 feet
 - Minimum Front Setbacks:
 - To Building 25 feet
 - To Parking 10 feet
 - Minimum Side Setback:
 - Street Side 25 feet
 - All others 0 feet
 - Minimum Rear Setback: 25 feet
 - Maximum Height 75 feet

8. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.

9. **Parking.** Access to Parking and Parking of any vehicle, trailer, equipment, truck or any personal vehicles shall be on an improved surface. No vehicle, trailer, equipment, truck or any personal vehicle shall be parked or accessed on the dirt. Any of the above mentioned vehicles parked or accessed on the dirt shall be subject to a code violation citation in accordance with Title 17 of the Adelanto Municipal Code.
10. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - b. Building and Safety Department approval.
 - c. Any other required approval from an outside agency.
11. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.
12. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage for the commercial center to the south. The project shall remain in full compliance with all City sign regulations at all times.
13. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
14. "Saving by Design" Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
15. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Conditions:

16. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
17. The City of Adelanto shall be "added insured" on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
18. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.

19. All improvements as required by the City Engineer, shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City's standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer's expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
20. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
21. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
22. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
23. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
24. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
25. The following site specific improvements shall be completed:
 - a. Onsite improvements are as follows:
 - i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements are as follows:
 - i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing

roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. **OR** The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.

26. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
27. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
28. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

29. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

30. No Fire Department Conditions were received for this project.

BUILDING AND SAFETY DIVISION, CUP 16-04

- BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with City Ordinance No._____.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11. Page two of the submitted building plans will be the conditions of approval
- BC12. Construction must comply with 2013 California Building Codes including the California Green Building Code
- BC13. Best Managements Practices (BMP's) are required for the site during construction
- BC 14. Cover sheet to include deferred submittals, construction type and material quantities for determination of occupancy.

CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/P.O. Box 10
Adelanto, CA 92301

Project Title: **Conditional Use Permit 16-04**

Description of Project: A proposal by Calcanna Patient Services, Inc. for conversion/renovation of an existing 1,800 square foot unit to a medical marijuana cultivation facility, located within an existing 20,000 square foot industrial warehouse.

Project Location: 10731 Muskrat Road, Adelanto, County of San Bernardino

Project Proponent: Mr. Matthew S. Antony
Calcanna Patient Services, Inc.
10471 Wellorth Ave.
Los Angeles, CA 90024

Reasons why project is exempt:

The project is exempt under section's 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the EIR for Industrial Park 2.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____) ;
- Categorical Exemption: Class 03 (Section Number 15303) (c)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section 15162 (Subsequent EIR's and Negative Declarations).

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 Ext. 3001

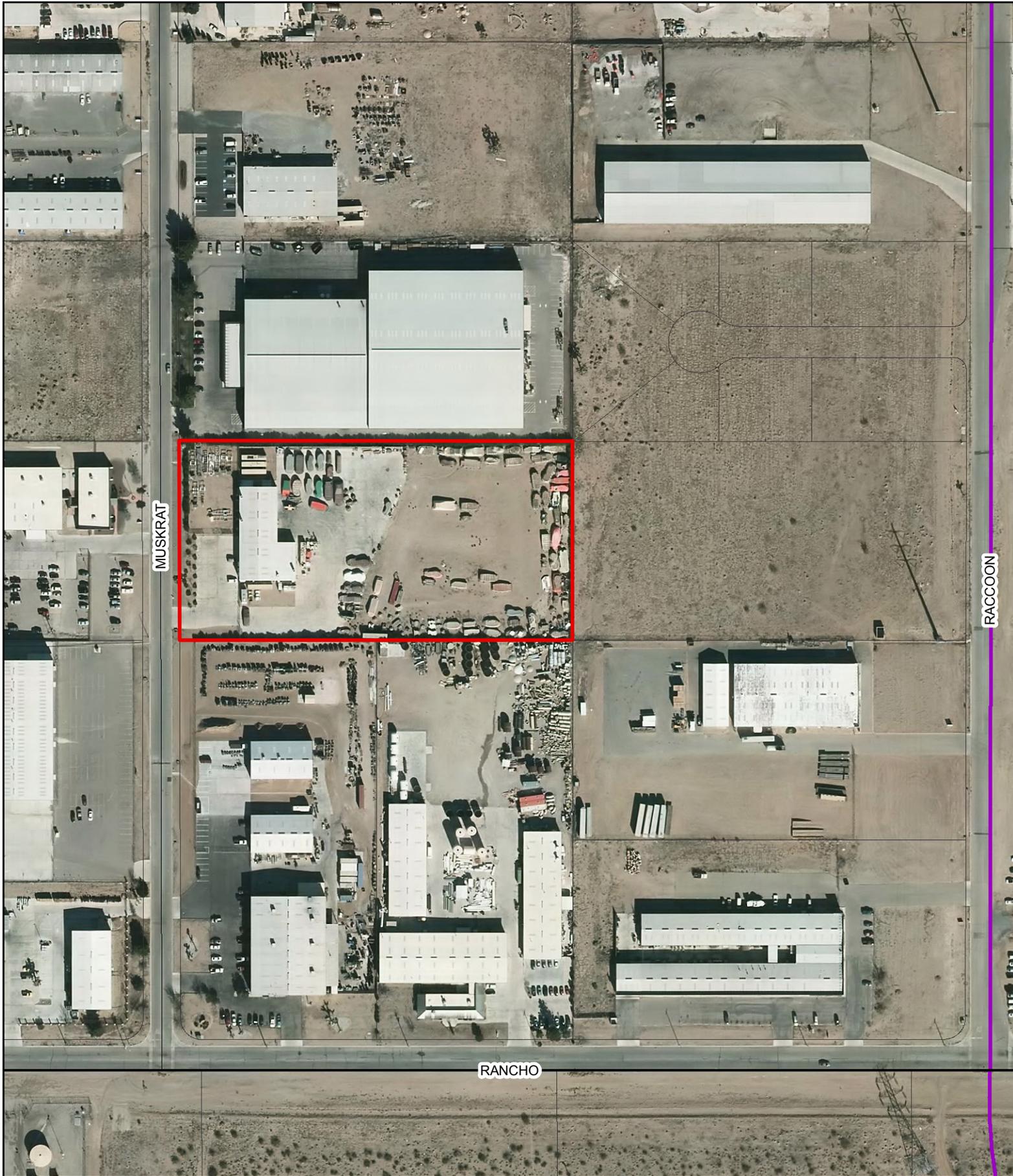
Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



MUSKRAT

RACCOON

RANCHO

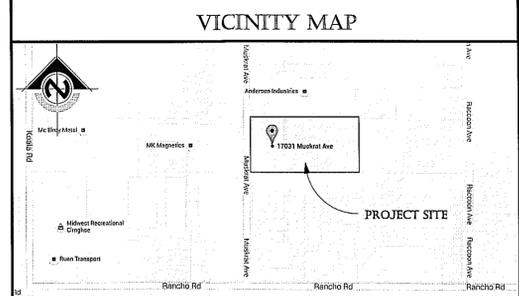
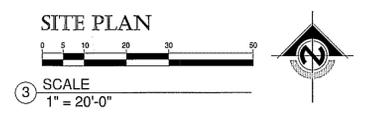
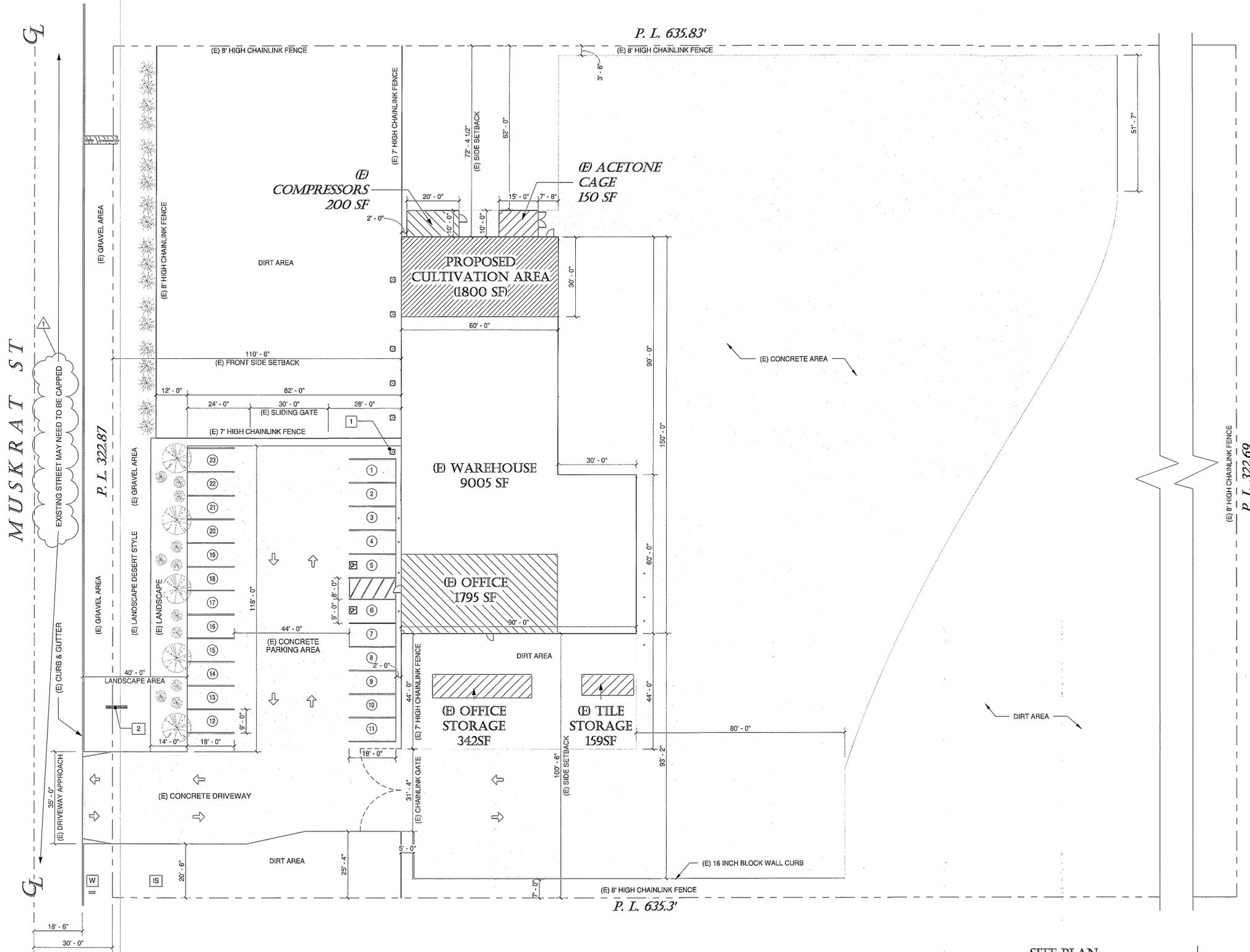


