



AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

September 6, 2016
7:00 P.M.

Adelanto Governmental Center

City Council Chambers

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.

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: _____

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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. Approval of Minutes: August 2, 2016 Regular Meeting
2. **Tentative Tract Map 18408** – First Extension of time for Tentative Tract Map 18408, a request to subdivide approximately 5 acres of land into 18 single-family residential lots and 2 lettered lots in an R1 (Single Family Residential) zone. The property is located on the southeast corner of Villa Street and Jonathan Street, in the City of Adelanto, County of San Bernardino.

M _____ S _____ ACTION _____

G. CONTINUED PUBLIC HEARING

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

1. **Tentative Parcel Map 19252** – Mr. Charles Laird, proposes to subdivide one 2.5-acre parcel into two 1.25 acre lots located within the Airport Park (AP) zoning district. The project is located on the north side of Cactus Road 330 feet east of Vinton Road.

RECOMMENDATION: RATIFY the ADOPTION of Resolution No. P-16-20, ADOPTING findings and APPROVING Tentative Parcel Map 19252 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

M _____ S _____ ACTION _____

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

- 2. Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement**, Clark Pacific proposes to construct and operate a Pre-Cast and Pre-Stressed Concrete Products Manufacturing and Storage facility including 8 structures totaling 275,183 square feet on approximately 111 acres of land in the Manufacturing/Industrial Zone.

RECOMMENDATION: **RATIFY THE ADOPTION OF** Resolution P-16-21 **ADOPTING** findings and **RECOMMENDING APPROVAL** to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03, Mitigated Negative Declaration 15-01 and associated Development Agreement.

OR

ADOPT Resolution P-16-22 **ADOPT** findings and **RECOMMEND DENIAL** to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement.

M _____ S _____ ACTION _____

H. PUBLIC HEARING

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

- 1. Conditional Use Permit 16-11:** Mr. Tien Hoang, is requesting a Conditional Use Permit for cultivation of medical marijuana at two existing 12,000 square foot industrial buildings. The project site is located at 17178 Raccoon Avenue, in Industrial Park 2, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-671-02.

RECOMMENDATION: **ADOPT** Resolution No. P-16-29, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-11 to allow a Medical Marijuana Cultivation Facility at two (2) 12,000 square foot industrial buildings on an existing developed site with four (4) existing buildings, 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:** _____

2. **Conditional Use Permit 16-14:** Mr. Rafael Almanzar is requesting a Conditional Use Permit for cultivation of medical marijuana within an existing 10,000 square foot industrial building located at 16545 Beaver Road, on approximately 4.0 acres, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-22.

RECOMMENDATION: **ADOPT** Resolution No. P-16-30, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-14 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:** _____

3. **Location and Development Plan 15-01 Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598, Mitigated Negative Declaration 16-01:** The applicant, Steeno Design Studio for M/M Paulicano requests a Location and Development Plan to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land, Conditional Use Permit to allow the use of a Gas Station, 60 Room 3-Story Motel, Drive Thru Restaurants and Car Wash, General Plan Amendment/ Zone Change to change the zoning from Business Park (BP) to General Commercial (C), General Plan Amendment vacating a portion of Violet Road and a Tentative Parcel Map to subdivide four parcels into ten parcels. The project site is located on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Numbers 0459-342-15, 16, 17, 18.

RECOMMENDATION: **ADOPT** Resolution P-16-23 **ADOPT** findings and **RECOMMEND APPROVAL** to the City Council, Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598 and Mitigated Negative Declaration 16-01, subject to the recommended conditions of approval and mitigation measure listed in the Initial Study.

M _____ S _____ ACTION _____

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

4. **Location and Development Plan 16-09, Conditional Use Permit 16-15**, Steeno Design Studio, for Mr. Manooch Khanbeigi, proposes to construct five (5), 27,950 square foot industrial buildings for Medical Marijuana Cultivation, on 7.2 acres of land, in the cultivation zone in Industrial Park 3.

RECOMMENDATION: **ADOPT** Resolution P-16-28, **ADOPT** findings and **APPROVE** Location and Development Plan 16-09, Conditional Use Permit 16-15, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

M _____ S _____ ACTION _____

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

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

J. ADJOURNMENT

A Special Meeting of the Planning Commission will be held on Sept 13, 2016, at 7:00 p.m.

TIME OUT: _____

M _____ S _____ ACTION _____

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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 SEPTEMBER 1, 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 Clerk



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

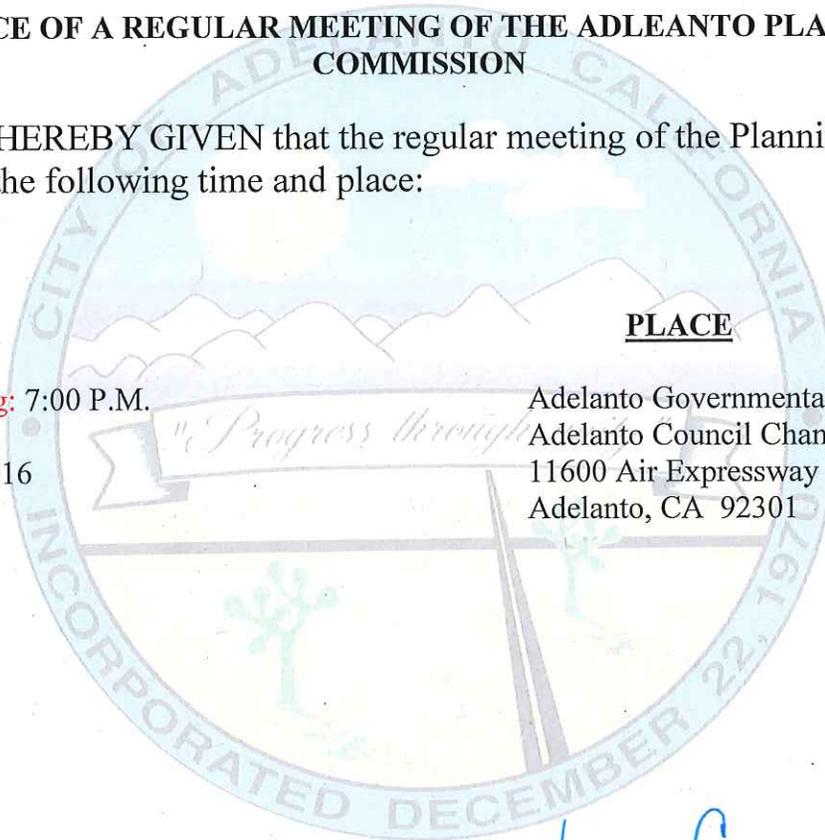
NOTICE IS HEREBY GIVEN that the regular meeting of the Planning Commission will meet at the following time and place:

TIME

Regular Meeting: 7:00 P.M.
Tuesday
September 6, 2016

PLACE

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




Virginia Cervantes
Planning Secretary

DATED: September 1, 2016

MINUTES OF THE
REGULAR
PLANNING COMMISSION
MEETING

August 2, 2016

A. CALL TO ORDER- MEETING

The Adelanto Planning Commission held a Regular Meeting on Tuesday, August 2, 2016, in the Council Chambers of the Governmental Center located at 11600 Air Expressway, Adelanto, California. Chairman Waggener called the meeting to order at 7:02 p.m.

Planning Commissioners present: Flores, Jeanette, Jones, Vice Chairman Ferretiz, and Chairman Waggener

Staff present: Senior Planner De Manincor, City Attorney Farjeat and Planning Clerk Cervantes

Invocation by: Chris Waggener

Pledge lead by Mayor Kerr.

B. CONFLICT OF INTEREST

Chairman Waggener had a conflict of interest with item No. 2 on Public Hearing.

C. DELETIONS/ADDITIONS

None

D. PRESENTATIONS

None

E. PUBLIC COMMUNICATIONS

CLERKS NOTE: The public microphone was off during comments.

Public Communication was opened at 7:06 p.m.

1. Jeannette Ansu: She gave updates on the Senior Center Activities.

Public Communication was closed at 7:12 p.m.

F. CONSENT CALENDAR

1. Approval of Minutes: May 3, 2016 – Regular Meeting
June 7, 2016 – Regular Meeting
July 5, 2016 – Regular Meeting

MOTION: Moved by Vice Chair Ferretiz, seconded by Commissioner Jeannette to approve the Consent Calendar as presented.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

G. PUBLIC HEARING

1. **Tentative Parcel Map 19251** – Mr. Charles Laird, representing Jon and Tanya Patullo, proposes to subdivide one 2.5-acre parcel into two lots located within the Airport Park (AP) zoning district. The project is located on the west side of Clover Road 660 feet north of Holly Road in the City of Adelanto, County of San Bernardino.

RECOMMENDATION: **ADOPT** Resolution No. P-16-19 **ADOPT** findings and **APPROVE** Tentative Parcel Map 19251 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

Senior Planner De Manincor presented the Staff Report. This project is considered exempt from the Environmental Quality Act.

The Chair opened Public Hearing at 7:15 p.m.

1. Jeannette Ansu: She wanted to know about land division.

Chairman Waggener explained they can separate land and sell it separately. It is in the Airport Park that provides multiple uses.

Jeannette Ansu asked if the cultivation goes to the airport park.

Chairman Waggener stated it does not.

2. Chuck Laird: He talked about the project.

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Commissioner Jeannette wanted to know what the purpose is for the division of the property.

Chuck Laird stated there was nothing specific in mind. It is just good market value.

The Chair closed Public Hearing at 7:18 p.m.

MOTION: Moved by Commissioner Jeannette, seconded by Vice Chair Ferretiz to ADOPT Resolution No. P-16-19 ADOPT findings and APPROVE Tentative Parcel Map 19251 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

- 2. Tentative Parcel Map 19252** – Mr. Charles Laird, proposes to subdivide one 2.5-acre parcel into two 1.25 acre lots located within the Airport Park (AP) zoning district. The project is located on the north side of Cactus Road 330 feet east of Vinton Road.

RECOMMENDATION: ADOPT Resolution No. P-16-20, ADOPT findings and APPROVE Tentative Parcel Map 19252 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

Senior Planner De Manincor presented the Staff Report. This project is considered exempt under the Environmental Quality Act. This property has proper easements and right of ways. There is no drainage considerations.

The Chair opened Public Hearing at 7:21 p.m.

1. Charles Laird: He explained his project.

The Chair closed Public Hearing at 7:22 p.m.

MOTION: Moved by Commissioner Jones, seconded by Commissioner Flores to ADOPT Resolution No. P-16-20, ADOPT findings and APPROVE Tentative Parcel Map 19252 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

Motion carried unanimously 4-1 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz voting yes.)(Chairman Waggener abstained.)

- 3. Location and Development Plan 16-06, Tentative Parcel Map 19129**, Mr. Thomas Pappas of Desert Sand Properties, LLC proposes to construct a 20,164 square foot industrial building on 1.32 acres of land; a Tentative Parcel Map to subdivide a 4.67-acre parcel into three separate lots. The project site is located on the south side of Commerce Way, west of Koala Road, at 9501 Commerce Way.

RECOMMENDATION: **ADOPT** Resolution P-16-25 **ADOPT** findings **APPROVE**, Location and Development Plan 16-06 AND Tentative Parcel Map 19129, finding the project exempt under Section's 15162 (Subsequent EIR's and Negative Declarations) and 15061 (b) (3) (Review for Exemptions), of the California Environmental Quality Act.

Senior Planner De Manincor presented the Staff Report. This was similarly brought back to the Planning Commission in 2006. The original project was to build three structures. Two of the structures were built. The applicant is now wishing to build the third structure. He would like to subdivide the lot into three lots. The subdivision was approved by the Planning Commission but the map was never finalized. This property is exempt from the Environmental Quality Act.

Chairman Waggener talked about subdividing helping with development in cultivation.

The Chair opened Public Hearing at 7:26 p.m.

1. Douglas Page: He has property that adjoins to this property. He talked about previous requirements when building on this property. This building is against those requirements.

Chairman Waggener asked if he had an original agreement for the Industrial Park.

Douglas Page stated he has the original requirements.

Chairman Waggener wanted him to meet with the Mayor.

2. Shad Boyd: He talked about each building having a separate address. He talked about their not being a lot of properties left.

Senior Planner De Manincor wanted to thank Thomas Pappas for his business.

3. Thomas Pappas: He talked about the long process it has taken.
4. Businessman: He talked about buying buildings and the subdivision of ownership was never recorded. He wanted to buy all three buildings.

The Chair closed Public Hearing at 7:37 p.m.

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Commissioner Flores thanked the businessman from Fullerton for bringing his business to the City. It is greatly appreciated.

MOTION: Moved by Commissioner Flores, seconded by Vice Chair Ferretiz to ADOPT Resolution P-16-25 ADOPT findings APPROVE, Location and Development Plan 16-06 AND Tentative Parcel Map 19129, finding the project exempt under Section's 15162 (Subsequent EIR's and Negative Declarations) and 15061 (b) (3) (Review for Exemptions), of the California Environmental Quality Act.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

- 4. Code Amendment 16-03** Proposed amendment to Title 17 of the Adelanto Municipal Code amending Chapter 17.65, Parking and Loading, to regulate the number of parking spaces for Indoor Agriculture.

RECOMMENDATION: ADOPT Resolution P-16-24, ADOPT findings, and recommend APPROVAL to the City Council, Code Amendment 16-03.

Senior Planner De Manincor presented the staff report. With the marijuana Ordinance passing, many people want to start develop buildings but there are issues with parking restrictions. They have to have 1 space for every 500 square feet. This will restrict the size of the building. He recommends that they create a new parking requirement and classify it as warehousing instead of factory. It would change it to once space for every 2,000 square feet.

The Chair opened Public Hearing at 7:40 p.m.

1. Manooch Khambeigi: He talked about developers having many issues with the factory parking requirements. He discussed the amount of people coming into the building and how many people actually work there. The size of the parking lot is too much.
2. Resident: He talked about CUPA came to check his business for Fire. So there if people who will come into the business. He asked about the square footage criteria.

Senior Planner De Manincor stated it is by floor space. They have to count square footage if there are multiple floors.

Resident spoke about the multiple categories of Marijuana activities and how the requirements are specific to that.

Senior Planner De Manincor told him where he could find that information.

3. Shad Boyd: He talked about needing this to go through.

The Chair closed Public Hearing at 7:47 p.m.

The Chair opened Public Hearing at 7:48 p.m.

1. Resident: He talked about land curbage.

The Chair closed Public Hearing at 7:48 p.m.

Commissioner Flores talked about the streets being wide enough to where they should not have a need for large parking lots. He also mentioned how it should not just be for the cultivation industry.

MOTION: Moved by Commissioner Jeannette, seconded by Vice Chair Ferretiz to ADOPT Resolution P-16-24, ADOPT findings, and recommend APPROVAL to the City Council, Code Amendment 16-03.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

5. **Tentative Tract Map 17152 and General Plan Amendment/Zone Change 15-02** – Yogesh Goradia requests Tentative Tract Map 17152 to subdivide approximately 20.4 acres into 98 single-family residential lots and General Plan Amendment/Zone Change 15-01 to change the zoning from R-S1 to R-S5, located on the east side of Raccoon Avenue, approximately 600 feet north of Bartlett Avenue, within the City of Adelanto, County of San Bernardino.

RECOMMENDATION: ADOPT Resolution P-16-26 **ADOPT** findings **RECOMMENDING APPROVAL** to the City Council, Tentative Tract Map 17152 and General Plan Amendment/Zone Change 15-02, finding the project exempt under Section's 15162 (Subsequent EIR's and Negative Declarations), of the California Environmental Quality Act.