17031 Muskrat Ave
APN 0459-681-08



1 in = 200 feet

MUSKRAT C.U.P.



BUILDING SUMMARY

(E) WAREHOUSE AREA:	9005.00 SF	4.39%
(E) OFFICE AREA:	1795.00 SF	0.87%
(E) COMPRESSORS AREA:	200.00 SF	0.10%
(E) ACETONE:	150.00 SF	0.07%
(E) OFFICE STORAGE:	342.00 SF	0.17%
(E) TILE STORAGE:	159.00 SF	0.08%
(E) RESIN STORAGE:	342.00 SF	0.17%
TOTAL FOOTPRINT AREA:	11,993.00 SF	
LOT AREA:	205,119.31 SF	5.85%
(E) BUILDING LOT COVERAGE AREA:		

NOTICE

WRITTEN DIMENSIONS OF THESE DRAWINGS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

THESE DRAWINGS AND LAYOUTS ARE NOT TO BE REPRODUCED OR COPIED IN ANY FORM WITHOUT THE WRITTEN PERMISSION OF RICHARD ORTIZ.

PARKING ANALYSIS

LAND USE	PARKING RATE	REQUIRED
WAREHOUSE (9005 SF)	1/1000 SF	10
OFFICE (1795SF)	1/250 SF	8
TOTAL PARKING SPACE REQUIRED:		18
PARKING PROVIDED		
ACCESSIBLE PARKING SPACE:	2	9'X18'
STANDARD PARKING SPACE:	22	9'X18'
TOTAL PARKING PROVIDED:		24

OCCUPANT LOAD

OFFICE BUILDING	1795 SF/ 100	=	17.95
WAREHOUSE BUILDING	9005 SF/ 500	=	18.01
TOTAL OCCUPANT LOAD		=	35.96 (36)

REVISIONS

REV. #	DATE	DESCRIPTION
1	05.23.16	
2		

SITE PLAN LEGEND

- (E) ACCESSIBLE PARKING
- (E) ACCESSIBLE PARKING SIGN
- (E) ACCESSIBLE AISLE
- (E) FIRE HYDRANT
- (E) ACCESSIBLE ROUTE SIGN
- (E) TRAFFIC LIGHT POST
- (E) TRAFFIC LIGHT CONTROL PANEL
- (E) WATER METER
- (E) GAS METER
- (E) ELECTRICAL METER
- (E) IRRIGATION SYSTEM
- (E) SWAMP COOLER
- (E) MONUMENT SIGN

PROJECT DESIGNER

STUDIO ROCA
 STUDIO ROCA INC.
 P.O. BOX 850
 RANCHO CUCAMONGA, CA 91729
 PH: (909) 239-8067
 E: rortiz@studio-roca.com

CONTACT INFORMATION

MATTHEW S. ANTHONY
 (415) 722-0018

PROJECT TITLE

MUSKRAT C.U.P.

PROJECT LOCATION

17031 MUSKRAT AVE.
 ADELANTO, CA 92301

SHEET TITLE

SITE PLAN

DATE: 5/23/2016 7:51:08 PM

DRAWN: GE

SCALE: As indicated

JOB NO.: 10-16

A1.0



PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner
BY Becky Reynolds, Project Planner

SUBJECT: **Conditional Use Permit 16-07:** Mr. Adham Ahdulla representing High Desert Research and Development, is requesting a Conditional Use Permit for an existing 20,000 square foot industrial unit for the purpose of medical marijuana cultivation, located within an existing warehouse. The project site is located at 16600 Koala Road, approximately 500 feet south of Industry Way, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-58.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-15, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-07 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: High Desert Research and Development
Attn: Adham Ahdulla
9876 Farmington St.
Oak Hills, CA 92344

General Location: The project site is located at 16600 Koala Road, approximately 500 feet south of Industry Way within the City of Adelanto, County of San Bernardino.

Assessor's Parcel Number: 3129-261-58

Environmental Determination: This project is categorically exempt from environmental review pursuant to 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit No. 15-02

Existing General Plan & Zoning Designations: Manufacturing/Industrial (MI)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Manufacturing/Industrial	MI
South	Manufacturing/Industrial	MI
East	Manufacturing/Industrial	MI
West	Manufacturing/Industrial	MI

Existing Land Use: The project site is developed with an industrial building.

Surrounding Land Uses: The following chart shows the surrounding land uses:

<i>Direction</i>	<i>Land Use</i>
North	Developed Manufacturing/Industrial
South	Developed Manufacturing/Industrial
East	Developed Manufacturing/Industrial
West	Vacant

PROJECT DESCRIPTION:

High Desert Research and Development is requesting a Conditional Use Permit for a Medical Marijuana Cultivation Facility at an existing warehouse. The project is located at 16600 Koala Road. The applicant is currently accessing and parking on an improved parking lot on the site. The site is developed with an existing warehouse.

DRAINAGE

The project site is fully developed. The applicant is not proposing any additional structures or grading as part of the Conditional Use Permit.

TRAFFIC & CIRCULATION

Access to the project site is provided via Koala Road. This provides paved, all-weather external access to the site that would allow adequate fire and emergency vehicles access to all areas of the site. The project currently is developed with twenty-nine (29) striped, paved parking spaces

NOISE

The site is located in an existing industrial area with industrial uses nearby. The amount of traffic due to the operation of a Medical Marijuana Cultivation facility is similar to existing uses in the area. Therefore, noise impacts will not be significant.

ENVIRONMENTAL CONSIDERATIONS:

This application for Conditional Use Permit 16-07 is categorically exempt from environmental review pursuant to 15162 (Subsequent EIRs and Negative Declarations) as this project is covered under the Environmental Impact Report for Industrial Park 2.

ATTACHMENTS:

1. Resolution P-16-15
2. Conditions of Approval
3. Notice of Exemption
4. Aerial Map
5. Site Plan

RESOLUTION NO. P-16-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS AND APPROVING CONDITIONAL USE PERMIT 16-07 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW FOR THE CONVERSION/RENOVATION OF AN EXISTING INDUSTRIAL BUILDING FOR THE PURPOSE OF A MEDICAL MARIJUANA CULTIVATION FACILITY, LOCATED AT 16600 KOALA ROAD, WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, ASSESSOR'S PARCEL NUMBER 3129-261-58.

WHEREAS, the applicant, Adham Abdulla of High Desert Research and Development, has proposed Conditional Use Permit 16-07 to convert/renovate an existing 20,000 square foot industrial unit for the purpose of a medical marijuana cultivation facility, within an existing industrial warehouse, within the Manufacturing/Industrial (MI) zone, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, the applicant accepts all conditions of approval; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-07. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from environmental review pursuant to Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

SECTION 4. The Planning Commission hereby finds and determines:

- (a) That the proposed Conditional Use Permit is consistent with the General Plan;

Allowing the conversion/renovation of a marijuana cultivation facility requires a Conditional Use Permit within the Manufacturing/Industrial (MI) Zone;

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are manufacturing/industrial uses currently existing in the vicinity of the proposed project.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The entire site is approximately 6.0-acres in size, which exceeds the minimum 20,000 square feet, required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed use complies with all applicable development standards of the zoning district;

The proposed project has been conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed medical marijuana cultivation facility is permitted as a Conditional Use.

SECTION 5. The requested Conditional Use Permit is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July 2016.

Chris Waggener
Chair to the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

RESOLUTION NO. P-16-15

July 5, 2016

PAGE 3

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-15 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-15
July 5, 2016**

**Conditions of Approval
Conditional Use Permit 16-07**

PROJECT: A proposal for cultivation of medical marijuana at an existing 20,000 square foot industrial facility, located within the MI (Manufacturing/Industrial) Zone. The project site is located approximately 500 feet south of Industry Way, at 16600 Koala Road, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-58.

Applicant: High Desert Research and Development.

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; by **July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial use under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordant with the City's Development Code.
3. **Phasing.** This Conditional Use Permit is for the operation of a medical marijuana cultivation facility, Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire project, unless otherwise indicated.
4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit 16-07.

The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.

6. **Fish and Game.** The applicant/owner shall pay a fee of \$50 for the Department of Fish and Wildlife determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50 made payable to the "Clerk of the Board of Supervisors"**. The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.

7. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following MI (Manufacturing/Industrial) zoning district regulations and section 17.80.080 regarding the cultivation of medical marijuana:
 - Minimum Lot Size: 20,000 square feet
 - Minimum Lot Width: 100 feet
 - Minimum Lot Depth: 100 feet
 - Minimum Front Setbacks:
 - To Building 25 feet
 - To Parking 10 feet
 - Minimum Side Setback:
 - Street Side 25 feet
 - All others 0 feet
 - Minimum Rear Setback: 25 feet
 - Maximum Height 75 feet

8. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.

9. **Parking.** Access to Parking and Parking of any vehicle, trailer, equipment, truck or any personal vehicles shall be on an improved surface. No vehicle, trailer, equipment, truck or any personal vehicle shall be parked or accessed on the dirt. Any of the above mentioned vehicles parked or accessed on the dirt shall be subject to a code violation citation in accordance with Title 17 of the Adelanto Municipal Code.
10. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - b. Building and Safety Department approval.
 - c. Any other required approval from an outside agency.
11. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.
12. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage for the commercial center to the south. The project shall remain in full compliance with all City sign regulations at all times.
13. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
14. "Saving by Design" Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
15. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Conditions:

16. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
17. The City of Adelanto shall be "added insured" on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
18. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.

19. All improvements as required by the City Engineer, shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City's standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer's expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
20. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
21. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
22. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
23. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
24. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
25. The following site specific improvements shall be completed:
 - a. Onsite improvements are as follows:
 - i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements (in relation to Building B only) are as follows:
 - i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing

roadway. This work can also be individually completed. All such improvements must be completed within 180 calendar days of approval. **OR** The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.

26. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
27. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
28. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

29. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

30. See attached Fire Department Conditions.

BUILDING AND SAFETY DIVISION, CUP 16-07

- BC1. An engineered grading report including soils report shall submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all structures, retaining walls, signs
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
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- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11. Page two of the submitted building plans will be the conditions of approval
- BC12. Construction must comply with 2013 California Building Codes including the California Green Building Code
- BC13. Best Managements Practices (BMP's) are required for the site during construction
- BC 14. Cover sheet to include deferred submittals, construction type and material quantities for determination of occupancy.

SAN BERNARDINO COUNTY FIRE DEPARTMENT



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

OFFICE OF THE FIRE MARSHAL
COMMUNITY SAFETY DIVISION
15900 Smoke Tree Street, 1st Floor, STE 131
Hesperia, CA. 92345
(760) 995-8190 - Fax (760) 995-8205

MARK A. HARTWIG
Fire Chief

DATE: April 21, 2016

EXPIRATION: April 2017

HIGH DESERT RESEARCH & DEV.
9876 FARMINGTON ST
OAK HILLS, CA 92345

PERMIT NUMBER: F201600347
PROJECT NUMBER: 16-07
LOCATION: 16600 KOALA RD BLDG 6
PROJECT TYPE: CUP
OCCUPANCY TYPE:
APN: 3129-261-58-0000
PROPOSAL: Conversion/renovation of an existing 20,000 sq. ft. building for the purpose of indoor marijuana cultivation.
PLANNER: MARK DEMANICOR

Dear Applicant:

With respect to the conditions of approval regarding the above referenced project, the San Bernardino County Fire Department requires the following fire protection measures to be provided in accordance with applicable local ordinances, codes, and/or recognized fire protection standards.

The **Fire Conditions Attachment** of this document sets forth the *FIRE CONDITIONS* and *STANDARDS* which are applied to this project.

FIRE CONDITIONS: All FIRE CONDITIONS FOR THIS PROJECT ARE ATTACHED

Page 1 of 3

Sincerely,

A handwritten signature in black ink, appearing to read "CMarkloff-157".

Curtis Markloff, Fire Prevention Specialist
San Bernardino County Fire Department
North Desert Division Community Safety Division
Duty, Honor, Community

FIRE CONDITIONS ATTACHMENT

DATE: 04-21-2016
PROJECT: 16-07
PERMIT NUMBER: F201600347
LOCATION: 16600 KOALA RD BLDG 6

PARCEL: 3129-261-58-0000



CONDITIONS

Cond: EXPNOTE

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.

Cond: F01

Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department. [F01]

Cond: F01A

Additional Requirements. In addition to the Fire requirements stated herein, other on site and 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. [F01A]

Cond: F03

Inspection by 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 "fire final". [F03]

Cond: CON0034950

Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400. This fee is in addition to fire fees that are paid to the City of Adelanto. [F40]

Cond: F42

Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the

FIRE CONDITIONS ATTACHMENT

DATE: 04-21-2016
PROJECT: 16-07
PERMIT NUMBER: F201600347
LOCATION: 16600 KOALA RD BLDG 6

PARCEL: 3129-261-58-0000



Fire Department for review and approval. [F42]

Cond: F80

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]

Cond: F82

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]

Cond: F88

Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department. [F88]

Cond: F94

Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8400 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials. [F94]

Cond: F95

Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan. Standard 704. [F95]

CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/P.O. Box 10
Adelanto, CA 92301

Project Title: Conditional Use Permit 16-07

Description of Project: A proposal by High Desert Research and Development for the indoor cultivation of medical marijuana at an existing 20,000 square foot facility.

Project Location: 16600 Koala Road, Adelanto, County of San Bernardino

Project Proponent: Mr. Adham Abdulla
High Desert Research and Development.
9876 Farmington St.
Oak Hills, CA 92344

Reasons why project is exempt:

The project is exempt under section's 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the EIR for Industrial Park 3.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____);
- Categorical Exemption: Class 03 (Section Number 15303) (c)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section 15162 (Subsequent EIR's and Negative Declarations).

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 Ext. 3001

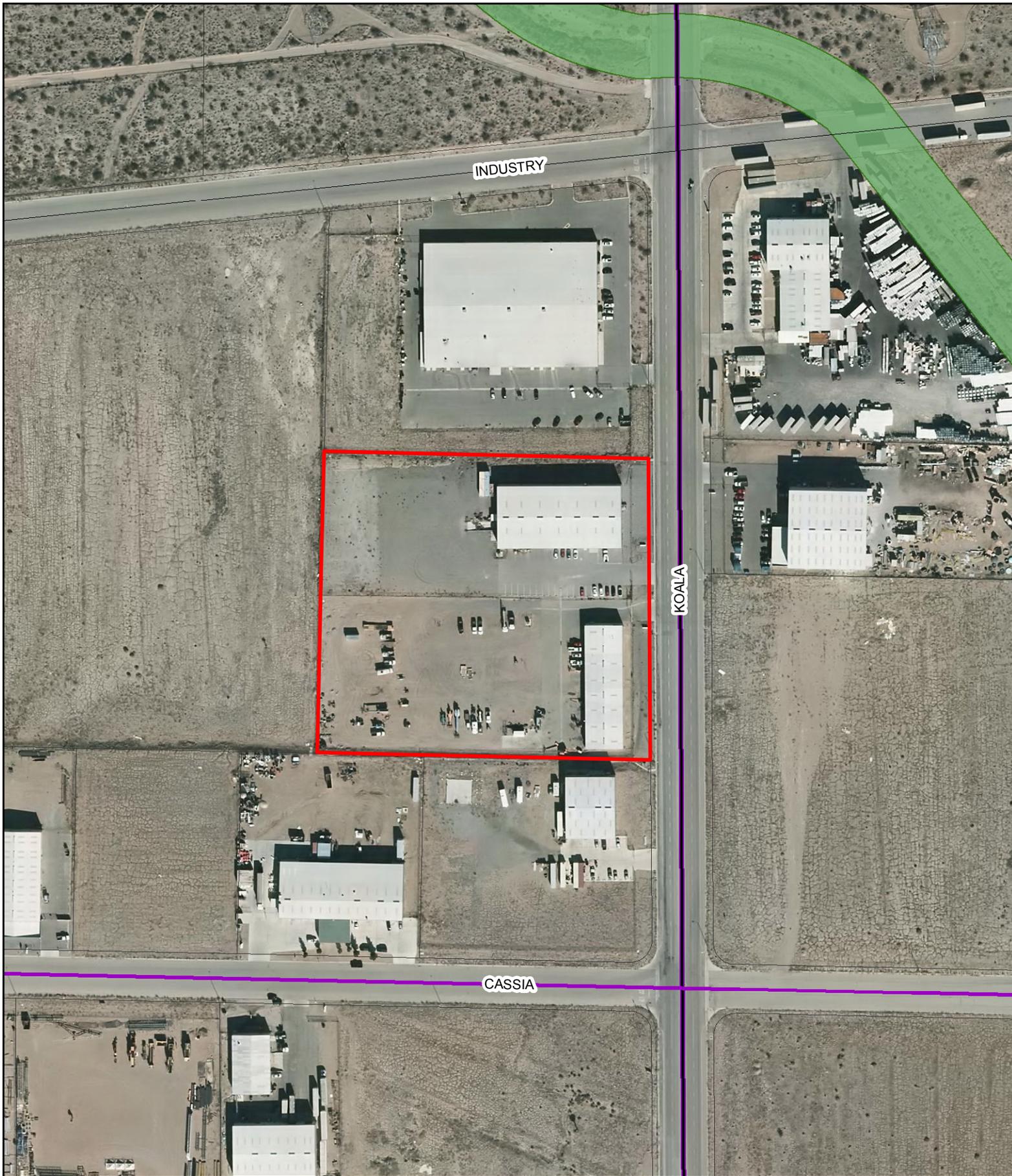
Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