Senior Planner De Manincor presented the staff report. This has been before the Planning Commission but it expired. They requesting a zoning change.

The Chair opened Public Hearing at 7:53 p.m.

1. Jeannette Ansu: She asked if it will be a DR Horton situation. She also asked if this would possibly be low income housing.

Senior Planner De Manincor stated this is subdivided for single family homes for any type of income.

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2. Mayor Kerr: He talked about how he is excited these projects are going to happen.
3. Mike Medafor: He talked about the development of this project and there was a halt and they are here to continue the project. He doesn't understand Condition 71.B discussing specifics of how they are to improve Raccoon on the east side when it should be the west side.

City Engineer So stated that will be fixed.

Mike Medofer asked about the same condition where it discusses the G Street connection. He wanted language that allows flexibility so they are not tied to the tract next door.

Senior Planner De Manincor stated that will be something that they will discuss before it goes in front of the City Council.

Mike Medofer is just worried about not being able to finish their building.

Senior Planner De Manincor stated they can adjust that.

Commissioner Jeannette asked if it will include street lights.

Mike Medofer stated there should be street lights along with curbs, gutters, and sidewalks.

Commissioner Jeannette asked about the prices of these homes

Mike Medofer stated they are not at that point to discuss yet.

Jeannette Ansu asked when they plan on breaking ground.

Chairman Waggener stated that cannot be determined yet. This is about the division of the property.

The Chair closed Public Hearing at 8:03 p.m.

MOTION: Moved by Commissioner Jeannette, seconded by Vice Chair Ferretiz to ADOPT Resolution P-16-26 ADOPT findings RECOMMENDING APPROVAL to the City Council, Tentative Tract Map 17152 and General Plan Amendment/Zone Change 15-02, finding the project exempt under Section's 15162 (Subsequent EIR's and Negative Declarations), of the California Environmental Quality Act with recommended changes.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

- 6. Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement,** Clark Pacific proposes to construct and operate a Pre-Cast and Pre-Stressed Concrete Products Manufacturing and Storage facility including 8 structures totaling 275,183 square feet on approximately 111 acres of land in the Manufacturing/Industrial Zone.

RECOMMENDATION: ADOPT Resolution P-16-21 **ADOPT** findings and **RECOMMEND APPROVAL** to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03, Mitigated Negative Declaration 15-01 and associated Development Agreement.

Senior Planner De Manincor presented the staff report. There were numerous issues with the Development Agreement. The City Staff has to follow development codes and Ordinances and could not accommodate them. There are requesting changes and the City wanted three options provided. Out of the three options the City agreed for option number one. Option one states Clark Specific will pay the full circulation impact fee. It is \$16,917 per acre. They are requesting a reimbursement for improving the street adjacent to their site. The City does allow a certain amount of credit. Clark Pacific stated they are not willing to pay the drainage impact fees. Clark Pacific is not willing to pay for the water system upgrade. Clark Pacific will pay the development fees such as circulation over a period of time. The staff believes none of these options are feasible but option one is the least costly to the City. The issues is these fees goes into certain accounts. The staff stated they can do the fees in phases. The staff gave two recommendations, one to approve and another to deny the project. Either way, it will be brought to the Council for final determination.

Vice Chair Ferretiz asked about grant money.

Senior Planner De Manincor stated they have Measure I money for particular projects.

Chairman Waggener talked about it costing the City, is it out of pocket?

Senior Planner De Manincor mentioned the Development Impact Fees are required because if not, the money will come out of the General Fund.

Chairman Waggener talked about the drainage being too costly. He doesn't understand how it would cost the City.

Commissioner Flores talked about the numbers and the cost of the City.

Senior Planner De Manincor explained there would be a loss to the City because the project is refusing the pay certain fees. He also mentioned not being able to credit them that much money.

Commissioner Flores talked about the City doing their part to help development.

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Senior Planner De Manincor stated the City is not responsible for paying for any development.

There was a discussion on the impact fee prices.

Chairman Waggener wanted to discuss the water issue. He talked about low water pressure and the pipelines in that area. He discussed promises for previous projects with a well that could be useful for this project.

City Engineer So addressed the Drainage Master Plan. He talked about the Drainage Impact fee not only being on the property because they need water coming from another location. He talked about the well being an attempt to obtain more water. The reason they cannot use that well is due to diesel pollution. With regards to a purple pipe, the City had no plans for that.

Commissioner Flores asked who wanted that well installed.

City Engineer So stated it was the Water Department at the time. It went out to bid. He discussed the flow of the water and how the soil does not allow the underground to store water.

Chairman Waggener asked why they would require a company to pay for piping to go to a well that was not potable.

City Engineer So stated this requirement for the well is not imposed by the City.

Chairman Waggener talked about the City approving a prison across the street from this project. When this project was approved, wouldn't they consider that more water usage then the project they are discussing?

City Engineer So talked about looking into that. Clark Pacific is the one who came up with the final plan. The fire water flow is imposed by the County, not the City.

Chairman Waggener went on to discuss how the water flow is different.

City Engineer So talked about storm flow.

The Commission called up Mayor Kerr.

Vice Chair Ferretiz asked Mayor Kerr if he is planning on an 8 year term.

Mayor Kerr said he is trying to do what is best for the City in his current term and he will decide when it comes to the end.

Vice Chair Ferretiz wanted assurance that there will be a team that will help build up the General Fund so that he could approve this.

Mayor Kerr talked about everyone currently trying their best.

The Chair opened Public Hearing at 8:37 p.m.

1. Shad Boyd: He gave Chairman Waggener new product ideas so they could save costs to look into these products.
2. Douglas Page: He talked about the projects around his area. He discussed pre cast concrete company. He asked about the street improvements.

Chairman Waggener stated they are putting in a lot of streets.

3. Terence Street: He talked about the money they have to fund this project. He mentioned this will be a 2 phase project. He discussed the fees and what they have done. He discussed the weight of the trucks driving through the streets. They had an outside engineer do a traffic study and it was lower than the suggested price the City came up with. He talked about the three options they gave the City and how they are justified. He discussed the water and how it is a large price for just one company to take care of.

Commissioner Flores talked about how he doesn't understand how it will cost the City for this project to come here.

Terrence Street stated it is because they are not going to pay certain fees. He talked about not wanting to pay for a City wide situation.

Chairman Waggener asked about giving up for the right away, is there a percentage of what he has given up.

Terrence Street stated 10-12 acres will be given for right away.

Engineer Assistant Mower talked about it being more profitable for the project. He discussed the drainage.

City Engineer So stated they can discuss this further by setting up a meeting.

Vice Chair Ferretiz asked Terrence Street what he believes to be the best option.

Terrence Street stated the best option for the City would be Option one.

Chairman Waggener mentioned they offered to get streets done for the City which more than the City was asking.

Senior Planner De Manincor stated that he does not understand why fire wanted that much for water.

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Commissioner Flores talked about the numerous projects Clark Pacific has done and asked if they have had this many issues with previous projects.

Terrence Street stated had requirements but not this extensive. They would just like to get this done.

Commissioner Jeannette wants to see the project move forward.

Terrence Street stated the main issue is the storm drainage fee.

There was discussion of the City's drainage.

Jim Orvetts stated the City should have some liability because they are not even providing fire services to their current development. He believes they are going above and beyond their share.

Commissioner Flores wanted his background information.

Jim Orvetts has worked with the County for the last 15 years. He talked about installing a well and needing to run 4 treatments to make it potable. He works for Merrill Johnson and wanted to do local projects.

City Engineer So explained the Water Fee is based on the Water Master Plan. He explained they need to have a meeting with the Fire Department. He talked about they water systems in the City being limited. He believes this will not be solved tonight. He went into depth with the Drainage Master Plan.

Commissioner Flores talked about making several attempts to work with them and were neglected. There is not time to work with this.

Commissioner Jeannette talked about moving forward for the City.

City Engineering Assistant Mower explained they did reduce \$550,000.00 for the water. He explained that they need the fire hydrants. There wasn't development south of them. They took that requirement away.

Terrence Street talked about the \$550,000.00 is not a correct number. It would be \$170,000.00

City Engineering Assistant Mower stated they need to be careful with the impact fees.

Chairman Waggener talked about solar plants had waived flood fees.

Senior Planner De Manincor stated they reduced their fees, but they put in all their roads and drainage without credits.

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Commissioner Jones explained that if they adopt, what are they actually approving.

Senior Planner De Manincor stated they are adopting Clark Pacific's Option one offer.

Chairman Waggener talked about the verbiage is included in Option one. He wanted Section B removed completely.

Senior Planner De Manincor stated the wanted the drainage fees to be paid as stated in the Development Agreement.

Chairman Waggener talked about it being a legal liability.

Senior Planner De Manincor stated it should be reverted to the Development Agreement.

Chairman Waggener talked about item number 51 and had issues with the water.

Terrance Street stated he only had a problem with the water on Raccoon.

Senior Planner De Manincor noted that they will not provide water improvements from Raccoon.

There was discussion with the phasing and fluctuation.

Terrance Street wanted it more clearly defined.

City Engineer So stated he would like to do a reconstructed review with Senior Planner De Manincor.

Chairman Waggener mentioned that is should be on the next Council Meeting.

Senior Planner De Manincor stated that would not be possible because they need to post a 10 day Public Hearing Notice to the public. It would have to be the second meeting of the month.

City Engineering Assistant Mower explained why they didn't pick option two or three. It had to with General Fund reimbursement.

Terrence Street talked about 4 million dollars in roadways.

Commissioner Flores asked about SanBag

City Engineering Assistant Mower mentioned it was for Measure I. SanBag is designed to supplement for what the City is paying. It is built into the Measure.

Commissioner Flores believes the developer has agreed to a high amount of development fees already.

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City Engineering Assistant Mower explained he didn't have knowledge before that this project was attached to SanBag. He stated that they should just be cautious

Commissioner Flores stated that the Planning Commission is here to provide suggestions and it is the departments responsibility to do everything right.

Chairman Waggener talked about a Fair Share Program. He does not like needing to pay that bulk sum.

Commissioner Jones explained he is willing to pay that.

Chairman Waggener wanted the pipe taken out.

Senior Planner De Manincor stated the changes which were item 51 on conditions of approval, as well as item 105 with regards to development impact fee to align with the development agreement, and language changed for phasing plan.

Commissioner Jones asked with these changes, will it go straight to the City Council.

Chairman Waggener began discussing the meetings between the City Engineer and other entities. He asked if they select option one, will the drainage impact fee be dropped.

Senior Planner De Manincor stated it will be.

Commissioner Jeannette asked why the pipe could not be credited to them.

Chairman Waggener stated that will be discussed down the road.

The Chair Closed Public Hearing at 9:48 p.m.

MOTION: Moved by Waggener, seconded by Vice Chair Ferretiz to ADOPT Resolution P-16-21 ADOPT findings and RECOMMEND APPROVAL to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03, Mitigated Negative Declaration 15-01 and associated Development Agreement with discussed changes noted by the Senior Planner.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

- 7. Location and Development Plan 15-01 Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598, Mitigated Negative Declaration 16-01:** The applicant, Steeno Design Studio for M/M Paulicano requests a Location and Development Plan to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land, Conditional Use Permit to allow the use of a Gas Station, 60 Room 3-Story Motel and Drive Thru Restaurants, General Plan Amendment/ Zone Change to change the zoning from Business Park (BP) to General Commercial (C), General Plan Amendment vacating a portion of Violet Road and a Tentative Parcel Map to subdivide four parcels into ten parcels. The project site is located on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Numbers 0459-342-15, 16, 17, 18.

RECOMMENDATION: Request a continuance to the next meeting to allow time to receive and review Tentative Parcel Map 19598.

MOTION: Moved by Chairman Waggener, seconded by Vice Chair Ferretiz to continue this item to the next meeting.

Motion carried unanimously 5-0 (Commissioner Flores, Jones, Jeannette, Vice-Chairman Ferretiz and Chairman Waggener Voting yes.)

F. SENIOR PLANNER AND COMMISSIONER'S ANNOUNCEMENTS AND/OR REPORTS

Senior Planner Comments: None

Planning Commission Comments:

Chairman Waggener wanted to thank the Attorney for being present.

Commissioner Jeannette asked what is happening to Cactus and Highway 395. She thanked Sue for the cookies she brought in. She talked about bringing in fruit for the next Council Meeting. She thanked Code Enforcement for cleaning up Cortez and Bellflower. She talked about the Senior Club and Sharon Runners Memorial Service. She thanked all the City Staff.

Commissioner Jones had none.

Chairman Waggener talked about building a better City. He talked about needing to revisit these fees.

Commissioner Flores talked about going to Colorado and saw the future of Adelanto. He discussed economic development.

Planning Commission
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J. ADJOURNMENT

The next Meeting of the Planning Commission will be held on September 6, 2016, at 7:00 p.m. Unless a Special Meeting is called.

There being no further business, Chair Waggener entertained a motion to adjourn the meeting at 8:59 p.m.

MOTION: Moved by Vice Chairman Waggener second by Commissioner Jones to adjourn the Planning Commission meeting.

Motion carried 5-0 unanimously (Commissioner Flores, Jeannette, Jones, Vice Chairman Ferretiz and Chairman Waggener Voting yes)

Chris Waggener, Chairman

Virginia Cervantes, Planning Clerk

Prepared by: Jordyn Thomas, Intern
Reviewed by: Virginia Cervantes, Planning Clerk



PLANNING COMMISSION AGENDA REPORT

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

DATE: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Planning Manager

SUBJECT: **Tentative Tract Map 18408** – First Extension of time for Tentative Tract Map 18408, a request to subdivide approximately 5 acres of land into 18 single-family residential lots and 2 lettered lots in an R1 (Single Family Residential) zone. The property is located on the southeast corner of Villa Street and Jonathan Street, in the City of Adelanto, County of San Bernardino.

STAFF RECOMMENDATION:

Adopt Resolution No. P-16-31 **adopt** findings and **approve** the 1st extension of Time for Tentative Tract Map 18408 to subdivide the subject property into 18 single family residential lots subject to the amended conditions of approval and the mitigation measures listed in the original Initial Study.

SUMMARY

The developer, Land R Us Realty, requests their 1st Extension of Time of approved Tentative Tract Map 18408 to subdivide 5 acres into 18 single family lots. Tentative Tract Map 18408 was originally approved by the Planning Commission on August 21, 2007. With the approval of the requested Extension of Time, the subject map must be recorded by August 21, 2017 or the approval will expire and a new Tentative Tract Map application must be submitted.

BACKGROUND:

Applicant: Land R Us Realty – Jessica Haughton
410 Patti Ann Woods
Henderson, NV 89002

General Location: The approved Tentative Tract Map is located at the southeast corner of Villa Street and Jonathan Street, within the City of Adelanto, San Bernardino County.

Assessor's Parcel Numbers: 3135-321-01, 02

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

Declarations)

Related Cases: None

Existing General Plan & Zoning Designations: Single-Family Residential (R-1)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Single-Family Residential	R-1
South	Single-Family Residential	R-1
East	Single-Family Residential	R-1
West	Single-Family Residential	R-1

Existing Land Use: Vacant.

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

<i>Direction</i>	<i>Land Use</i>
North	Developed (Tract 16854)
South	Vacant
East	Vacant
West	Developed (Tract 16468)

PROJECT DESCRIPTION:

The applicant, Land R Us Realty, requests their 1st Extension of Time of approved Tentative Tract Map 19408 to subdivide 5 acres into 18 single family residential lots, with a minimum lot size of 7,200 square feet in an R1 (Single Family Residential) zone, establishing a new project expiration date of August 21, 2017.

DISCUSSION

Tentative Tract Map 18408 was originally approved by the Planning Commission on August 21, 2007. 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 1st Extension of Time. This would allow the applicant one additional year to record the final map. With the approval of the requested Extension of Time, the subject map must be recorded by August 21, 2017 or the approval will expire and a new Tentative Tract Map application must be submitted. The applicant can request up to five Extensions of Time for a Tentative Tract Map. Therefore, on or before August 21, 2017, an additional 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

Tentative Tract Map 18408 Extension # 1

September 6, 2016

18408 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-16-31
2. Notice of Exemption
3. Zoning Exhibit
4. Aerial Map
5. Tentative Tract Map 16918

RESOLUTION NO. P-16-31

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS AND APPROVING THE 1ST EXTENSION OF TIME FOR TENTATIVE TRACT MAP 18408 SUBJECT TO THE AMENDED CONDITIONS OF APPROVAL, LOCATED AT THE SOUTHEAST CORNER OF VILLA STREET AND JONATHAN STREET, IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO.

WHEREAS, the applicant, Land R Us Realty, has initiated the filing of the 1st Extension of Time for Tentative Tract Map 18408, proposing 18 single family lots on approximately 5 acres located at the southeast corner of Villa Street and Jonathan Street, in the City of Adelanto, County of San Bernardino; and

WHEREAS, Tentative Tract Map 18408 will expire on August 21, 2017, unless an application is filed for another Extension of Time prior to this date; and

WHEREAS, the applicant, Land R Us Realty, has agreed to accept the amended conditions of approval for Tentative Tract Map 18408; and

WHEREAS, an Initial Study was prepared as part of the original review of Tentative Tract Map 18408 to consider potential environmental impacts and a Notice of Exemption has been prepared for the proposed Extension of Time; and

WHEREAS, a duly noticed public hearing was held on the 6th day of September, 2016, to hear and consider testimony for or against the issue; 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 Extension of Time of Tentative Tract Map 18408. 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 "R1" (Single Family Residential) on the City's combined General Plan Land Use/Zoning Map. The applicant proposes to subdivide the site by extending Tentative Tract Map No. 18408 with 18 single family homes on approximately 5 acres. The proposed lot sizes are consistent with the City's Zoning Code and the General Plan density limit of four (4) units per acre. As such, the proposed tentative tract map 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 Villa Street and Jonathan Street, both designated as Major Collectors (80' right of way) on the Adelanto General Plan Circulation Element. The internal streets provide 60-foot street widths. As part of the amended 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 18408. 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 Game 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. Internal street widths meet adopted City/County 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 Department.

- (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 recommends approval of the 1st Extension of Time for Tentative Tract Map No. 18408 subject to the amended conditions of approval attached herein as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September, 2016.

Chris Waggener
Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

RESOLUTION NO. P-16-31

September 6, 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-16-31 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September, 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 6th day of September 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-31
September 6, 2016**

Conditions of Approval Tentative Tract Map 18408 Extension of Time 1

PROJECT: A proposal to divide Tax Parcel 3135-321-01, 02, consisting of 5 acres into 18 residential lots for detached, single-family residential development with a minimum lot size of 7,200 square feet. The project is zoned R-1.

Applicant: Land R Us Realty

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. The Project shall expire on **August 21, 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 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: 7200 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: 40 percent

3. **Phasing.** This Tentative Tract Map is for a 18 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 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 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, and 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 guidelines provided in the Adelanto General Plan and Design Standards provided

in the Adelanto Municipal Code Section 17.15. 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 street 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. **Irrigation Systems.** All irrigation systems, where required, shall be designed on an individual lot basis unless commonly maintained in an approved manner.
21. **Site Improvements.** All landscaping and irrigation systems shown on the approved landscape and irrigation plans, all required walls, trails, and/or other improvements shall be completed or suitable bonds shall be posted for their completion.
22. **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.
23. **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.
24. **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.
25. **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.
26. **Final Map Submittal.** A final map application shall be submitted to the Planning Division for compliance with the approved Tentative Map prior to recordation of the final map.

27. **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.

Based on the existence of possible Mohave Ground Squirrel habitat and the possibility of undetected presence of burrowing owls, desert tortoise, or other species of concern, the following actions or mitigation measures will be implemented. :

28. **Mohave Ground Squirrel.** The applicant shall provide mitigation lands at a ratio of 1:1. These lands should be purchased in an area known to support populations of the species. The mitigation lands would be evaluated to ensure they provide habitat equal to or better than the habitat that would be lost as a result of development of the project site. In addition, California Department of Fish and Game approval of mitigation land shall be obtained before acquisition is completed, and an Incidental Take Permit shall be applied for as part of the overall mitigation process.

Appropriate enhancement, endowment, and research fees would be provided by the project proponent as per California Department of Fish and Game requirements. These fees would be paid on a 1:1 basis prior to commencement of ground disturbing activities.

29. **Nesting Birds, Desert Tortoise.** If sharp-shinned hawks and loggerhead shrikes are detected on the site during future surveys, California Department of Fish and Game should be contacted to discuss suitable mitigation measures for these two species.

If a desert tortoise moves onto the site during future construction activities, all activities should cease, and California Department of Fish and Game and the United States Fish and Wildlife Service contacted to discuss appropriate mitigations. No desert tortoises should be handled by any project personnel.

30. **Burrowing Owls.** No more than 30 days prior to commencement of ground disturbing activities, a qualified biologist shall conduct a pre-grading survey, out to 500 feet from the site, for burrowing owls. If ground-disturbing activities are delayed for more than 30 days, additional surveys will be required. If owls are observed on the site:
- a. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the Department verifies through non-invasive methods either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
 - b. To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of burrowing owl habitat per pair or unpaired birds should be acquired and permanently protected.
 - c. Existing unsuitable burrows should be enhanced or new burrows created at a ratio of 2:1 on the protected lands site.
 - d. The project proponent should provide funding for long-term management and monitoring of the protected land. A monitoring plan for the protected land should

be required which includes success criteria, remedial measures, and annual reports to the California Department of Fish and Game.

31. **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.
32. **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.
33. **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.
34. **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:

35. **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.
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. **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.
39. **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:

40. **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.
41. **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.
42. **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.
43. **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 encouraged. 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.

44. **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 around the perimeter of the project site and along entry drives into the tract. 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 fencing 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 vinyl fencing material on all other side and rear property lines throughout the project.
45. **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.
46. **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:

47. **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.
48. **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.
49. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans.

50. **Perimeter Landscaping and Irrigation.** 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. 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. Turf is prohibited within public rights-of-way. Irrigation shall be designed to minimize maintenance and water consumption. Said landscape easement and landscaped area shall be maintained by the developer until such time as the final home is occupied; the landscape easement, if necessary, shall then be deeded to the City and the landscaped area will then there after be the responsibility of the City upon final acceptance, and it shall be the responsibility of the City upon final acceptance to be paid through a Landscape and Lighting Maintenance Assessment District.

All slopes over three feet in height shall be fully landscaped and irrigated.

If the landscaped area adjacent to sidewalks is sloped, the sidewalk-back shall have at least a 4 inch overhang/curb to prevent runoff across the sidewalk.

51. **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.

PUBLIC WORKS DEPARTMENT

General Conditions:

52. A document signed and acknowledged by the legal owners of record of the real property being subdivided consenting to the subdivision shall be submitted to the City of Adelanto, with a copy to the City Engineer, following Tentative Map Approval by the Planning Commission.
53. All final phase maps, conforming to the approved Tentative Map and based on a recent field survey, shall be submitted to the City Engineer for review and approval.
54. The design of the public infrastructure elements shall conform to the requirements of the City General Plan and the standard specifications, current edition, and as required and approved by the Public Works Department staff.
55. The following plans and reports shall be prepared by a competent California licensed civil engineer prior to any site development. All required plans shall be drawn in ink at appropriate scales on mylar sheets as approved by the City Engineer. Prior to City Engineer approval of any improvement plans, improvement plans for all of the conditioned improvements shall be submitted to the City and reviewed by the City Engineer and improvement plans for all of the conditioned improvements shall be approved by the City Engineer concurrently.

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', and 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, Sewer and Storm Drain - Plan/Profile at 1" = 40' (Horizontal), 1" = 4' (Vertical), plus Title/Index and Detail Sheets.
 - d. Landscape Maintenance District Landscape and Irrigation - Plan 1" = 40'.
 - e. Electrical and Street Lighting Plan 1" = 100'.
 - f. Street Striping and Street Signage and Traffic Control Plan 1" = 40'.
 - g. Water Distribution Plan (indicating Fire Hydrant location and Water conductivity) 1" = 100'.
 - h. Composite underground Utility Plan at 1" = 40' showing all curbs, sewer, water, and storm drain with valves, utility valves, manholes and service connections. Gas, electric, telephone, and CATV shall be shown schematically based on plans prepared by utility agencies.
 - i. Storm Water Pollution Prevention Plan shall be prepared and approved by the California State Water Quality Control Board prior to grading permit.
56. All improvements shown on the phase 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 meet the minimum standard infrastructure requirements established in these conditions of approval, any existing infrastructure failing to meet the minimum infrastructure requirements established in these conditions of approval must be removed at the developers expense and constructed to meet the minimum infrastructure requirements described in these conditions of approval and current City Standards at the time of construction.
57. All utilities plans (i.e. Edison electrical, telephone, cable, etc.) must be approved by the City Engineer prior to installation.
- a. No utility manholes, vaults, or air vents shall be located within sidewalks or pedestrian walkways.
58. 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 by 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.
59. Reports Required:

- a. 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.
 - b. 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.
 - c. 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.
 - d. 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.
60. 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.
 61. All utilities shall be installed underground to all lots per Public Utilities Commission requirements. No above ground structures or utility lines shall be permitted within or adjacent to this subdivision this subdivision for utilities servicing this project.
 62. 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.
 63. 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.
 64. 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.

65. No utility access points, manholes, vaults, and vents shall be placed within sidewalks or pedestrian travel ways, or within twelve (12) inches of curb and gutter.
66. Fees Required:
 - a. At the time of first submittal of Final map, the Developer shall pay to the City of Adelanto all applicable fees. An Engineer's estimate of construction shall be prepared by the Developer and approved by the Public Works Department staff.
 - b. At the time of requesting recordation of Final Map, the Developer shall provide to the City Performance and Labor Bonds and enter into a Subdivision Improvement Agreement. These Bonds shall guarantee setting of final survey monumentation within the proposed Map. Said deposit will be refunded after the Public Works Department Staff verifies that said monumentation has been set in accordance with the Final Map and that any required amended maps and/or certificates of correction have been recorded.
 - c. Prior to issuance of any permits to construct any public improvements, the Developer shall pay to the City of Adelanto all applicable fees.
 - d. The Developer shall pay any applicable impact fees that may apply at the time of occupancy.
 - e. 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 hereby agrees to waive the right to protest the formation of said districts.
67. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
68. 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 improvement construction as directed at the time of construction by the City Engineer.
69. Prior to the approval of any improvement plans and the commencement of any construction associated with the development, the Developer shall be solely 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.
70. 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.

71. 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. 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 50% 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 100% 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 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 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.
72. **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. 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.

Street Improvements:

73. Prior to the issuance of any building permits, the following street dedications and improvements shall be completed. The Developer shall be directly and solely responsible for the mitigation of impacts related to existing traffic levels plus project traffic prior to recordation of the final map. The Developer shall obtain all required right-of-way dedications for improvements prior to final approval of improvement plans, issuance of any permits, and approval of Final Map and the Developer shall construct and complete all street improvements per phase prior to issuance of building permits, as directed by the City Engineer. All buildings in all construction phases must have two paved points of access and all terminating paved accesses must have proper standard fire turn around of not be longer than 150 feet.
 - a. Offsite street dedications are as follows:
 - i. Dedication for street and utility purposes to provide for a Major Collector half-width of forty (40) feet for: the east half of Jonathan Street along the western boundary of the tract.
 - ii. Dedication for street and utility purposes to provide for a Local Collector half-width of thirty (30) feet for the south half of Villa Street along the northern project boundary.
 - iii. Dedication for a Utility Services Area and Landscaping purposes to provide for adequate utility vault access of an area of ten (10) feet wide by thirty-five (35) feet long along Jonathan Street.

- a.
 - b. Offsite street improvements are as follows:

77. There shall be no intersecting street centerlines less than 90 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 shall be to the 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. 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 full disturbed pavement section to be cold-planed (grinded down) a tenth of a foot (.1 feet) and resurfaced with AC AR 4000, as directed by Public Works/ Engineering Department staff.
 - b. All other disturbed sections of pavement 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 an additional width of three (3) feet on both sides of the removed section must be cold planed (grinded down) a tenth of a foot (.1 feet) and resurfaced with AC AR 4000, as directed by Public Works/ Engineering Department staff. If this leaves a width

less than three (3) feet not being resurfaced on a side then that section must also be resurfaced.

- 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.

Sewer Improvements:

86. Prior to the project construction, the developer shall cause or participate in a sewer feasibility study as directed and approved by the City Engineer. Sewage disposal shall be consistent with the Feasibility Study, and the developer shall pay all fees pursuant to the Feasibility Study.
 - 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.
87. 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 No. 1 (as amended). 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. Any place where proposed sewer mains are proposed for installation in 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. Any place where proposed street improvements are proposed to pave streets where existing sewer mains or project 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.

Water Improvements:

88. Prior to the construction of the project, the developer shall cause or participate in a Water Service Feasibility Study as directed and approved by the City Engineer. Water service shall be consistent with the Feasibility Study and the developer shall pay all fees pursuant to the Feasibility Study.
 - a. An 8-inch water main shall be installed in Villa Street connecting from water mains in Jonathan Street to the eastern tract boundary, constructed to City Standards, as directed by the City Engineer.

89. The Developer shall comply with the requirements of the Adelanto Public Utility Water District.
90. 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.
91. 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.
92. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
93. All fire hydrants, air vacuums and all other above ground water facilities shall be placed outside of the required ADA pedestrian walk area, but may be placed within the sidewalk area if the minimum clearance is maintained. 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.
94. 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.
95. Fire protection plans shall be designed per the requirements of the Adelanto Fire Marshall. Fire protection shall include but is not limited to, fire hydrants no more than 300 feet apart.
 - a. Fire hydrants shall be set to a level for "safe break away" and easy access, per the Water Department.
 - b. Blue dot identification on final pavement will be required for all hydrants installed.

Drainage Improvements:

96. 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 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 the 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. The Preliminary Hydrology 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.

97. 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 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.
98. All 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.
99. 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. 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.
100. 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. 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.
 - i. The Developer shall install a detention basin to provide for a minimum 100-year storm, subject to the review and approval by the City Engineer.
 - ii. All retention or detention facilities shall be fully landscaped and fenced using tubular steel fencing and shall have dry wells installed at the inlet and bottom of the basin.
 - iii. Paved access shall be provided to the bottom of the basin to facilitate maintenance.
101. 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. Crossing Jonathan Street.

Traffic Safety:

102. In order to mitigate traffic impacts of this project the developer shall perform the following:

- a. 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.
 - b. In order to mitigate the substandard turning movements that the traffic the and improvements from this development will create: the east half of Jonathan Road 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 wide sidewalks, per City Standard 109 Type C, from the northern map boundary to 660' feet north of Villa Street. . For these improvements, asphalt may be substituted for concrete in the curb, gutter, and sidewalks.
103. 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 the City of Adelanto shall maintain the lights.
104. 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.
105. 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.