INDUSTRY

KOALA

CASSIA



APN 3129-261-58



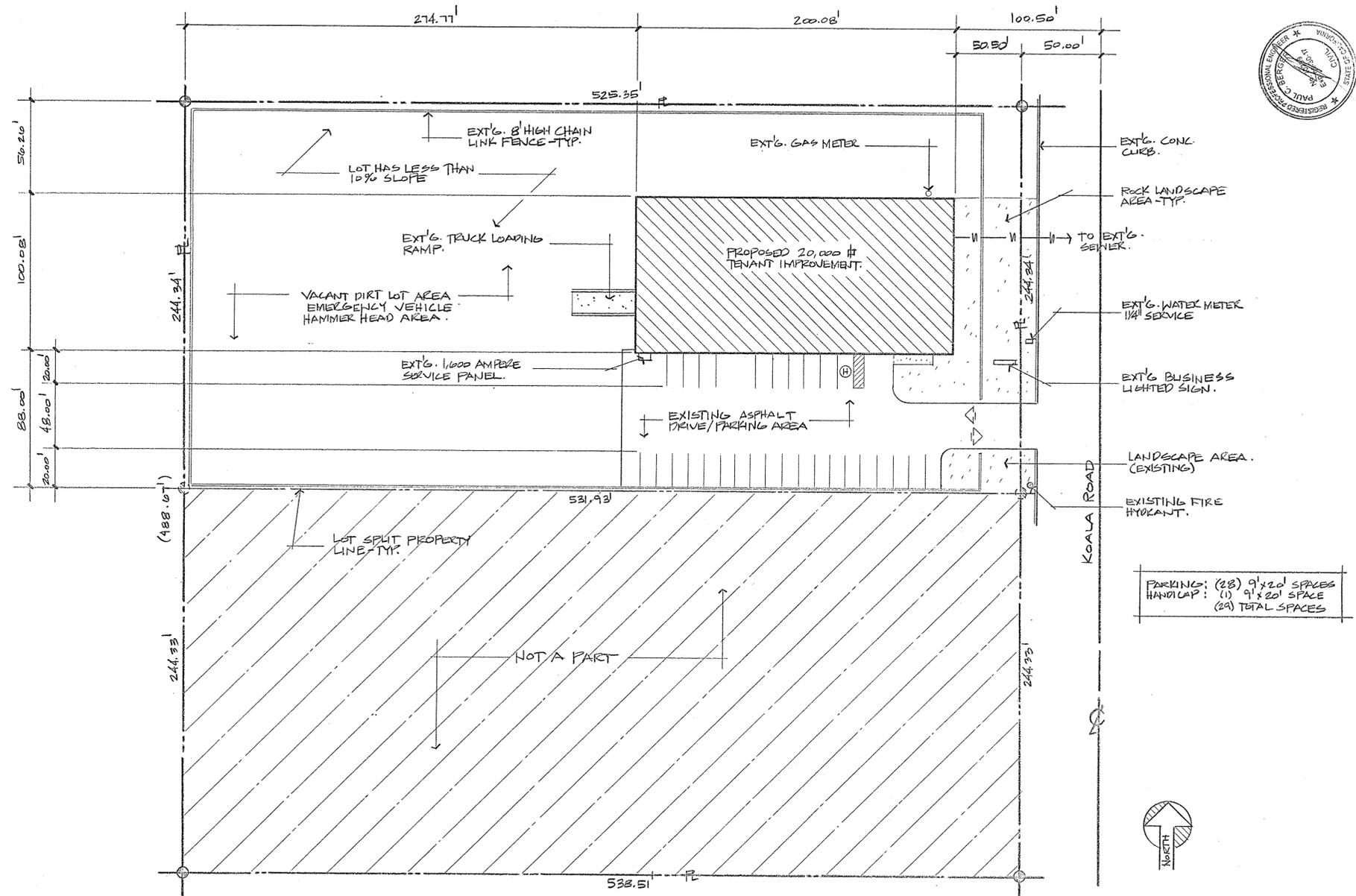
1 in = 200 feet

EROSION CONTROL NOTES:

- 1 Existing permanent erosion control systems used are a. gutters for a rain catch that expels directly to a storm drain culvert at the side of the lot. b. existing landscape vegetation and crushed rock covering for retention.
- 2 Use earth berms for temporary erosion control method while under construction.
- 3 Disposal of earth-type spoil shall be collected and disposed of in accordance with all local codes.
- 4 No existing vegetation shall be removed or added. No modifications shall be made to the existing contours of the property.
- 5 Property has less than 10% slope.

Existing Non-Permutable areas- 38,430 sf.
 Proposed Non-Permutable areas- 0 sf.
 Total Non-Permutable areas- 38,430 sf.
 Total lot area- 129,809 sf.
 Percentage of non-permutable areas- 30%
 Total Remaining Permuable areas- 91,379 sf.

38,430 sf. x 0.0375 = 1,441.13 cubic feet of water runoff into existing vegetation, rock areas and storm drain.



PARKING: (28) 9'x20' SPACES
 HANDICAP: (1) 9'x20' SPACE
 (29) TOTAL SPACES

NOTE: NO OUTSIDE MODIFICATIONS AND NO PROPERTY CHANGES SHALL BE MADE.

NOTE: Fire suppression systems (Fire Sprinklers) are pre-existing. Modifications by others.

PLOT PLAN

SCALE: 1/4" = 1'-0"

PLOT PLAN NOTES:

- 1 Paved approach, drive and parking are pre-existing 6" cold rolled asphalt base.
- 2 Landscape areas are pre-existing and provided with a suitable Permanent watering system.
- 3 All off site work including: gutters, concrete approaches and sidewalks by others if applicable.
- 4 No preparation of the site for construction shall be needed.
- 5 The depth of the bearing footing shall extend into and bear against the natural undisturbed soil.
- 6 All building debris shall be disposed of in accordance with the local governing Building department regulations.
- 7 "The discharge of pollutants to any storm drainage system is prohibited. No solid waste, petroleum byproducts, soil particulate, construction waste material, or wastewater generated on the construction site or by construction activities shall be placed, conveyed or discharged into the street, gutter or storm drain system."
- 8 Provide a suitable restroom facility on site prior to work commencing on current project.

Legal Description

High Desert Research and Development
 16600-B Koala Rd.
 Adelanto, Ca. 92301

Parcel# 8
 Tract# 3129
 Parcel# 12345
 A.P.N. 3129-261-58-0000

Lot Usage

Lot Size- 129,809 sf.
 2.98 Acre
 Building(s) Size- 20,000 sf.
 Lot Coverage- 15%

REVISIONS

Working drawing have been prepared by Webb's Drafting & Design Service. Any modification or changes to the working drawing must be made by Webb's Drafting & Design Service. All other items including but not limited to fabrication, erection, shipping, engineering, permitting and composition test, title 24 and construction is the responsibility of others.

Webb's Drafting & Design
 William Webb Jr.
 Work: (760) 247-2222 Home: (760) 985-9002

Proposed Tenant Improvement For:
High Desert Research and Development
 16600-B Koala Rd.
 Adelanto, Ca. 92301
 (760) 403-4445

DATE: 03/22/2016
 DRAWN BY: WEBB
 JOB: 20,000 SF
 SHEET:

P-1

William Webb Jr. *[Signature]* Date: 3/22/16





PLANNING COMMISSION AGENDA REPORT

ADELANTO GOVERNMENTAL CENTER | 11600 AIR EXPRESSWAY | ADELANTO, CALIFORNIA 92301

DATE: July 5, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

BY: Becky Reynolds, Project Planner

SUBJECT: **Conditional Use Permit 16-09:** Mr. Jerry Davis representing NHMC, Inc. is requesting a Conditional Use Permit for cultivation of medical marijuana at an existing 20,000 square foot facility. The project site is located at 9501 Commerce Way Building 1, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-41.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-14, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-09 to allow a Medical Marijuana Cultivation Facility at an existing developed site, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Jerry Davis
9114 Adams Ave., Suite 319
Huntington Beach, CA 92646

General Location: The project site is located at 9501 Commerce Way Building 1, within the City of Adelanto, County of San Bernardino.

Assessor's Parcel Number: 3129-261-08

Environmental Determination: Exempt pursuant to section 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit 15-08

Existing General Plan & Zoning Designations: Manufacturing/Industrial (MI)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Manufacturing/Industrial	MI
South	Manufacturing/Industrial	MI
East	Manufacturing/Industrial	MI
West	Manufacturing/Industrial	MI

Existing Land Use: The project site is developed with an industrial building.

Surrounding Land Uses: The following chart shows the surrounding land uses:

<i>Direction</i>	<i>Land Use</i>
North	Vacant
South	Developed Manufacturing/Industrial
East	Developed Manufacturing/Industrial
West	Developed Manufacturing/Industrial

PROJECT DESCRIPTION:

Mr. Jerry Davis, of NHMC, Inc. is requesting a Conditional Use Permit for a Medical Marijuana Cultivation Facility at an existing warehouse. The property is developed with two existing 20,000 square foot industrial buildings. The project is located at 9501 Commerce Way Building 1.

DRAINAGE

The project site is fully developed. The applicant is not proposing any additional structures or grading as part of the Conditional Use Permit.

TRAFFIC & CIRCULATION

Access to the project site is provided via Commerce Way west of Koala Road. This provides paved, all-weather external access to the site that would allow adequate fire and emergency vehicles access to all areas of the site. The project currently is developed and is required to provide forty-two (42) striped, paved parking spaces.

NOISE

The site is located in an existing industrial area with industrial uses nearby. The amount of traffic due to the operation of a Medical Marijuana Cultivation facility is similar to existing uses in the area. Therefore, noise impacts will not be significant.

ENVIRONMENTAL CONSIDERATIONS:

The development of this project is Exempt from the California Environmental Quality Act under section 15162 (Subsequent EIR's and Negative Declarations) as this project is covered under the Environmental Impact Report for Industrial Park 3.

Air Quality

The Mojave Desert Air Quality Management District submitted comments and recommendations in response to the Project Submittal that was circulated for this project which are incorporated in our conditions of Approval.

ATTACHMENTS:

1. Resolution P-16-14
2. Conditions of Approval
3. Notice of Exemption
4. Aerial Map
5. Site Plan

RESOLUTION NO. P-16-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING CONDITIONAL USE PERMIT 16-09 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION OF MEDICAL MARIJUANA AT AN EXISTING 20,000 SQUARE FOOT FACILITY ON APPROXIMATELY 4.66-ACRES OF LAND LOCATED AT 9501 COMMERCE WAY BUILDING 1. ASSESSOR'S PARCEL NUMBER 3129-261-41.

WHEREAS, the applicant, Mr. Jerry Davis of NHMC, Inc., has proposed Conditional Use Permit 16-09 to allow for the indoor cultivation of medical marijuana at an existing 20,000 square foot facility located at 9501 Commerce Way, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 5th day of July, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, the City has complied with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff report prior to taking action on the proposed Conditional Use Permit 16-09. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission.

SECTION 3. The Planning Commission hereby finds the proposed project is exempt from the California Environmental Quality Act under sections 15162 (subsequent EIR's and Negative Declarations) as this project is covered under the EIR for Industrial Park 3.

SECTION 4. The Planning Commission hereby finds and determines:

- (a) That the proposed Conditional Use is consistent with the General Plan;

The proposed Land Use/Zoning designation is Manufacturing/Industrial (MI), which allows for the indoor cultivation of medical marijuana in the industrial park with the approval of a Conditional Use Permit;

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

There are similar uses currently existing in the vicinity of the proposed project.

- (c) That the site for the proposed Conditional Use is of adequate size and shape to accommodate the use and buildings proposed;

The site is approximately 4.66 acres in size, which exceeds the minimum 20,000 square feet required in this zoning district and has sufficient width and depth to meet all required setbacks.

- (d) That the proposed Conditional Use complies with all applicable development standards of the zoning district; and

The proposed project has been conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed Conditional Use observes the spirit and intent of this Zoning Code;

The proposed, indoor cultivation of medical marijuana in an existing Facility and is an appropriate use in the Manufacturing/Industrial Zone in an Industrial Park with the approval of a Conditional Use Permit.

SECTION 5. The requested Conditional Use Permit 16-09 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 5th day of July 2016.

Chris Waggener
Chairman for the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

I, Virginia Cervantes, Planning Secretary to the Planning Commission for the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-14 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 5th day of July 2016, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the City of Adelanto on the 5th day of July 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-14
July 5, 2016**

**Conditions of Approval
Conditional Use Permit 16-09**

PROJECT: A proposal to convert/renovate an existing industrial unit to a medical marijuana cultivation facility, within an existing industrial warehouse, on 4.66 acres of property, located within the MI (Manufacturing/Industrial) Zone. The project site is located at 9501 Commerce Way Building 1, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-41.

Applicant: Mr. Jerry Davis.

PLANNING DEPARTMENT

General Conditions:

1. **Approval Period.** Approval of this project will become valid only after a signed copy of the City's approval letter is received by the Planning Department acknowledging acceptance of all conditions of approval. If not received within 10 working days after approval action, this approval will be null and void.

This approval shall be used within two (2) years of the approval date of this project; by **July 5, 2018**, otherwise, it shall become null and void and of no effect whatsoever. Use means the beginning of the substantial use under this approval within the two (2) year period which is thereafter diligently pursued to completion and in the event the use hereby permitted ceases operation for a period of one (1) year or more, this approval shall become null and void.

2. **Modification to Plans.** Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Community Development Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordant with the City's Development Code.
3. **Phasing.** This Conditional Use Permit is for the operation of a medical marijuana cultivation facility, Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire project, unless otherwise indicated.
4. **Indemnity.** The applicant shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Adelanto, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit 16-09.

The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

5. **Outstanding Costs.** Any fees due to the City of Adelanto for processing this project shall be paid to the City within 30 calendar days of final action. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this entitlement shall be permitted, authorized or commenced until all outstanding fees are paid to the City.
6. **Fish and Game.** The applicant/owner shall pay a fee of \$50 for the Department of Fish and Wildlife determination. This fee shall be submitted to the Planning Division within two (2) days after the date of conditional approval. **Payments shall be made with a Check for \$50 made payable to the "Clerk of the Board of Supervisors"**. The Planning Division shall then file the Notice of Determination within five (5) days after the effective date of conditional approval. The applicant should be aware that Section 21089(b) of the Public Resources Code provides that any project approved under CEQA is not operative, vested or final until the required fee is paid. Proof of fee payment will be required prior to issuance of any permits.
7. **City Codes.** The project shall comply with all disabled access requirements of the Americans with Disabilities Act and Title 24 of the State Code, and all local requirements of the City of Adelanto Municipal Code, including Title 17 (Zoning Code), especially the following MI (Manufacturing/Industrial) zoning district regulations and section 17.80.080 regarding the cultivation of medical marijuana:
 - Minimum Lot Size: 20,000 square feet
 - Minimum Lot Width: 100 feet
 - Minimum Lot Depth: 100 feet
 - Minimum Front Setbacks:
 - To Building 25 feet
 - To Parking 10 feet
 - Minimum Side Setback:
 - Street Side 25 feet
 - All others 0 feet
 - Minimum Rear Setback: 25 feet
 - Maximum Height 75 feet
8. **Approved Uses.** All new uses within the property boundaries shall be reviewed and approved by the Planning Department. Should the developer propose a more intensive use requiring additional parking spaces, additional employees, more restroom facilities, significant change from original conceptual landscaping plans, etc., the proposed use shall be presented for review by the Planning Department for compliance with the original approval. The new proposed use may be subject, but not limited to: a Modification to Location and Development Plan application, a new Location and Development Plan Application, and/or a Utility Feasibility Study application.

9. **Parking.** Access to Parking and Parking of any vehicle, trailer, equipment, truck or any personal vehicles shall be on an improved surface. No vehicle, trailer, equipment, truck or any personal vehicle shall be parked or accessed on the dirt. Any of the above mentioned vehicles parked or accessed on the dirt shall be subject to a code violation citation in accordance with Title 17 of the Adelanto Municipal Code.
10. **Required Approvals.** The developer shall obtain the following clearances or approvals:
 - a. Verification from the Planning Department that all pertinent conditions of approval have been met, including any administrative development plan review approvals, as mandated by the Adelanto Municipal Code.
 - b. Building and Safety Department approval.
 - c. Any other required approval from an outside agency.
11. **Signed Approval Letter.** A signed copy of the City's approval letter shall be on file with the Planning Department. If ownership of the property or the developer of the property has changed since the original approval, a new copy of the City approval letter shall be signed by the current development parties.
12. **Signage.** Proposed signs for this development shall require a separate application approval by the Planning Department prior to installation. Furthermore, all signs proposed for this development shall be consistent with the signage for the commercial center to the south. The project shall remain in full compliance with all City sign regulations at all times.
13. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
14. "Saving by Design" Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
15. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

ENGINEERING DEPARTMENT

General Conditions:

16. Approval of this project in no manner obligates the City of Adelanto to extend water service, or sewer service, or improve streets, or extend any other infrastructure to service this development.
17. The City of Adelanto shall be "added insured" on all insurance policies for construction of this project. Proof of insurance shall be provided prior to start of construction.
18. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.

19. All improvements as required by the City Engineer, shall be constructed. All infrastructure improvements required by these conditions of approval, must comply with the City's standard infrastructure requirements and any specific requirements established in these conditions of approval. Any existing infrastructure failing to meet these requirements must be removed at the developer's expense and to be reconstructed to meet the infrastructure requirements described in these conditions of approval and current City Standards at the time of development at the developers expense.
20. All improvements constructed in conjunction with this project shall be design and constructed to the City standards, Department of Transportation standards, Green Book Standards, and the City Engineer Requirements that are in effect at the time of the approval or subsequent extensions of time. All improvements shall be constructed to comply with any health and safety regulations or changes to State and Federal laws current to the time of construction as directed by the City Engineer.
21. Inspection. The Developer shall at all times maintain proper facilities and safe access for inspection of the Improvements by City inspectors and to the businesses or residences wherein any construction work is in progress. Where traffic interference may occur during construction, The Developer shall prepare and file a traffic control plan, subject to the reasonable approval by the City Engineer.
22. Upon completion of the work the Developer shall request a final inspection by the City Engineer, or the City Engineer's authorized representative. If the City Engineer, or the designated representative, determines that the work has been Completed in accordance with this entitlement, the Improvement Plans and City standards, then the City Engineer shall certify the Completion of the Improvements to the CITY, and the City Council shall Accept the Improvements.
23. Final road sections shall be approved by the City Engineer prior to construction, which shall be submitted along with the soils report & recommendations on structural sections based on R-value & TI. And shall substantially conform to the sections submitted with the first submittal of the street improvement plans.
24. Pavement structural section shall be designed based on soils tests (R-Value Tests) conducted by an acceptable soils testing laboratory and Traffic Index as approved by the City Engineer.
25. The following site specific improvements shall be completed:
 - a. Onsite improvements are as follows:
 - i. All onsite parking must be on an impervious surface (Asphalt/ Concrete), additional asphalt or concrete shall be provided for any vehicles to be parked in the rear of the building.
 - b. Offsite improvements are as follows:
 - i. Roadway adjacent to the project (the half-width on the project side of the road) shall be capped. City Staff recommends that this project consider joining with other local projects to complete AC capping of the existing roadway. This work can also be individually completed. All such

improvements must be completed within 180 calendar days of approval. **OR**
The developer shall pay a fee equivalent to the cost of capping the street adjacent to the development within 60 calendar days of approval or as agreed upon by the City Engineer.

26. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
27. Water Utility Feasibility Study. The Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
28. Industrial Pretreatment and Industrial Wastewater Discharge Permit Application. The Developer shall complete the discharge permit application within 60 calendar days of CUP approval.

BUILDING AND SAFETY

29. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

30. No Fire Department Conditions were received for this project.

BUILDING AND SAFETY DIVISION, CUP 16-09

- BC1. An engineered grading report including soils report shall be submitted to and approved by the Building Official prior to recordation of the final map or issuance of permits for grading in excess of 1000 cubic yards.
- BC2. Grading and drainage plans including a soils report must be submitted to and approved by the Building Department and Engineering Department prior to grading permit issuance.
- BC3. Submit plans, engineering and obtain permits for all tenant improvements.
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with City Ordinance No.____.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the Building Inspector, General Contractor, grading Contractor, soils technician and any other parties required to be present during the grading process such as Biologist, Paleontologist.
- BC10. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
- BC11. Page two of the submitted building plans will be the conditions of approval
- BC12. Construction must comply with 2013 California Building, Plumbing Mechanical, Electric, Green and Energy Codes.
- BC13. Best Managements Practices (BMP's) are required for the site during construction.
- BC 14. Cover sheet to include deferred submittals, construction type and material quantities for determination of occupancy.

CITY OF ADELANTO
COMMUNITY DEVELOPMENT DEPARTMENT
Notice of Exemption

TO: Clerk of the Board of Supervisors
County of San Bernardino
385 North Arrowhead Avenue, 2nd Floor
San Bernardino, CA 92415

FROM: City of Adelanto
Planning Division
11600 Air Expressway/P.O. Box 10
Adelanto, CA 92301

Project Title: Conditional Use Permit 16-09

Description of Project: A proposal by Mr. Jerry Davis for the indoor medical marijuana cultivation at an existing 20,000 square foot facility, located within an existing industrial warehouse.

Project Location: 9501 Commerce Way Building 1, Adelanto, County of San Bernardino

Project Proponent: Mr. Jerry Davis
NHMC, Inc.
9114 Adams Ave., Suite 319
Huntington Beach, CA 92646

Reasons why project is exempt:

The project is exempt under section's 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act as the proposed project is covered under the EIR for Industrial Park 3.

Exempt Status: (*check one*)

- Ministerial (Section 21080 (b)(1); Section 15268);
- Declared Emergency (Section 21080 (b) (3); Section 15269(a));
- Emergency Project (Section 21080 (b) (4); Section 15269(b)(c));
- Statutory Exemption (Section Number: _____) ;
- Categorical Exemption: Class 03 (Section Number 15303) (c)
- The activity is not subject to CEQA (Section 15061(b)(3))
- Other: Section 15162 (Subsequent EIR's and Negative Declarations).

Contact Person/Title: Mark de Manincor, Senior Planner Phone Number: 760-246-2300 Ext. 3001

Signature: _____

Date: July 5, 2016

Received for Filing: (To be completed by the County)