Onsite Improvements:

106. All finished pad elevations shall be 1.0 feet higher than all adjacent street elevations, or 0.5 feet higher the top of adjacent curb.
107. 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.
108. 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.
109. 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:

110. 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.
111. In order to mitigate impacts to City parks and services under the California Environmental Quality Act, the developer shall do one of 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.
112. Developer shall construct minimum six (6) foot high decorative masonry block perimeter walls (measured from the highest side) as specified below and consistent with Planning Department requirements:
- a. The length of the project site along rear and side yards along: the south half of Villa Street located along the northern map boundary; the east half of Jonathan Street located along the western map boundary, and also along the eastern map boundary.

113. 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.
114. 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.
115. 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 for 18 months after the final home is occupied and 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 east half of Jonathan Road located along the western map boundary; and the south half of Villa Street located along the northern map boundary.

FIRE DEPARTMENT

116. **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]**
117. **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 up to 8600 sq.ft. Structure.**

118. **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]
119. **Fire Fee.** The required fire fees (currently \$1496.00) 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]
120. **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]
121. **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]
122. **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]
123. **Water System Residential.** 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. Detached single family residential developments may increase the spacing between hydrants to be no more than six hundred (600) feet and no more than three hundred (300) feet (as measured along vehicular travel-ways) from the driveway on the address side of the proposed single family structure. Standard 901.4 [F-54b]
124. **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]
125. **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]

126. **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 (½) 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]
127. **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]
128. **Additional Requirements:** If flow cannot be met, then fire sprinklers shall be required in each unit.

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: **Tentative Tract Map 18408 (1st extension of Time)**

Description of Project: Request for the 1st Extension of Time of an approved Tentative Tract Map to subdivide a five-acre parcel of land into 18 single family lots in an R1 (Single Family Residential) zone with a new expiration date of August 21, 2017.

Project Location: southeast corner of Villa Street and Jonathan Street within the City of Adelanto, County of San Bernardino

Project Proponent: Land R Us Realty – Jessica Haughton
410 Patti Ann Woods
Henderson, NV 89002

Reasons why project is exempt:

An Initial Study with supporting documents and a Mitigated Negative Declaration were prepared and adopted for the original approval of Tentative Tract Map 18408 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 CEQA as the proposed project is covered under the scope of the prior approved 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: Class 03 (Section Number 15303) (E)
- 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 x.3001

Signature: _____

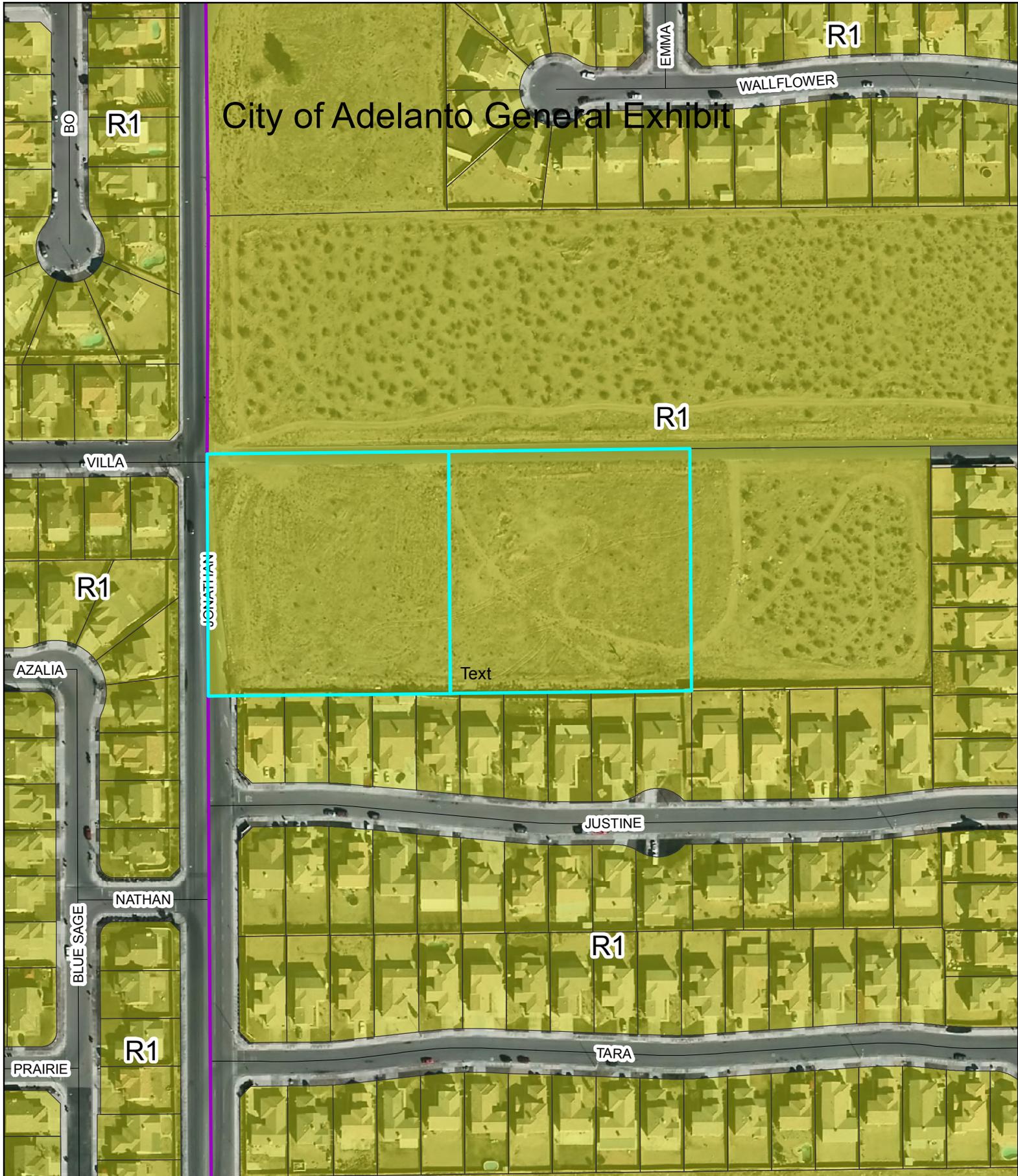
Date: September 10, 2016

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

DATE

SIGNATURE/TITLE

City of Adelanto General Exhibit

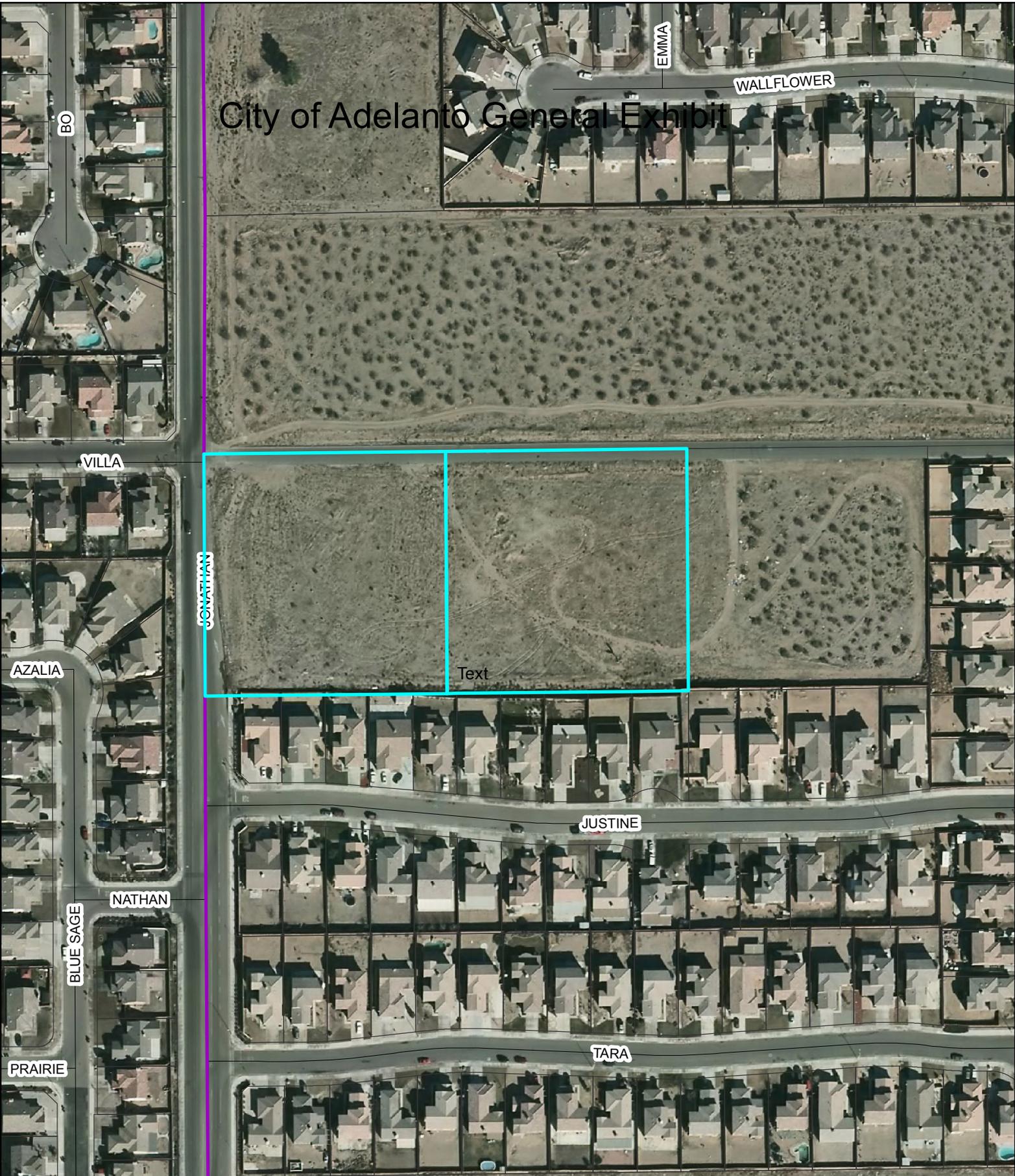


TTM 18408 Zoning Map



1 in = 170 feet

City of Adelanto General Exhibit



TENTATIVE TRACT NO. 18408
 IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION
 16, TOWNSHIP 5 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN

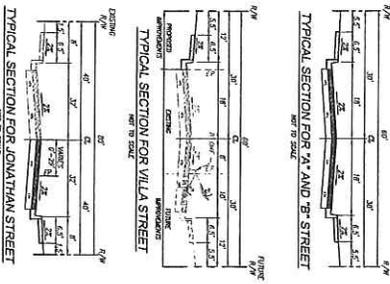
APN NO's.: 3103-231-01 & 02
 PREPARED DATE: OCTOBER 30, 2006
 REVISED DATE: DECEMBER 1, 2006

RECEIVED
 DEC 11 2006

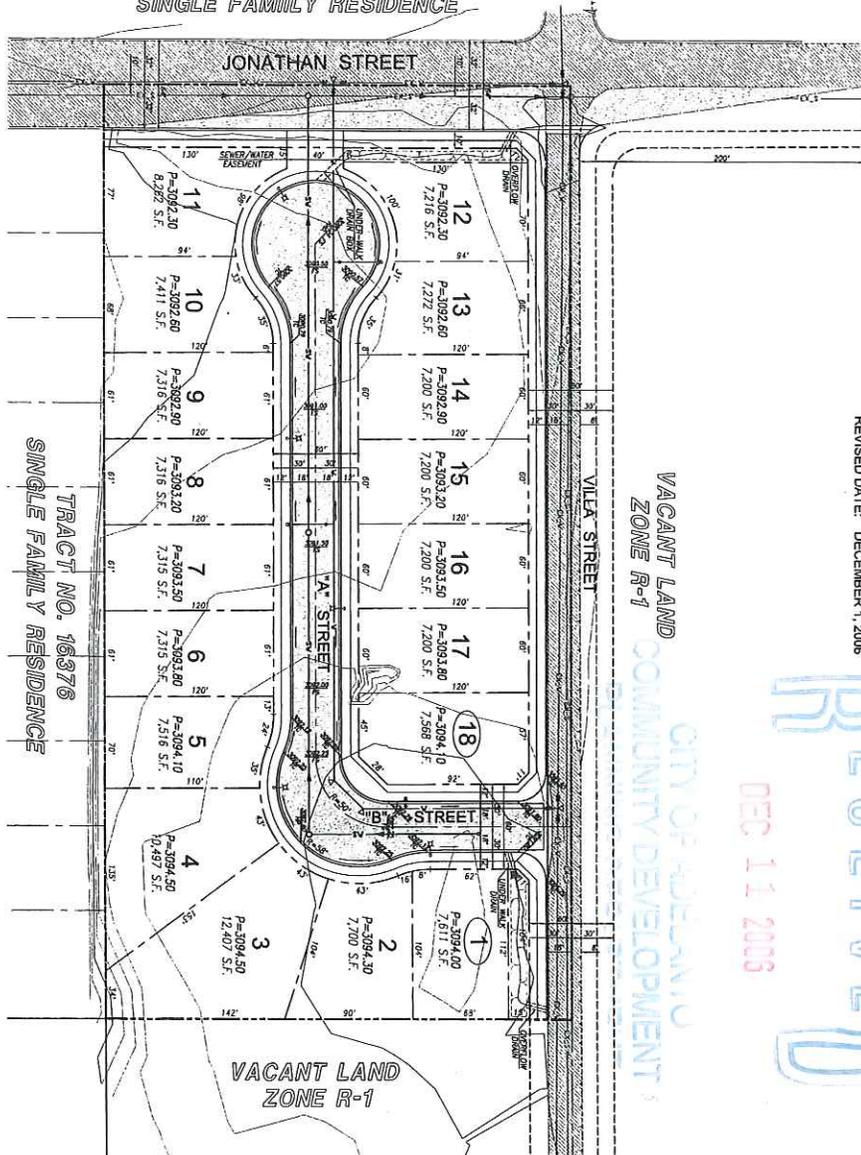


- NOTES:**
- TOTAL ACRES 3.4 ACRES
 - TOTAL NUMBER OF LOTS 18 RESIDENTIAL
 - DESIGN ZONING R-1 ZONE S.F.
 - APPROXIMATE LAND USE VACANT LAND
 - LOT AREA 1.8 ACRE/LOT
 - LOT FRONTAGE 118 FT
 - LOT DEPTH 150 FT
 - LOT WIDTH 118 FT
 - LOT HEIGHT 150 FT
 - LOT AREA 1.8 ACRE/LOT
 - LOT FRONTAGE 118 FT
 - LOT DEPTH 150 FT
 - LOT WIDTH 118 FT
 - LOT HEIGHT 150 FT
 - LOT AREA 1.8 ACRE/LOT
 - LOT FRONTAGE 118 FT
 - LOT DEPTH 150 FT
 - LOT WIDTH 118 FT
 - LOT HEIGHT 150 FT

- LEGEND:**
- FM FIRE HYDRANT
 - FS FINISHED SURFACE
 - W WATER
 - S SEWER
 - P PRO ELEVATION
 - N/N NORTH OF WAY
 - S/S SOUTH OF WAY
 - TS TRUCK STOP
 - GS GRAVEL DRIVE
 - BL BRICK
 - PC PORTLAND CEMENT
 - CC CONCRETE
 - DC DRAINAGE
 - AC ASPHALT
 - PC PORTLAND CEMENT
 - CC CONCRETE
 - DC DRAINAGE
 - AC ASPHALT



TRACT NO. 15364-1
SINGLE FAMILY RESIDENCE



VACANT LAND
 ZONE R-1
 CITY OF ADELANTO
 COMMUNITY DEVELOPMENT

TRACT NO. 16376
 SINGLE FAMILY RESIDENCE

<p>ELECTRIC: SOUTHWEST CALIFORNIA Edison 12523 VENTURA ROAD VICTORVILLE, CA 92392 PHONE: (951) 424-4000</p>	<p>SEWER, WATER & FIRE: CITY OF ADELANTO 1102 N. MAIN STREET VICTORVILLE, CA 92392 PHONE: (951) 248-2200</p>	<p>SCHOOL DISTRICT: ADELANTO SCHOOL DISTRICT 1102 N. MAIN STREET VICTORVILLE, CA 92392 PHONE: (951) 248-2200</p>	<p>OWNER/DEVELOPER: LAND R US 15445 BONANZA ROAD VICTORVILLE, CA 92392 PHONE: (760) 843-9245 FAX: (760) 843-9280</p>	<p>REGISTERED PROFESSIONAL ENGINEER No. 11100 DP 06/10/06 STATE OF CALIFORNIA</p>	<p>PREPARED BY: TRAVIS M. WOODLAND ENGINEERING 1102 N. MAIN STREET VICTORVILLE, CA 92392 PHONE: (951) 248-2200</p>	<p>COUNTY OF SAN BERNARDINO</p>	<p>JOB NO. 496</p>
<p>OWNER/DEVELOPER: LAND R US 15445 BONANZA ROAD VICTORVILLE, CA 92392 PHONE: (760) 843-9245 FAX: (760) 843-9280</p>	<p>REGISTERED PROFESSIONAL ENGINEER No. 11100 DP 06/10/06 STATE OF CALIFORNIA</p>	<p>PREPARED BY: TRAVIS M. WOODLAND ENGINEERING 1102 N. MAIN STREET VICTORVILLE, CA 92392 PHONE: (951) 248-2200</p>	<p>COUNTY OF SAN BERNARDINO</p>	<p>JOB NO. 496</p>			
<p>TENTATIVE TRACT NO. 18408</p>	<p>SHEET 1 OF 1</p>						





PLANNING COMMISSION AGENDA REPORT

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

DATE: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Planning Manager

BY: Rebecca Reynolds

SUBJECT: **Tentative Parcel Map 19252** – Mr. Charles Laird, proposes to subdivide one 2.5-acre parcel into two 1.25 acre lots located within the Airport Park (AP) zoning district. The project is located on the north side of Cactus Road 330 feet east of Vinton Road.

STAFF RECOMMENDATION:

RATIFY the **ADOPTION** of Resolution No. P-16-20, **ADOPTING** findings and **APPROVING** Tentative Parcel Map 19252 to subdivide one 2.5-acre parcel into two lots within the Airport Park (AP) Zone subject to the recommended conditions of approval.

BACKGROUND:

At the meeting of August 2, 2016 the Planning Commission approved Tentative Parcel Map 19252 by a 5-0 vote. It was later determined that the project was not properly noticed, therefore, Staff is asking the Planning Commission to Ratify the prior approval, now that the project has been properly noticed.

Applicant: Charles Laird
9090 Cactus Road
Adelanto, CA 92301

General Location: The project is located on the north side of Cactus Road, 330 feet east of Vinton Road within the City of Adelanto, San Bernardino County.

Assessor's Parcel Numbers: 3129-471-08

Environmental Determination: Exempt under section 15061 (b)(3) of the California Environmental Quality Act as the project will not have a significant impact on the environment.

Related Cases: None

Surrounding General Plan and Zoning:

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

Existing Land Use: Vacant.

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

<i>Direction</i>	<i>Land Use</i>
North	Partially developed hangar/ Vacant
South	Vacant/Cactus Road
East	Vacant
West	Structures/Vacant

PROJECT DESCRIPTION:

The applicant, Mr. Charles Laird requests to subdivide one 2.5-acre parcel of land into two lots. The site is located on the north side of Cactus Road and 330 feet east of Vinton Road.

ACCESS & CIRCULATION

Access easements off of Cactus Road will provide access to the parcels. Any required dedications for street, utility, and taxiway easements are included in the Conditions of Approval prior to recordation of Final Map. Further development on the site(s) for residential or other uses permitted in the zone will be completed in conjunction with future Minor Location and Development Plan, and/or Conditional Use Permit processes.

DRAINAGE

At the time of development, the developer will be required to mitigate potential impacts from drainage. The City requires onsite retention on all projects. The project will also require protection from existing offsite drainage. These types of issues will be addressed in the environmental document, by way of grading plans or hydrology study prepared as part of the Minor Location and Development Plan, and/or Conditional Use Permit processes.

ENVIRONMENTAL CONSIDERATIONS:

Exempt under section 15061 (b)(3) of the California Environmental Quality Act as the project will not have a significant impact on the environment.

Tentative Parcel Map 19252
September 6, 2016
August

ATTACHMENTS:

1. Resolution 16-20
2. Notice of Exemption
3. Zoning Exhibit
4. Aerial Map
5. Tentative Parcel Map 19252

RESOLUTION P-16-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS AND APPROVING TENTATIVE PARCEL MAP 19252 TO SUBDIVIDE A 2.5-ACRE PARCEL INTO 2 LOTS SUBJECT TO CONDITIONS OF APPROVAL, LOCATED ON THE NORTH SIDE OF CACTUS ROAD AND 330 FEET EAST OF VINTON ROAD WITHIN THE AIRPORT PARK (AP) ZONE, IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO.

WHEREAS, the applicant, Mr. Charles Laird, proposes to subdivide one 2.5-acre parcel into two lots located within the Airport Park (AP) zoning district the City of Adelanto, County of San Bernardino; and

WHEREAS, the applicant, Mr. Charles Laird, has agreed to accept the conditions of approval for Tentative Parcel Map 19252; and

WHEREAS, the project is exempt under section 15061 (b) (3) (Review for Exemptions) of the California Environmental Quality Act as the project will not have a significant effect on the environment; and

WHEREAS, a duly noticed public hearing was held on the 6th day of September, 2016 to hear and consider testimony for or against the issue; 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 Tentative Parcel Map 19252. 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 under section 15061 (b) (3) (Review for Exemptions) of the California Environmental Quality Act as the project will not have a significant effect on the environment. This project consists of the subdividing a 2.5-acre parcel of land into 2 lots in conformance with the General Plan with services including public access to the area.

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 "AP" (Airport Park) on the City's combined General Plan Land Use/Zoning Map. The applicant proposes to subdivide 2.5-acres of land into 2 lots by filing Tentative Parcel Map 19252. The proposed lot sizes are consistent with the City's Zoning Code and the General Plan. As such, the proposed Tentative Parcel Map 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 Cactus Road. The Tentative Parcel Map has been conditioned to dedicate necessary rights of way/easements. Tentative Parcel Map 19252 is also required to install all improvements consistent with City standards at the time of development.

- (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, and has 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 City's adopted development standards for the Airport Park (AP) Zone are designed to allow for the proposed density 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.

The project site is classified as exempt under section 15061 (b) (3) Review for Exemptions) of the California Environmental Quality Act as the project will not have a significant effect on the environment.

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

Improvements have been conditioned to be provided concurrent with development to ensure adequate improvements are available to protect future tenants and provide basic service needs. Drainage improvements will be installed consistent with the conditions of approval and a drainage report as required by the City's Public Works Engineering Department.

- (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.

SECTION 5. The Planning Commission hereby approves Tentative Parcel Map 19252 subject to the conditions of approval attached herein as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September 2016.

Mark Ferretiz
Vice-Chairman to the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution P-16-20 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September 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 6th day of September 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-20
September 6, 2016**

Conditions of Approval Tentative Parcel Map 19252

PROJECT: A proposal to subdivide a 2.5-acre parcel into two lots located on the north side of Cactus Road and 330 feet east of Vinton Road within the Airport Park (AP) Zone. APN 3129-471-08

Applicant: Mr. Charles Laird, 9090 Cactus Road, Adelanto, CA 92301

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 **September 6, 2018**. 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), and specifically Section 17.22 Airport Park.
3. **Phasing.** This Tentative Parcel Map subdivides a 2.5-acre parcel into two lots. Phasing is not indicated on the Tentative Parcel 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 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 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 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. **Plan Preparers.** Plans submittals must be prepared and signed by a California Licensed Architect or Engineer per State of California, Business and Professions Code.

PUBLIC WORKS DEPARTMENT

General Conditions:

9. All final parcel maps, conforming to the approved Tentative Map and based on a recent field survey, shall be submitted to the City Engineer for review and approval. The following items shall be submitted with the final map:
 - a. A document signed and acknowledged by the legal owners of record of the real property being subdivided consenting to the subdivision shall be submitted to the City of Adelanto, with a copy to the City Engineer, following Tentative Map Approval by the Planning Commission.
 - b. Title Report. A 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.
 - c. At the time of first submittal of Final map, the Developer shall pay to the City of Adelanto all applicable fees.
10. The following easements shall be dedicated on the final parcel map (Adelanto Airport Property Owners Association shall also review proposed easements):
 - a. A noise and aviation easement on all subdivision parcels and roadways shall be granted and conveyed to the Southern California Logistics Airport and to the Adelanto Airpark Property Owners Association (if required).
 - b. Dedication for street, utility and taxi easements to provide access and use of local facilities are located along the Western and Eastern boundary of this project. Easements need to meet current City and Fire Standards.

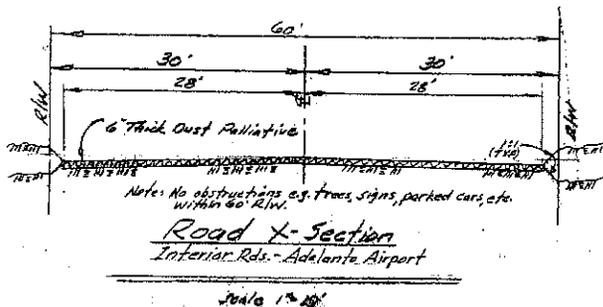
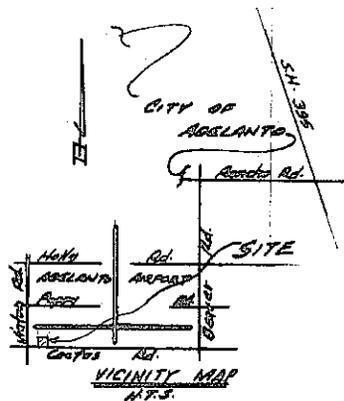
- c. Dedication for street and utility purposes to provide for a Major Collector half-width of forty (40) feet for Cactus Road located along the Southern boundary of this project.
11. All easements within the City of Adelanto's rights of way shall be subordinated to the City of Adelanto.
12. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
13. Approval of this tentative parcel map 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.
14. As a condition of development for any parcel contained within this tentative parcel map, all easement and rights-of-way dedicated on the final parcel map shall be improved to the General Plan and City Standard requirements for infrastructure improvements, as approved by the City Engineer.
15. Prior to the recordation of any final map, the Subdivider shall be solely responsible for obtaining all necessary dedications of rights-of-way for: providing legal access to all lots or parcels created by this subdivision; and 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.

FIRE DEPARTMENT

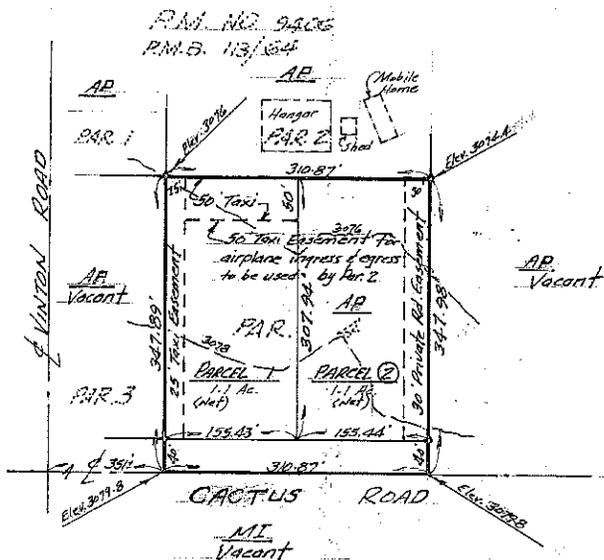
16. Contact the San Bernardino County Fire Department for Comments and Conditions for this project.

TENTATIVE PARCEL MAP NO. 19252

IN THE CITY OF ADELANTO



Note: No obstructions e.g. trees, signs, parked cars, etc. within 60' R/W.



OWNER'S
 Iva Anderson and
 Chris Waggener
 15118 Daisy Road
 Adelanto, CA 92301
 Tel. (760) 966-5474

ENGINEER
 Charles Laird
 9090 Cactus Rd.
 Adelanto, CA 92301
 Tel. (760) 963-8290
 e-mail: LairdSwafflow@aol.com

APN: 3129-471-08
 Desc: Parc 4, P.M. 9406
 P.M.B. 113/104 S.B.C. Rec.



ADJOINING LAND USE

Hangers / Vacant

UTILITIES:

WATER
 Adelanto Water District
 (760) 246-2300

ELECTRIC
 So. Calif. Edison
 (800) 655-4555

TELEPHONE
 Verizon
 (800) 488-1000



TRACT INFORMATION

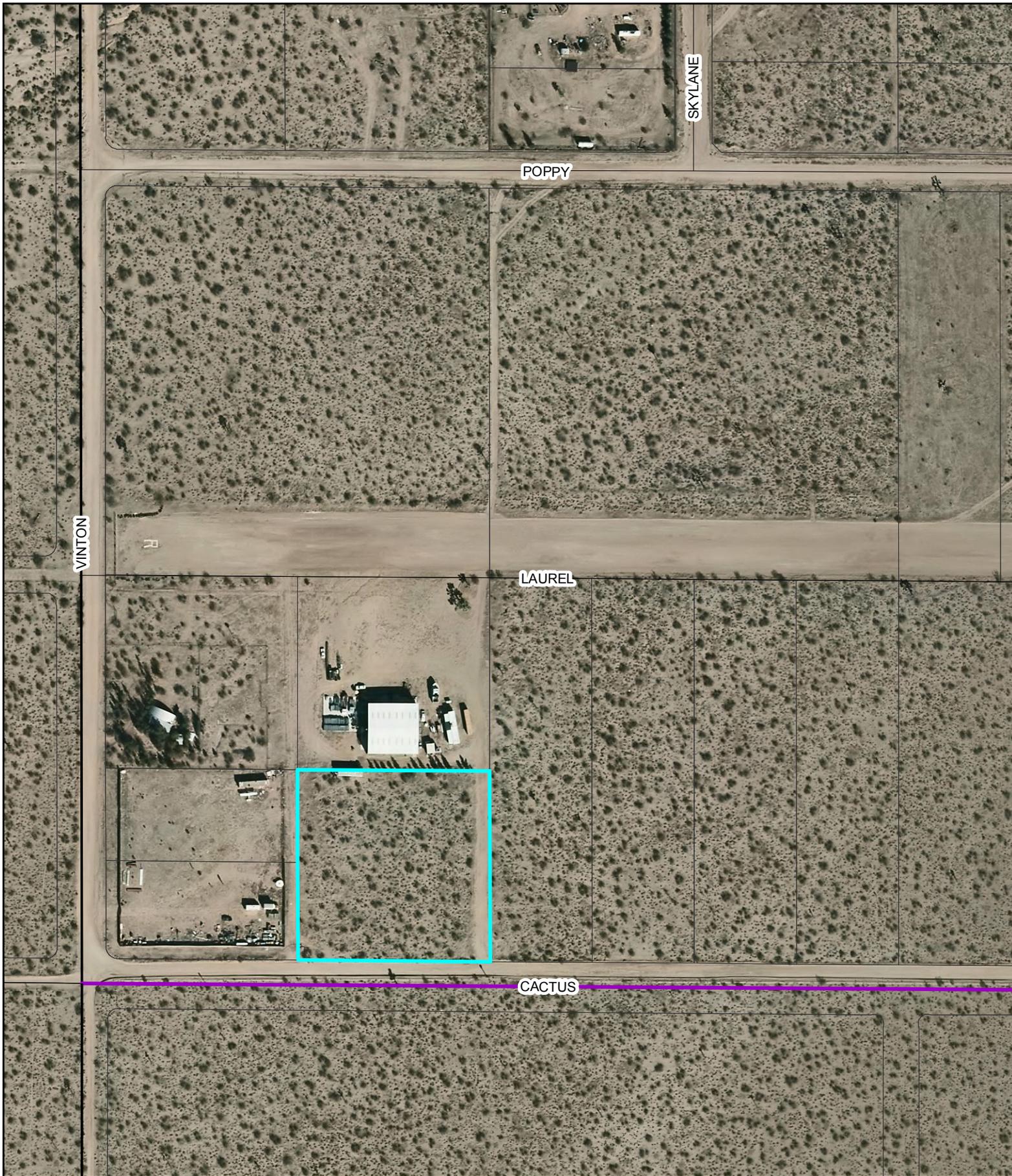
ACREAGE: 2.5 (Gross)