DATE

SIGNATURE/TITLE



COMMERCE

KOALA

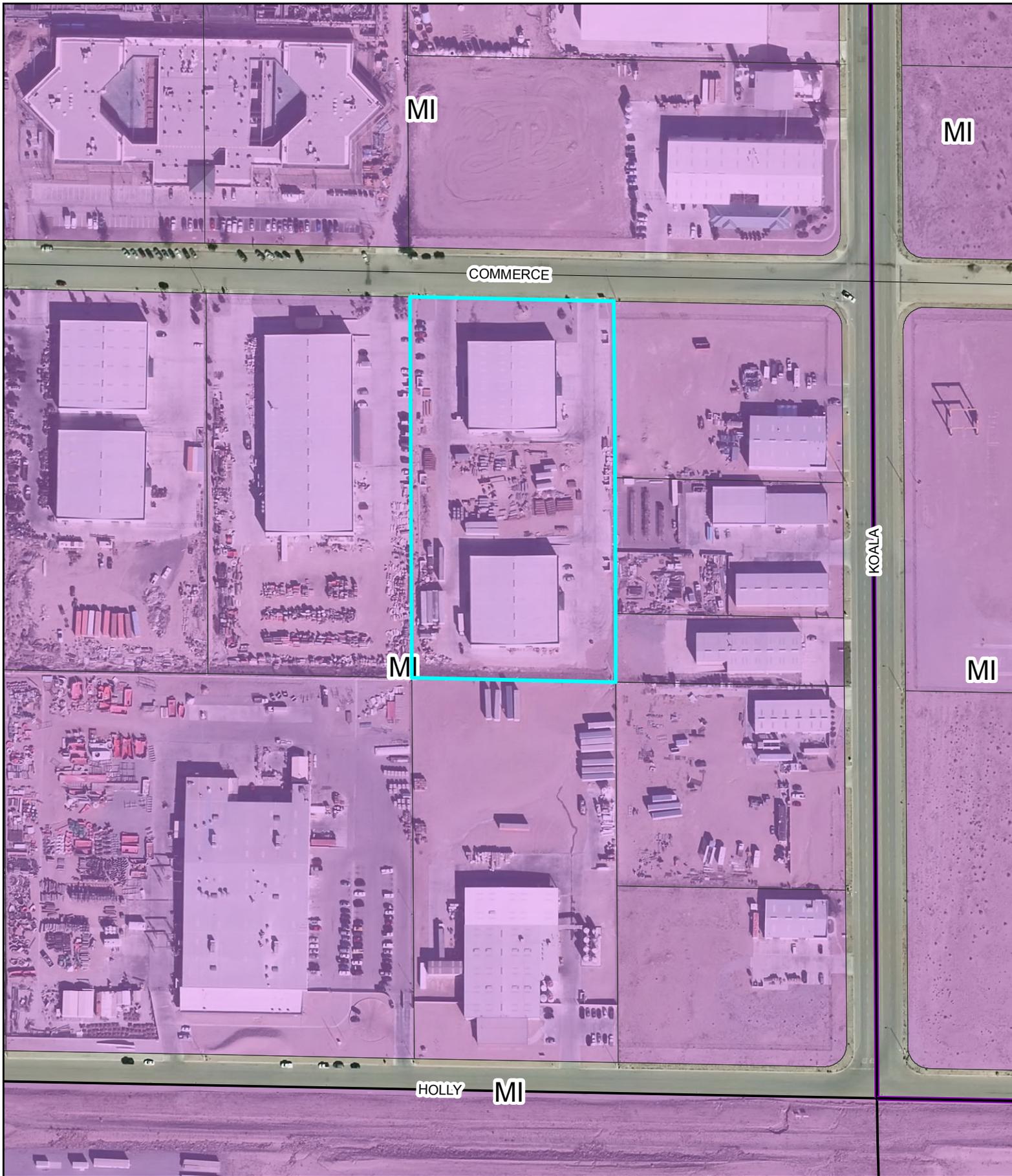
HOLLY



APN 3129-261-41



1 in = 200 feet



APN 3129-261-41

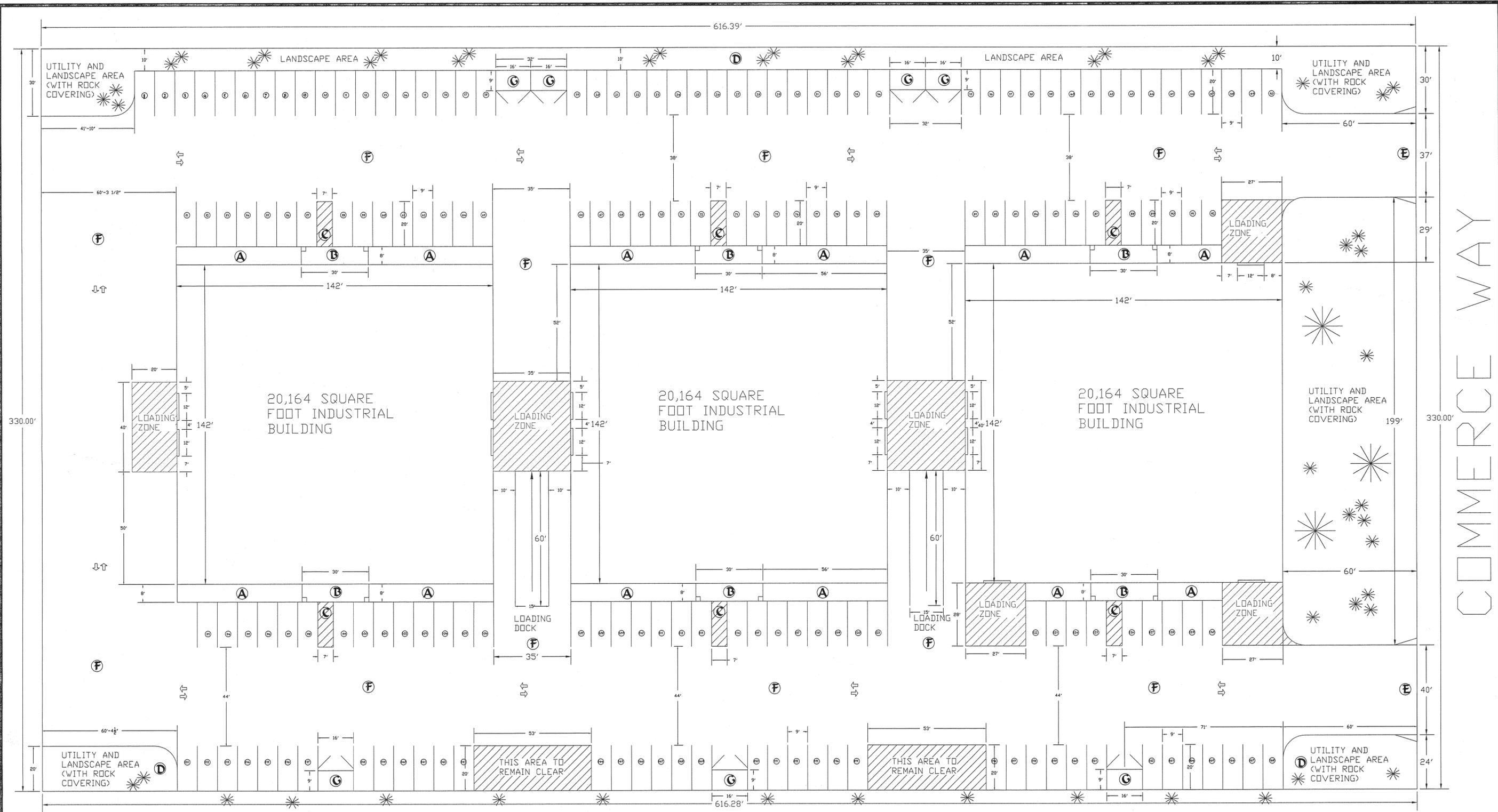


1 in = 200 feet

9501 Commerce Way

Adelanto, CA

Sheet 1 of 5 (for reference only)	Site Plan
Sheet 2 of 5	New Floor Plan
Sheet 3 of 5 (for reference only)	Existing Floor Plan
Sheet 4 of 5 (for reference only)	Existing Elev. Plan A
Sheet 5 of 5 (for reference only)	Existing Elev. Plan B



DUNAGAN CONSTRUCTION
 18055 PEARMAIN ST.
 ADELANTO, CA. 92301
 LIC.#431419
 (760)246-6426
 FAX#(760)246-7378
 E-MAIL:
 bldgsteel@dslextre.com

PLANS PREPARED FOR:
DUNAGAN ENTERPRISES, INC.
 18055 PEARMAIN ST.
 ADELANTO, CA. 92301

- NOTES:**
- (A) - 4" THICK CONCRETE SIDEWALKS AND WALKWAYS
 - (B) - 4" STAMPED CONCRETE UNDER CANOPY ENTRANCES
 - (C) - HANDICAP RAMPS SLOPING UP TO MEET WALKWAYS
 - (D) - FIRE HYDRANT PER CITY AND COUNTY FIRE STANDARDS
 - (E) - CITY APPROVED COMMERCIAL DRIVE ENTRANCE
 - (F) - 5" CONCRETE DRIVE AREAS
 - (G) - CITY APPROVED TRASH ENCLOSURES

PROJECT:
 COMMERCE CENTER INDUSTRIAL PARK

TYPICAL DEVELOPMENT OF PARCELS 29 & 31 OF PARCEL MAP 12345

**NOTE- THIS PLAN SHOWS DEVELOPMENT OF ONE PARCEL ONLY AND ENTIRE PROJECT WILL INCLUDE THREE PARCELS.

DATE- 8/14/04
 SCALE- 1"=20'
 PAGE-
SHEET 1 of 5 (for Reference Only)

9501 Commerce Way
Adelanto, CA

FIRST FLOOR



DUNAGAN
CONSTRUCTION
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5-23-08 City Copy

PLANS PREPARED FOR:
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18055 PEARMAIN ST.
ADELANTO, CA. 92301

*ALL WALL
DETAILS ARE
SHOWN ON
SHEET A1.5

WALL NOTES:

- (A) - ALL EXTERIOR WALLS TO BE 24GA. AZTECO EMBOSSED WALL PANELS DOUBLE-SIDED WITH 2" R-17 INSULATION CORE. (PANELS BY API - MODESTO, CA.)
- (B) - INTERIOR WALLS WILL BE 3 5/8" 26GA. STEEL STUDS WITH R-11 INSULATION AND 1/2" GYPSUM WALLBOARD TAPED, TEXTURED, AND PAINTED.
- (C) - BATHROOMS WILL HAVE FRP MIN. 4' ABOVE FINISHED FLOOR ON ALL WALLS.

PLANS APPROVED
AS CORRECTED
DATE 4/7/08
BY [Signature]

CITY OF ADELANTO
FOR OFFICIAL USE ONLY
NO OTHER CHANGES MAY BE
MADE TO THESE PLANS
WITHOUT THE WRITTEN
APPROVAL OF THE
CITY ENGINEER

DOOR SCHEDULE:

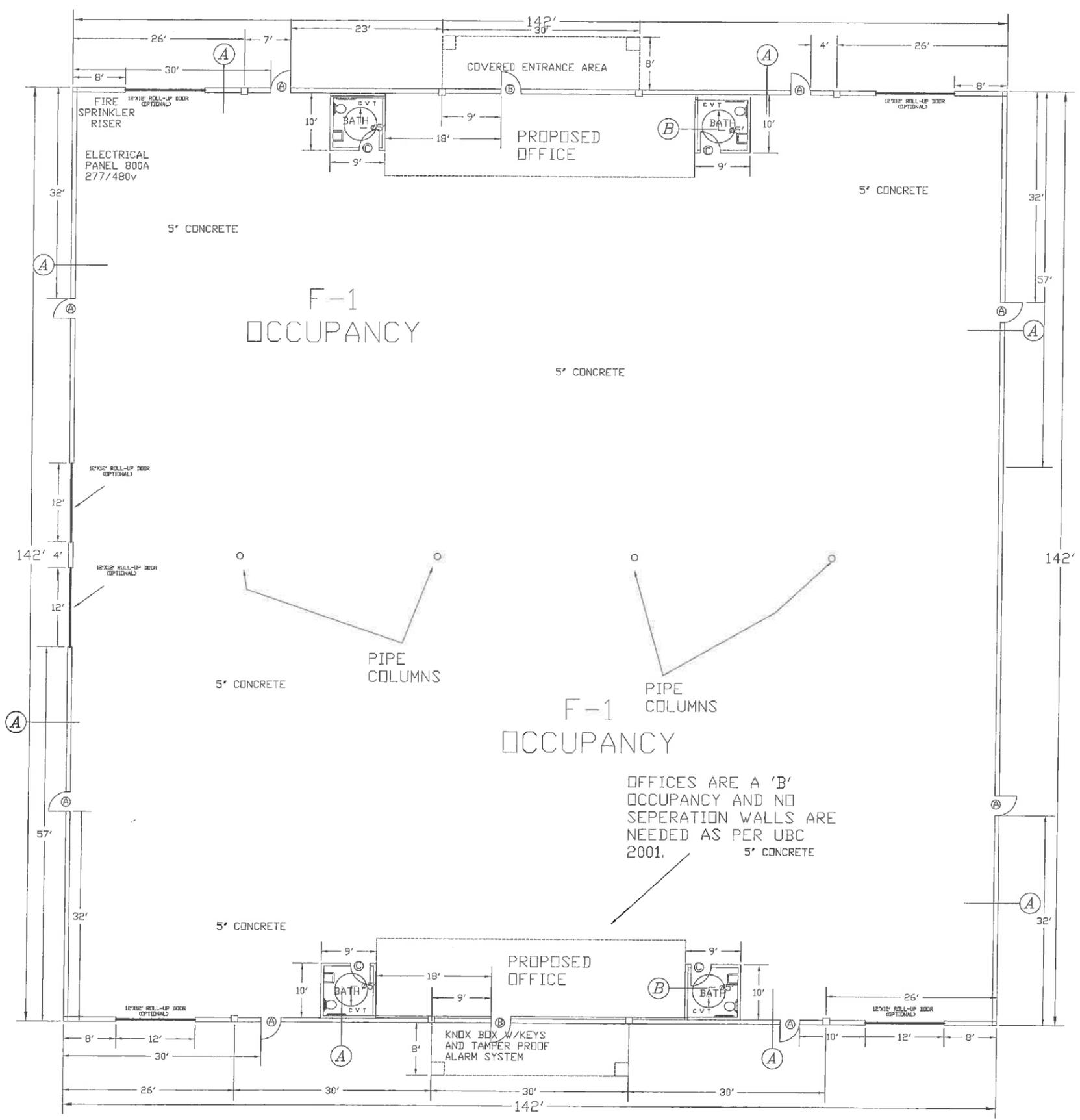
- (A) - 3'0" X 7'0" EXTERIOR METAL DOOR WITH SELF CLOSURE AND PANIC HARDWARE. ADA APPROVED LEVER-LOCK HARDWARE WILL BE USED FOR EXTERIOR PASSAGE.
- (B) - 3'0" X 7'0" GLASS STOREFRONT DOOR.
- (C) - 3'0" X 8'8" S.C. 1 3/4" LEGACY DOOR W/OAK FINISH, CLOSURES, AND BROWN TIMELY FRAME.

PROJECT:
9501 COMMERCE WAY,
ADELANTO, CA. 92301

20,164 SQ. FT.
MANUFACTURING
COMPLEX

DATE - 2/21/08
SCALE - 1" = 8'
PAGE -
AMENDED
Sheet 3 of 5

(For Reference Only)



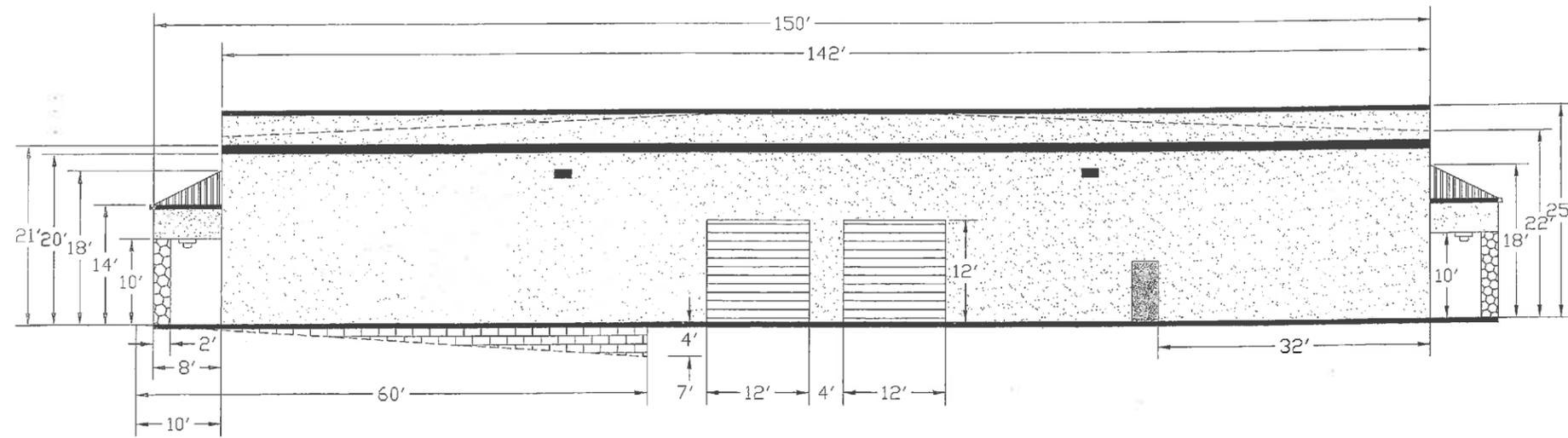
OFFICES ARE A 'B'
OCCUPANCY AND NO
SEPERATION WALLS ARE
NEEDED AS PER UBC
2001.

DUNAGAN
 CONSTRUCTION
 18055 PEARMAIN ST.,
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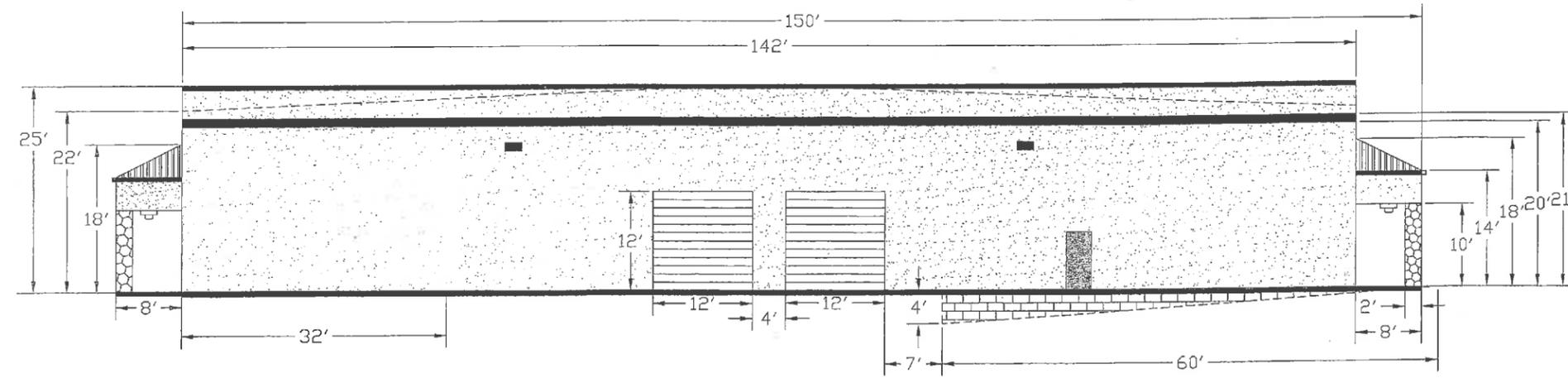
PLANS PREPARED FOR:
 DUNAGAN ENTERPRISES, INC.
 18055 PEARMAIN ST.
 ADELANTO, CA. 92301

CITY OF ADELANTO
 APPROVED
 BUILDING OFFICIAL

PROJECT: 20,164 SQ. FT. MANUFACTURING COMPLEX	DATE- 2/25/04 SCALE- 1"=8' PAGE-
	Sheet 4 of 5 (For Reference Only)



RIGHT ENDWALL

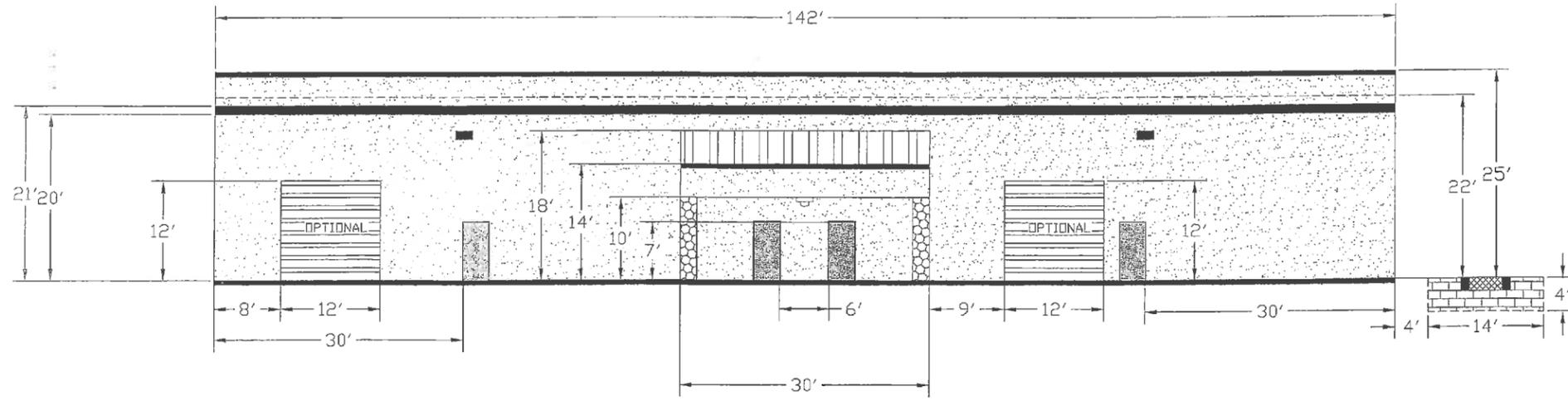


LEFT ENDWALL

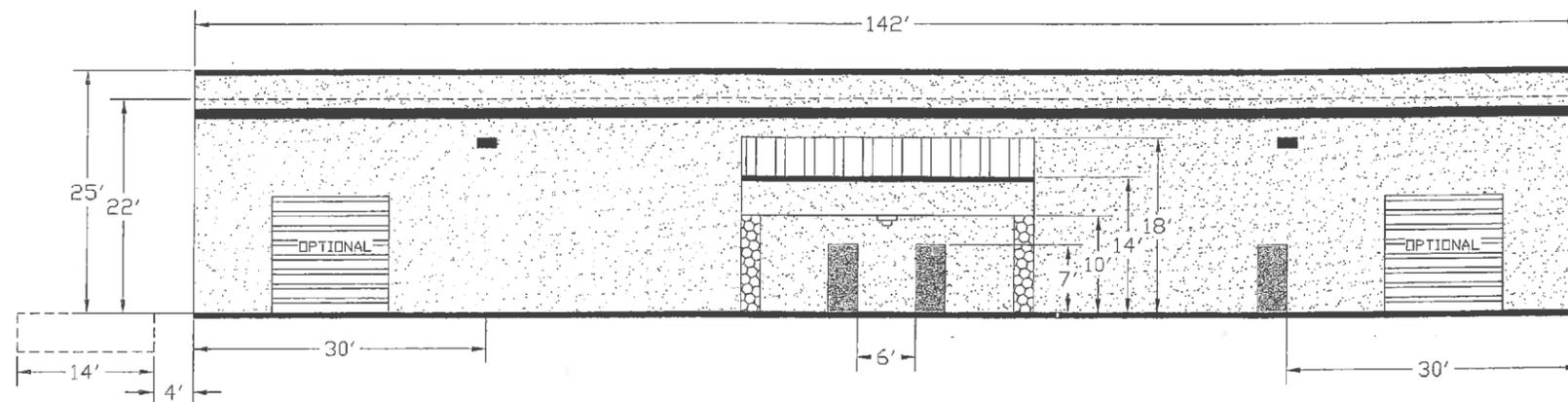
110
 9501 Commerce Way
 B-1-124

DUNAGAN
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PLANS PREPARED FOR:
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 18055 PEARMAIN ST.
 ADELANTO, CA. 92301



REAR SIDEWALL



FRONT SIDEWALL

CITY OF ADELANTO
 APPROVED
 BUILDING OFFICIAL

PROJECT:
 20,164 SQ. FT.
 MANUFACTURING
 COMPLEX

DATE- 2/25/04

SCALE- 1"=8'

PAGE-

Sheet 5 of 5

A4.2

(For Reference only)

Handwritten initials/signature