LAND USE: Residential Airport
 ZONING: AP

TENTATIVE PARCEL MAP NO. 19252

Drawn By: C.L.
 Checked By: CL

Sheet 1 of 1



VINTON

SKYLANE

POPPY

LAUREL

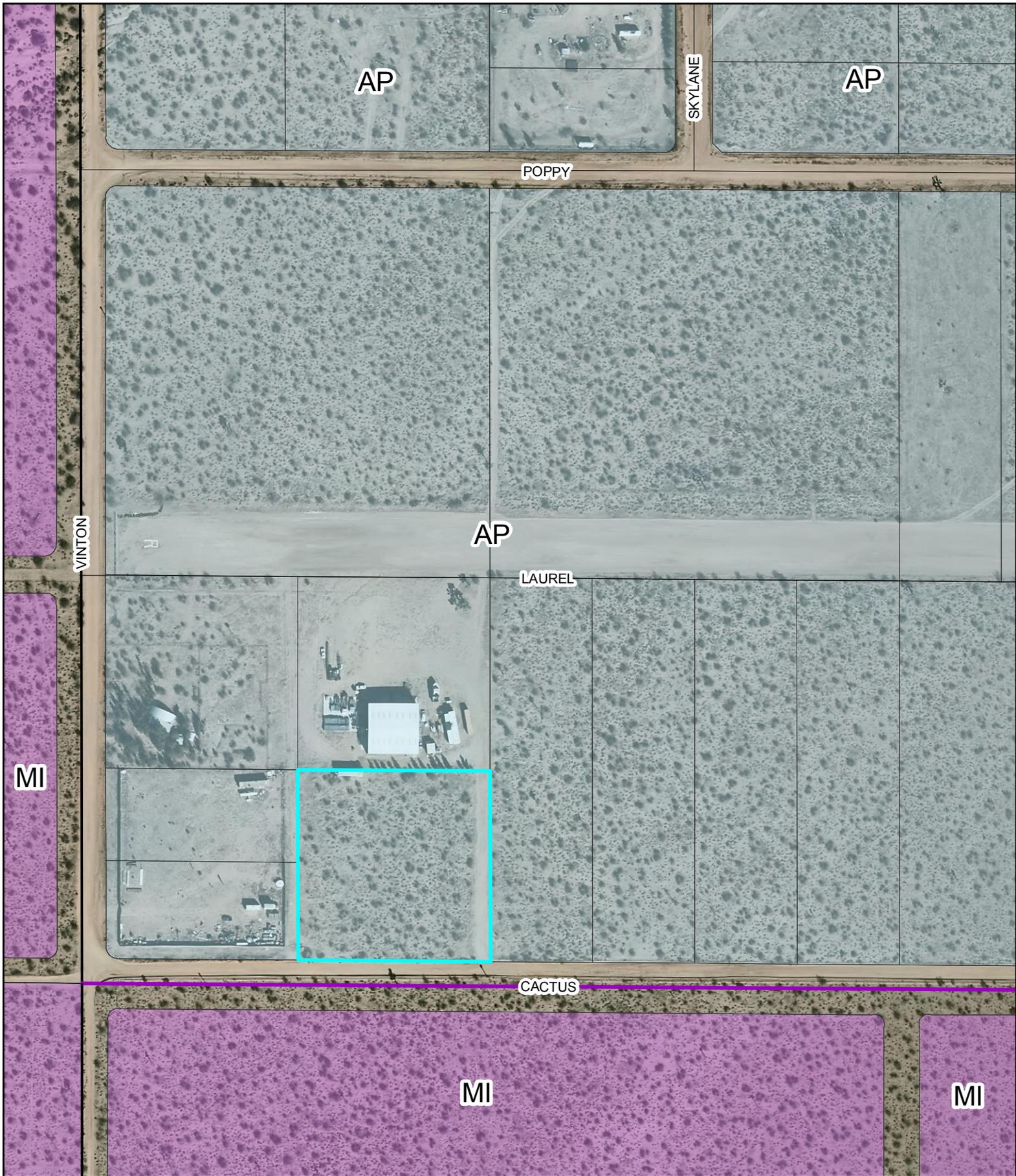
CACTUS



APN 3129-471-08



1 in = 200 feet



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: **Tentative Parcel Map 19252**

Description of Project: A request to subdivide a 2.5 acre parcel into two 1.25 acre lots. The project site is designated Airport Park (AP).

Project Location: The north side of Cactus Road, 330 feet east of Vinton Road, within the City of Adelanto, County of San Bernardino.

Project Proponent: Mr. Charles Laird
9090 Cactus Road
Adelanto, CA 92301

Reasons why project is exempt:

This application for Tentative Parcel Map 19252 is exempt from further environmental review pursuant to Section 15061 (b) (3) (Review for Exemption) of the California Environmental Quality Act because this project will not have a significant effect on the environment.

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 ___ (Section Number _____)
- The activity is not subject to CEQA Section 15061 (b) (3) (Review for Exemptions)
- Other:

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

Signature: _____

Date; September 6, 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: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Planning Manager

SUBJECT: **Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement**, Clark Pacific proposes to construct and operate a Pre-Cast and Pre-Stressed Concrete Products Manufacturing and Storage facility including 8 structures totaling 275,183 square feet on approximately 111 acres of land in the Manufacturing/Industrial Zone.

STAFF RECOMMENDATION:

RATIFY THE ADOPTION OF Resolution P-16-21 **ADOPTING** findings and **RECOMMENDING APPROVAL** to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03, Mitigated Negative Declaration 15-01 and associated Development Agreement.

OR

ADOPT Resolution P-16-22 **ADOPT** findings and **RECOMMEND DENIAL** to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement.

BACKGROUND:

Applicant: Clark Pacific
Attn: Tom McGuire
1980 South River Road
West Sacramento, CA 95691

General Location: The project site is located on the northeast corner of Holly Road and Koala Road, within the City of Adelanto, County of San Bernardino. The project site is within Section 1, Township 5 North, Range 6 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 3129-551-01, 02, 03 and 3129-541-01

Environmental Determination: Mitigated Negative Declaration 15-01

Related Cases: Location and Development Plan 06-09. General Plan Amendment 06-06, Tentative Parcel Map 18273.

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)	MI
South	Manufacturing/Industrial (MI)	MI
West	Manufacturing/ Industrial, Airport Park	MI, AP
East	Manufacturing/Industrial (MI)	MI

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	Vacant
East	Vacant
West	Developed Industrial (Karco), Partially Developed, Airport Park

PROJECT DESCRIPTION

Clark Pacific proposes Location and Development Plan 15-04 to construct and operate a Pre-Cast and Pre-Stressed Concrete products Manufacturing and Storage facility on 111 acres of land, General Plan Amendment 15-03 proposes to realign Koala Road back to its original configuration and Conditional Use Permit 15-03 is for the outdoor storage. The project site is located on the southwest corner of Holly Road and Koala Road. A Development Agreement has been prepared which includes credits for infrastructure improvements, deferral of street improvements, costs to the City for improvements and a phasing plan. See discussion below.

DEVELOPMENT STANDARDS

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Minimum Lot Size	20,000 sf	111 acre
Minimum Lot Width	100 feet	2645.97 feet
Minimum Lot Depth	100 feet	2654.39 feet
Minimum Front Setback		
• To Building	25 feet	94 feet
• To Parking Area	10 feet	25 feet
Minimum Side Yard Setback		
• Street Side	25 feet	94 feet
• All others	10 feet	

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Maximum Building Height	75 feet	56 feet
Minimum Rear Yard Setback	0 feet	80 feet
Landscaping Required	10% of the project area	5%

PARKING

The proposed project is for a Pre-Cast, Pre-Stressed Concrete products manufacturing and storage facility. The facility requires 515 spaces. The applicant is providing 526 spaces which include sixteen accessible spaces.

DRAINAGE

A drainage study was performed by Merrell Johnson Companies, March 30, 2015, which demonstrated that off-site flows will be handled by a drainage channel and on-site flows will be mitigated by detention basins. These detention basins are located throughout the property in the landscape areas. No further mitigation is required.

TRAFFIC & CIRCULATION

Two points of access have been provided, one from Holly Road and the second from Beaver Road. Both access points connect with Koala Road which connects with Rancho Road which connects with Highway 395.

NOISE

The project site is Manufacturing/Industrial zoning and is located adjacent to Holly Road. This project will not impact surrounding properties as surrounding properties are developed and undeveloped manufacturing uses. There are some residential properties within ¼ mile of the project site in the Airport Park. These residential uses are constructed to mitigate for noise from aircraft and therefore, are not impacted by noise from nearby industrial facilities.

ENVIRONMENTAL CONSIDERATIONS:

An Initial Study was performed and circulated which demonstrates that impacts can be reduced to less than significant levels through mitigation measures and Mitigated Negative Declaration 16-01 is proposed for adoption.

Water Quality

A letter was received from Lahontan Regional Water Quality Control Board whose concerns and recommendations were included in the Conditions of Approval for the project.

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.

PROJECT DISCUSSION

At the meeting of August 2, 2016 the Planning Commission approved this project by a 5-0 vote with corrections to the Conditions of Approval and Development Agreement. The requested changes are as follows;

1. Amend item 51 of the Conditions of Approval to say, "Not to include water improvements to service fire flow." This change was recommended as the Commission believes the City should be responsible for installing water lines to service this project.
2. Remove item 105. b. from the Conditions of Approval in regards to Drainage Impacts. This change was requested as the Applicant says their project will not have any impact on the City Drainage Master Plan and should not be required to pay any Drainage Impact Fee.
3. Section 3.1.2 of the Development Agreement was amended to adjust the Development Impact Fee payment by removing the payment of \$600,000 for water improvements as the Commission believes the City should pay for installing water lines to service this project.
4. Section 3.1.2 of the Development Agreement was amended to discuss the timing of payment of Impact Fees.
5. Section 3.3 of the Development Agreement was amended to discuss the Phasing Plan. The Development agreement refers to the Conditions of Approval which have detailed the Phasing Plan.

The applicant has provided three options for the City to consider. Staff has determined that option 1 has the least upfront costs to the City and is presented below.

Option 1

Clark Pacific **will pay** the full Circulation Impact fee of, \$1,877,787 ($\$16,917 \times 111 \text{ acres} = \$1,877,787$) and is requesting a reimbursement of \$1,180,000 for improving the half width of streets adjacent to their project site, to include; Koala Road, Holly Road and Beaver Road. ($\$1,877,787 - \$1,180,000 = \$697,787$)

Clark Pacific **will not** pay the Drainage Impact fee of, \$1,320,900 ($\$11,900 \times 111 \text{ acres} = \$1,320,900$)

Clark Pacific **will not** pay for the upgrade to the water system for fire protection for their project and any costs to upgrade the system will be the responsibility of the City.

Clark Pacific **will pay** the above mentioned fees over time and they are requesting a 10 year period. These fees are to be frozen at today's rate.

Staff Recommendation

Staff has determined that none of the three options are feasible. Option one has the least amount of upfront costs to the City. Option one will cost the City approximately **\$600,000** out of the General Fund to upgrade the water system to provide fire protection for their project.

Drainage Impact fees are required in accordance with Ordinance 425. Clark Pacific believes they are not responsible for the payment of drainage impact fees at a loss to the City for drainage infrastructure improvements of **\$1,320,900**.

Circulation Impact fees are required in accordance with Resolution 06-166 and reimbursement for improvement costs and right-of-way are permitted under the same Resolution. The estimated reimbursement allowed under Resolution 06-166 is approximately \$764,131, which is well below the requested reimbursement of \$1,180,000 ($\$1,180,000 - \$764,131 = \$415,869$).

Staff is willing to recommend payment of impact fees in accordance with development phases over time. In accordance with Resolution 06-166, impact fees must be paid within ten years. Additionally the developer will be required to pay any additional fees or fee increases that may occur over time.

In summary, the loss of Impact Fees and costs of water system improvements will cost the City approximately **\$2,336,769** ($\$600,000 + \$1,320,800 + \$415,869 = \$2,336,769$) to approve Clark Pacific's project. **STAFF RECOMMENDS DENIAL.**

ATTACHMENTS:

- Resolution P-16-21 (Approval)
- Resolution P-16-22 (Denial)
- Draft Development Agreement
- Initial Study
- Aerial Exhibit
- Site Plan/Phasing Plan
- Elevations
- Clark Pacific Options
- Engineering Evaluation
- Development Impact Fee Schedule

RESOLUTION NO. P-16-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND RECOMMENDING APPROVAL TO THE CITY COUNCIL, LOCATION AND DEVELOPMENT PLAN 15-04, CONDITIONAL USE PERMIT 15-03, GENERAL PLAN AMENDMENT 15-03 AND ASSOCIATED DEVELOPMENT AGREEMENT TO CONSTRUCT AND OPERATE A PRE-CAST AND PRE-STRESSED CONCRETE PRODUCTS MANUFACTURING AND STORAGE FACILITY ON 111 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF HOLLY ROAD AND KOALA ROAD WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. ASSESSOR'S PARCEL NUMBERS'S 3129-541-01 AND 3129-551-01, -02, -03.

WHEREAS, the applicant, Clark Pacific, requests to construct and operate a Pre-Cast and Pre-Stressed Concrete Products Manufacturing facility on 111 acres of land, located on the southwest corner of Holly Road and Koala Road, within the City of Adelanto, County of San Bernardino; and

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

WHEREAS, the applicant and City have prepared a Development Agreement which requires approval by the City Council; and

WHEREAS, a duly noticed public hearing was held on the proposed project on August 2, 2016, to hear and consider testimony for or against the proposed project; and

WHEREAS; a duly noticed public hearing was held, September 6, 2016 to ratify the Planning Commission's vote of approval at the meeting of, August 2, 2016

WHEREAS, the City of Adelanto, as lead agency, prepared an Initial Study that demonstrated that the project will have a less than significant effect on the environment with proposed mitigation measures; and

WHEREAS, a Mitigated Negative Declaration 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 and recommending to the City Council approval of proposed Location and Development Plan 15-04 and Conditional Use Permit 15-03, General Plan Amendment 15-03 and Associated Development Agreement. 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 15-04

- (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), which is consistent with Appendix A of Title 17 of the Zoning Code which allows for industrial and storage facilities in the MI zone 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 north, east and south are vacant and the property to the west 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 111 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 15-03:

- (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, which is consistent with Appendix A of Title 17 of the Zoning Code which allows detention/correctional 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 north, east and south are vacant and the property to the west 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 111 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.

General Plan Amendment 15-03

- (k) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

The re-alignment of Koala Road, proposed as General Plan Amendment 15-03, is in the public interest and the community will benefit as the project will be able to utilize the full potential of the site, providing jobs and materials for new development.

- (l) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;

The proposed realignment would be consistent with the goals, policies, and objectives of the General Plan as it would improve traffic safety and facilitate north/south traffic circulation throughout the City of Adelanto.

- (m) That the proposed amendment agrees with provisions of the Zoning Code.

The proposed amendment will have no effect on the Zoning Code as all parcels affected by the re-alignment will remain at their current zoning designation.

- (n) That the proposed amendment is compatible with the land use policy map and will not adversely affect surrounding properties.

The proposed amendment is a change to the General Plan Circulation Element and Circulation Element Map. The proposed realignment of Koala Road will allow for increased traffic safety and reduce or completely eliminate impacts to many property owners south of the project site.

SECTION 5. The Planning Commission hereby recommends approval to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement.

ATTACHMENTS:

1. Conditions of Approval
2. Draft Development Agreement

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September, 2016.

Mark Ferretiz
Vice-Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-21 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September, 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 6th day of September, 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-21
September 6, 2016**

**Conditions of Approval
Location and Development Plan 15-04, Conditional Use Permit 15-03 and General Plan
Amendment 15-03**

PROJECT: *A proposal to construct a Pre-Cast and Pre-Stressed Concrete Products Manufacturing facility on a 111-acre property located within the MI (Manufacturing/Industrial) Zone. The project site is located on the southwest corner of Koala Road and Holly Road within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number's 3129-541-01, 3129-551-01, 02, 03.*

Applicant: *Clark Pacific, Attn; Tom McGuire, 1980 South River Road, West Sacramento, CA 95691*

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; 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 is for concrete products manufacturing facility. Phasing is indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 111-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 15-04, Conditional Use Permit 15-03 and General Plan Amendment 15-03. 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. **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 \$2,660.25 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 \$2,660.25 made payable to the "County of San Bernardino".** 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.
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 zoning district regulations:

- 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 10 feet
- Minimum Rear Setback: 0 feet
- Maximum Height 75 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 industrial 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 project's initial study and Mitigation Monitoring Report.
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:
 - 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.

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.

Based on the existence of possible Mohave Ground Squirrel habitat and the possibility of undetected presence of burrowing owls, desert tortoise, or other species of concern, the following actions or mitigation measures are herein implemented:

18. **Mojave Ground Squirrel.** The developer shall provide mitigation lands at a ratio of 1:1. These lands will be purchased in an area known to support populations of the Mohave Ground Squirrel. The mitigation lands will be evaluated to ensure they provide habitat equal to or better than the habitat that will be lost as a result of development of the project site, and California Department of Fish and Game approval of the mitigation lands will be obtained before acquisition is completed. An Incidental Take Permit will be applied for as part of the overall mitigation process.

Appropriate enhancement, endowment, and research fees will be provided by the project proponent as per the California Department of Fish and Game requirements. These fees will be paid on a 1:1 basis prior to commencement of ground disturbing activities.

An educational brochure will be provided to all construction personnel regarding the Mohave Ground Squirrel prior to the start of ground disturbing activities.

19. **Nesting Birds.** If sharp-shinned hawks and loggerhead shrikes are detected on the site during future surveys, California Department of Fish and Game should be contacted to discuss suitable mitigation measures for these two species.
20. **Desert Tortoise.** If a desert tortoise moves on to the site during construction activities, all activities should cease, and the California Department of Fish and Game and the U.S. Fish and Wildlife Services shall be contacted to discuss appropriate mitigations. Desert tortoises should not be handled by project personnel.
21. **Burrowing Owls.** No more than 30 days prior to commencement of ground disturbing activities, a qualified biologist shall conduct a pre-grading survey, out to 500 feet from the site, for burrowing owls. If ground-disturbing activities are delayed for more than 30 days, additional surveys will be required. Surveys shall be conducted during the winter season between December 1 and January 31, if deemed necessary by the California Department of Fish and Game. If owls are observed on the site:
- a. Occupied burrows should not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approve by the Department verifies through non-invasive methods either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
 - b. To offset the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of burrowing owl habitat per pair or unpaired birds should be acquired and permanently protected.
 - c. Existing unsuitable burrows should be enhanced or new burrows created at a ratio of 2:1 on the protected lands site.
 - d. The project proponent should provide funding for long-term management and monitoring of the protected land. A monitoring plan for the protected land should be required which includes success criteria, remedial measures, and annual reports to the California Department of Fish and Game

22. **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.
23. **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 Game. For information regarding fees associated with permits issued by the Department of Fish and Game, please see the attached letter dated January 18, 2006 from the Department of Fish and Game.
24. **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:

25. **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. These fees shall be paid in accordance with the attached Development Agreement for the project.
26. **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.
27. **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.
28. **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.
29. **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.

30. **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.
31. **Utility Lines.** All utility lines shall be placed underground.
32. **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.
 - a. 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.
 - b. 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.
 - c. 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.
33. **Parking.** The project shall provide 526 parking spaces for 275,183 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements including Chapter 17.15 Design Guidelines.
34. **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.
35. **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:

36. **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.
37. **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.

38. **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. 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.
- 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.

39. **Construction Activity.**

- a. The contractor shall provide verification that all construction equipment is in proper tune per the manufacturer's recommendation.
- b. 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.
- c. 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.

40. **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.

41. **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.
42. **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.
43. **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:

44. **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.
45. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans. To conceal onsite storage, a solid block wall or other solid fencing shall be required around the perimeter of the site.
46. **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.

ENGINEERING DEPARTMENT**General Recordation Conditions:**

47. 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.
48. 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.
49. 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.
50. 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.
51. 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. This exclusion does not include water service for fire flow.
52. 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.
53. 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.
54. 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.
55. The following plans and reports shall be prepared by a 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. Beaver Road from the Southern Project Boundary to Holly Road, with proper fire department turnarounds.
 - ii. Holly Road from Beaver Road to the Eastern Project Boundary, with proper fire department turnarounds.
 - iii. Koala Road from the Southern Project Boundary to Holly 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. Beaver Road from the Southern Project Boundary to Holly Road.
 - ii. Holly Road from Beaver Road to the Eastern Project Boundary.
 - iii. Koala Road from Holly Road to the Southern Project Boundary.

- f. 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.
- g. Onsite Underground Utility Plan at 1" = 40' showing the location of all underground 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 or civil 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.
56. 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.
 57. 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.
 58. 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:

59. 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.
60. 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:

61. 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.
62. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
63. 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.
64. 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.
65. During construction, temporary pedestrian and traffic control devices shall be constructed as deemed necessary by the City Engineering and 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.
66. 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.
67. 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.
68. 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.

69. 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.
70. 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.
71. 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.
72. Pavement transitions meeting Department of Transportation design standards shall be installed by the developer where project street improvements widen or reduce the street widths.
73. 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.
74. Streets shall not be paved until all underground utilities are installed.
75. There shall be no intersecting street centerlines greater than or less than 90° (+/- 10°) degrees unless otherwise approved by the Engineering Department staff.
76. 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.
77. 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.
78. 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.
 79. All covers for utility manholes, valves, and vaults shall be adjusted to final grade after final paving.
 80. 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.
 81. 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.
 82. 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.
 83. 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.
 84. 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 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 (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 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 (0.1 feet) and resurfaced with AC, PG 70-10, as directed by the 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:

85. Prior to the issuance of any building permits, the following street dedications and improvements shall be completed as required for each phase (deviations require City Engineer approval):
- a. Offsite street dedications are as follows (8 ft. swale is removed per City Engineer and Developer's agreement):
 - i. Dedication for street and utility purposes to provide for a Major Boulevard half width of fifty-six (56) feet for Holly Road located along the Northern boundary of this project east of the Northern alignment of Koala Road to the Eastern Boundary of this project.
 - ii. Dedication for street and utility purposes to provide for a Major Street half width of fifty-six (56) feet for Holly Road located along the Northern boundary of this project west of the Northern alignment of Koala Road to the Western Boundary of this project.
 - iii. Dedication for street and utility purposes to provide for a Major Street half width of fifty-six (56) feet for Beaver Road located along the Western Boundary of this project from the Southern Boundary of this project to Holly Road.
 - iv. Dedication for street and utility purposes to provide for a Major Street half width of fifty-six (56) feet for Koala Road located along the Eastern boundary of this project from the Southern Boundary of this project to Holly Road.
 - b. Offsite street improvements are as follows (8 ft. swale is removed per City Engineer and Developer's agreement):
 - i. Phase 1 shall include the median, curb, gutter and street paving for all street sections listed:
 1. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the East half of Beaver Road located along the Western boundary of this project.
 2. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the West half of Koala Road located along the Eastern boundary of this project.

3. Major Boulevards shall be constructed to half-width of 6 feet of landscaped center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the South half of Holly Road located east of the Northern Koala Road alignment along the Northern boundary of this project.
 - a. At the discretion of the City Engineer, the landscaped median can be replaced with paving and matched to the opposite half-width improvement elevations.
 4. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the South half of Holly Road located west of the Northern alignment of Koala Road along the Northern boundary of this project.
- ii. Phase 2 shall include the sidewalk and parkway for all sections listed below:
1. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the East half of Beaver Road located along the Western boundary of this project.
 2. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the West half of Koala Road located along the Eastern boundary of this project.
 3. Major Boulevards shall be constructed to half-width of 6 feet of landscaped center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and

12 foot landscaped parkway. This requirement shall apply to the South half of Holly Road located east of the Northern Koala Road alignment along the Northern boundary of this project.

- a. At the discretion of the City Engineer, the landscaped median can be replaced with paving and matched to the opposite half-width improvement elevations.
4. Major Streets shall be constructed to half-width of 6 feet of center median, 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 7.5, whichever is greater, 8" concrete curb and gutters, and six-foot sidewalks, per City Standard 109 Type C, and 12 foot landscaped parkway. This requirement shall apply to the South half of Holly Road located west of the Northern alignment of Koala Road along the Northern boundary of this project.
86. 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.
- a. Beaver Road 19 feet of paving east of the centerline.
 - b. Holly Road 19 feet of paving south of the centerline.
 - c. Koala Road 19 feet of paving west of the centerline.

Traffic Safety:

87. 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.

88. 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 is required as follows:

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

89. 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 Engineering Department staff.

Sewer Improvements:

90. 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.
91. 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.
92. 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:

93. Water service 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.
94. The Developer shall comply with all requirements of the Adelanto Public Utility Authority (APUA).
95. 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.
96. 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.

97. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
98. 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.
99. 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.
100. 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 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:

101. 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 1.0 feet higher than the 100 year base flood elevations.
102. Storm flows may be conveyed in street sections to the extent that right-of-way limits shall accommodate a 100-year 24-hour 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.
 103. 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.
 104. 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 Engineering staff. The developer is strongly encouraged to utilize "Low Impact Development" methods to reduce storm water run-off that impacts the site, including energy dissipaters along the drainage path.
 - 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.
 - Phase 1:
 1. 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 24-hour 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.
105. In order to mitigate the drainage impacts of this project the developer shall perform the following:
 - a. Development Impact Fees shall be paid in accordance with the Associated Development Agreement.
106. All nuisance drainage must be conveyed across roads designated as Major Street or greater, via subsurface conveyance. This includes, but is not limited to, water drainage flows:
 - a. Holly Road
107. 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 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.
 - c. 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.

Park and Landscaping:

108. 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 Engineering and Planning Department staff.
109. 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.
110. 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 the Engineering or Planning Departments. Said landscape easement and landscaped area shall be maintained by the developer. The landscaped area will thereafter 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 the Engineering Department and Title 17.

FIRE DEPARTMENT

111. See attached fire conditions from the San Bernardino County Fire Department.



SAN BERNARDINO COUNTY FIRE

San Bernardino County Fire Department

COMMUNITY SAFETY DIVISION

15900 Smoke Tree St, Ste 131
Hesperia CA 92345

Office: 760.995.8190

Fax: 760.995.8205

Office of the Fire Marshal
Community Safety Division
sbcfire.org

Mark A. Hartwig
Fire Chief/Fire Warden

Michael A. Horton
Fire Marshal

PRE-SUBMITTAL NOTES

Project No. F201600334

Address/Parcel Map No: # 3129-541-01

Reviewed by: KVO

Date: 04-11-16

Project Name: LDP-15-04 GPA 15-03 (Clark Pacific Inc.)

No adverse impact.

Does not meet the minimum requirements as submitted. Revised plans required for approval.

CONDITIONS The Fire Department recommends that the following conditions be attached to this Project/Tract:

Shall comply with all current Building, Fire Codes and Fire Department Standards requirements based on occupancy classification.

Any changes to this proposal shall require new Fire Department condition letter.

Any changes to the approved life safety system shall require plans to be submitted to the FD prior to construction including the following; (Fire Sprinklers, Fire Alarms, Underground water supply for fire protection, Cooking appliances & Hood protections.).

Monitored fire sprinkler and fire alarm systems are required for the proposed building(s). Plans shall be submitted to the FD prior to construction. PER CFC 903.2.1.1

Monitored Fire alarm system is required for the proposed building(s). Plans shall be submitted to the FD prior to construction. PER CFC 903.2.1.1

Knox Box/Key Box is required, and shall be provided and installed in accordance with Fire Department Standard No. 2.

Required fire flow for this project is 3,875 gpm @ 20 psi at furthest remote hydrant. Contact Water Dept. to assure availability of required fire flow.

An approved on-site fire protection water system, in accordance with Fire Department Standard is required. The system is required to be in place and serviceable prior to building construction.

An approved water supply system, complete with street fire hydrants complying with Fire Department Standard, shall be in place prior to any combustible construction.

Provide a complete on-site fire protection plan to the FD which indicates the location of all required fire protection appliances (FDC's, PIV's, DDC's, proposed and existing fire hydrants, etc.).

Fencing, walls or car ports shall not obstruct Fire Department access to fire hydrants and property.

Paved access from 2 points shall be required for completion and occupancy. All required access roads shall meet county standards of 26' in width and turning radius. Plans shall be submitted and approved prior to construction commencement.

BOARD OF SUPERVISORS

Robert A. Lovingood
First District

Janice Rutherford
Chair, Second District

James Ramos
Third District

Gary C. Ovitt
Vice Chair, Fourth District

Josie Gonzales
Fifth District

Gregory Devereaux
Chief Executive Officer

- Access gates shall be provided with an "Opticom" receiver capable of opening gates via decoding of the "Opticom" strobe signal transmitted by Fire, Police, and Ambulance units.
- All access gates shall require mechanical means for opening in event of power failure, shall not impinge on required clear width when fully open, and shall be equipped with Knox Box lock actuation devices.
- Interior/exterior Fire Department access roadways/fire lanes shall be required per Fire Department Standard. If gates installed, must comply with Fire Department Standards.
- Storage containers may not block Fire Department access.
- Streets or access roads greater than 150' in length shall require cul-de-sacs or approved turnarounds per Fire Department standard. Any street exceeding 500' will require paved secondary access. (This includes construction phasing)
- Tentative Tract Map must have notes indicating Emergency Access routes to existing pavement for plan check review.
- Tracts with more than 100 homes shall have a water system fed from two different distribution lines.
- Provide the following FD notes on the site utility plan:

A separate permit is required by the Fire Department for installation of on-site water systems. No work may begin until the permit has been obtained. A permit application may be obtained from the Fire Dept office.

All hydrants shall have a blue reflective dot placed in the drive lane adjacent to the hydrants per Fire Department Standard #5.

Required fire Flow for this project is 3,875 GPM at 20psi for 4 hours duration.

Paint curbs red, 15' to either side of fire hydrant and FDC.

Bollards (crash posts) may be required at time of final inspection (to protect the fire hydrants and FDC from vehicular traffic).

All systems, materials, installation, inspection, and testing for on-site water systems shall conform to NFPA #24 and Fire Department Standards # 903.1 (Copies of standards are available by calling 760-995-8190,)

- Provide the following details on the site utility plan: SB County FD standards #903.1, (Copies of standards are available by calling 760-995-8190,)
- Provide the following details on the site utility plan: SB County FD standard #902.2.1, (Copies of standards are available by calling 760-995-8190,)
- All fire access roads in to this project shall meet San Bernardino County standards and CFC codes.
- A 50% reduction for water flow will be given for the installation of required fire sprinkler. Required flow is 7,750 gpm at 20psi for 4 hours. Reduction for installation of required fire sprinkler the fire flow now is 3,875 gpm for 4 hr _____

RESOLUTION NO. P-16-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND RECOMMENDING DENIAL TO THE CITY COUNCIL, LOCATION AND DEVELOPMENT PLAN 15-04, CONDITIONAL USE PERMIT 15-03, GENERAL PLAN AMENDMENT 15-03 AND ASSOCIATED DEVELOPMENT AGREEMENT TO CONSTRUCT AND OPERATE A PRE-CAST AND PRE-STRESSED CONCRETE PRODUCTS MANUFACTURING AND STORAGE FACILITY ON 111 ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF HOLLY ROAD AND KOALA ROAD WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. ASSESSOR'S PARCEL NUMBERS'S 3129-541-01 AND 3129-551-01, -02, -03.

WHEREAS, the applicant, Clark Pacific, requests to construct and operate a Pre-Cast and Pre-Stressed Concrete Products Manufacturing facility on 111 acres of land, located on the southwest corner of Holly Road and Koala Road, within the City of Adelanto, County of San Bernardino; and

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

WHEREAS, the applicant and City have prepared a Development Agreement which requires approval by the City Council; and

WHEREAS, a duly noticed public hearing was held on the proposed project on September 6, 2016, to hear and consider testimony for or against the proposed project; and

WHEREAS, the City of Adelanto, as lead agency, prepared an Initial Study that demonstrated that the project will have a less than significant effect on the environment with proposed mitigation measures; and

WHEREAS, a Mitigated Negative Declaration 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 and recommending to the City Council approval of proposed Location and Development Plan 15-04 and Conditional Use Permit 15-03, General Plan Amendment 15-03 and Associated Development Agreement. 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 15-04

- (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), which is consistent with Appendix A of Title 17 of the Zoning Code which allows for industrial and storage facilities in the MI zone 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;

This finding has not been met. The applicant proposes not to pay their fair share of required Development Impact Fees for drainage and is requesting more of their fair share of Impact Fee Credits for roads which will impact surrounding properties as there will be insufficient funds to cover the costs of infrastructure improvements.

- (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 111 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 15-03:

- (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, which is consistent with Appendix A of Title 17 of the Zoning Code which allows detention/correctional 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;

This finding has not been met. The applicant proposes not to pay their fair share of required Development Impact Fees for drainage and is requesting more of their fair share of Impact Fee Credits for roads which will impact surrounding properties as there will be insufficient funds to cover the costs of infrastructure improvements.

- (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 111 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.

General Plan Amendment 15-03

- (k) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

The re-alignment of Koala Road, proposed as General Plan Amendment 15-03, is in the public interest and the community will benefit as the project will be able to utilize the full potential of the site, providing jobs and materials for new development.

- (l) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;

The proposed realignment would be consistent with the goals, policies, and objectives of the General Plan as it would improve traffic safety and facilitate north/south traffic circulation throughout the City of Adelanto.

- (m) That the proposed amendment agrees with provisions of the Zoning Code.

The proposed amendment will have no effect on the Zoning Code as all parcels affected by the re-alignment will remain at their current zoning designation.

- (n) That the proposed amendment is compatible with the land use policy map and will not adversely affect surrounding properties.

The proposed amendment is a change to the General Plan Circulation Element and Circulation Element Map. The proposed realignment of Koala Road will allow for increased traffic safety and reduce or completely eliminate impacts to many property owners south of the project site.

RESOLUTION NO. P-16-22

September 6, 2016

Page 4

SECTION 5. The Planning Commission hereby recommends denial to the City Council, Location and Development Plan 15-04, Conditional Use Permit 15-03, General Plan Amendment 15-03 and associated Development Agreement.

ATTACHMENTS:

1. Conditions of Approval
2. Draft Development Agreement

PASSED, DENIED AND ADOPTED by the Planning Commission this 6th day of August, 2016.

Mark Ferretiz
Vice-Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-22 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September, 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 6th day of September, 2016.

Virginia Cervantes
Secretary to the Planning Commission

RECORDING REQUESTED BY
AND WHEN RECORDED
MAIL TO

City of Adelanto
11600 Air Expressway
Adelanto, CA 92301
Attn: City Clerk

Space Above This Line for Recorder's Use
(Exempt from Recording Fee per Gov't Code § 6103)

DEVELOPMENT AGREEMENT

BY AND BETWEEN

THE

CITY OF ADELANTO (“CITY”)

AND

CLARK PACIFIC PRECAST LLC,

A CALIFORNIA LIMITED LIABILITY COMPANY (“DEVELOPER”)

DEVELOPMENT AGREEMENT

This Development Agreement (the “Agreement”) is entered into as of the ____ day of _____, 2016 (“Reference Date”), by and between the CITY OF ADELANTO, a California municipal corporation and charter city (the “City”), and Clark Pacific, LLC, a California limited liability company (the “Developer”), with reference to the following:

RECITALS

A. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, Government Code Sections 65864-65869.5 (the “Development Agreement Act”) authorize the City to enter into a binding development agreement for the development of real property within its jurisdiction with persons having legal or equitable interest in such real property.

B. Developer has an equitable interest in the 111 acre parcel of real property (“Site”) located on the southwest corner of Holly Road and Koala Road (commonly known as APNs 3129-551-01, 02, 03 and 3129-541-01), which is within the City of Adelanto, County of San Bernardino, State of California. The Site is legally described in Exhibit “A” attached hereto, and is the subject of this Agreement.

C. The Site is designated Manufacturing/Industrial (MI) in the City’s General Plan and is located within the City’s MI Zoning District. The proposed project on the Site is a conditionally permitted use in the MI Zone, as the project includes outdoor storage. In connection with the execution of this Agreement, the City approved (i) General Plan Amendment 15-03 re-aligning Koala Road running north/south on the eastern portion of the project site (the “General Plan Amendment”), (ii) Location and Development Plan 15-04 (“LDP”), and (iii) Conditional Use Permit 15-03 (the “CUP”) subject to conditions of approval. The General Plan Amendment, LDP and CUP (collectively, the “Project Approvals”) provide planning and development criteria for a proposed project on the Site (the “Project”). The Project will consist of the development of the Site with a Pre-Cast, Pre-Stressed Concrete Products Manufacturing Facility. The LDP and CUP are collectively known as the “Development Plan”.

D. The environmental impacts of the Project, including the Project Approvals, have properly been reviewed and assessed by the City pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq.; California Code of Regulations Title 14, Section 15000 et seq. (the “CEQA Guidelines”); and City’s local guidelines promulgated thereunder (hereinafter collectively referred to as “CEQA”). On September 28, 2016, pursuant to CEQA and in accordance with the recommendation of the Planning Commission for the City of Adelanto (the “Planning Commission”), the City Council adopted a mitigated negative declaration covering the Project (the “MND”). As required by CEQA, the City adopted written findings and a mitigation monitoring program (the Mitigation Monitoring Program”) prior to approving the Project Approvals.

E. The City acknowledges that the Project Approvals are valuable property rights to the Developer and that, subject to the terms of this Agreement, the Project Approvals may not be revoked, rescinded or terminated other than in the manner permitted by existing law or under

circumstances where the Developer has taken actions or omissions that violate the Project Approvals or their conditions.

F. City has determined that the Project presents certain public benefits and opportunities that are advanced by City and Developer entering into this Agreement. This Agreement will, among other things, (1) reduce uncertainties in planning and provide for the orderly development of the Project; (2) mitigate certain environmental impacts of the Project; (3) provide a source of employment; (4) strengthen the City's economic base with short term construction jobs; (5) provide for and generate revenues for the City in the form of fees and exactions, as described herein; and (6) otherwise achieve the goals and purposes for which the Development Agreement Act was enacted.

G. Consistent with the state Development Agreement Act, the parties desire to enter into a binding agreement for purposes of (i) setting forth a phasing plan for (A) off-site development requirements; and (B) credits and reimbursements of Development Impact Fees; (ii) setting forth a mechanism for the City to realize certain sales tax revenue associated with the development of the Project by Developer and ensuring that the point of sale for acquisition, purchasing and billing in connection with the Project is located within the City; and (iii) granting Developer a vested right to develop the Site according to the Project Approvals.

H. Among other purposes, this Agreement is intended to be, and shall be construed as, a development agreement within the meaning of the Development Agreement Act. This Agreement will eliminate uncertainty in planning for and secure the orderly development of the Project, ensure a desirable and functional community environment, provide effective and efficient development of public facilities, infrastructure, and services appropriate for the development of the Project, and assure attainment of the maximum effective utilization of resources within the City, by achieving the goals and purposes of the Development Agreement Act. In exchange for these benefits to City, Developer desires to receive the assurance that it may proceed with development of the Project in accordance with the terms and conditions of this Agreement and the Development Plan, all as more particularly set forth herein.

I. The City Council has determined that the Project and this Agreement are consistent with the City's General Plan, including the goals and objectives thereof.

J. All actions taken by City have been duly taken in accordance with all applicable legal requirements, including CEQA and all other requirements for notice, public hearings, findings, votes and other procedural matters.

K. The terms and conditions of this Agreement have undergone extensive review by Developer, City staff, the City Planning Commission, and the City Council and they each have found the Agreement to be fair, just and reasonable. The parties represent and warrant that it is their intent that this recital shall operate to estop either party from denying the validity or enforceability of the obligations contained in this Agreement, including without limitation, the Phasing Plan.

L. On September 28, 2016, the City Council adopted its Ordinance No. 547 approving this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties do hereby agree as follows:

1.0 GENERAL.

1.1 Term.

The term of this Agreement (the “Term”) shall commence on the Effective Date hereof and shall continue until ten (10) years following the effective date, unless the term of this Agreement is otherwise terminated, modified, or extended by circumstances set forth in this Agreement or by mutual consent of the parties hereto after the satisfaction of all applicable public hearing and related procedural requirements. Certain provisions as identified herein shall continue in full force and effect beyond the term of this Agreement and shall not expire.

1.2 Effective Date.

All terms and provisions of this Development Agreement shall automatically become effective upon, but not prior to, the effective date of Ordinance 547.

1.3 Amendment or Cancellation.

Except as expressly stated to the contrary herein, this Agreement may be amended or canceled in whole or in part only by mutual consent of the parties and in the manner provided for in Government Code Section 65867-65869.5.

1.4 Termination.

Unless terminated earlier, pursuant to the terms hereof, this Agreement shall automatically terminate and be of no further effect upon the expiration of the Term of this Agreement. Termination of this Agreement, for any reason, shall not, by itself, affect any right or duty arising from entitlements or approvals set forth under the Development Plan, as defined in Section 2.1, below.

1.5 Incorporation of Recitals.

The recitals are hereby incorporated into this Agreement.

2.0 DEVELOPER’S RIGHTS AND LIMITATIONS REGARDING CONSTRUCTION OF THE PROJECT.

2.1 Right to Develop.

Subject to the terms, conditions, and covenants of this Agreement, Developer’s right to develop the Project in accordance with the Project Approvals (and subject to the conditions of approval thereof (the “Conditions of Approval”)) shall be deemed vested upon execution of this Agreement, which vesting shall expire upon the earlier of the following occurrences:

(a) expiration of the Term of this Agreement; (b) an uncured material default by Developer of this Agreement or the Development Plan or (c) termination of this Agreement in accordance with Section 5.3. Notwithstanding anything in this Agreement to the contrary, the Project shall remain subject to the following, to the same extent it would without this Agreement:

(i) except as expressly modified by the provisions herein, all ordinances, regulations, rules, laws, plans, policies, and guidelines of the City and its City Council, Planning Commission, and all other City boards, commissions, and committees existing on the Effective Date of this Agreement (collectively, the "Existing Development Regulations");

(ii) all amendments or modifications to Existing Development Regulations after the Effective Date of this Agreement and all ordinances, regulations, rules, laws, plans, policies, and guidelines of the City and its City Council, Planning Commission, and all other City boards, commissions, and committees enacted or adopted after the Effective Date of this Agreement (collectively, "New Laws"), except such New Laws which would prevent or materially impair Developer's ability to develop the Project in accordance with the Project Approvals and as described in Section 2.4, below, unless such New Laws are (A) specifically mandated and required by changes in state or federal laws or regulations, or (B) New Laws the City reserves the right to apply under this Agreement pursuant to Sections 2.2 and 3.1.3;

(iii) all subsequent development approvals and the conditions of approval associated therewith, including but not limited to any further site development permits, tract or parcel maps, and building permits;

(iv) the payment of all fees or exactions in the categories and in the amounts as required at the time such fees are due and payable, which may be at the time of issuance of building permits, or otherwise as specified by applicable law, as existing at the time such fees are due and payable; and

(v) the reservation or dedication of land for public purposes or payment of fees in lieu thereof as required at the time such reservations or dedications or payments in lieu are required under applicable law to be made or paid.

2.2 Applicable Law; Additional Applicable Codes and Regulations.

The rules, regulations, official policies, standards and specifications applicable to the Project (the "Applicable Law") shall be those set forth in this Agreement and the Project Approvals, and, with respect to matters not addressed by this Agreement or the Project Approvals, those rules, regulations, official policies, standards and specifications (including City ordinances and resolutions) governing permitted uses, building locations, timing of construction, densities, design, heights, fees, exactions, and taxes in force and effect on the Effective Date of this Agreement.

Notwithstanding the foregoing or any other provision of this Agreement, the City also reserves the right to apply the following to the development of the Project:

2.2.1 Building, electrical, mechanical, fire and similar building codes based upon uniform codes adopted in, or incorporated by reference into, the Adelanto

Municipal Code, as existing on the Effective Date of this Agreement or as may be enacted or amended thereafter, applied to the Project in a nondiscriminatory manner.

2.2.2 In the event of fire or other casualty requiring construction of more than fifty (50%) percent of any building previously constructed hereunder, nothing herein shall prevent the City from applying to such reconstruction, all requirements of the City's Building, Electrical, Mechanical, and similar building codes based upon uniform codes adopted in, or incorporated by reference into, the Adelanto Municipal Code, solely to the extent applicable to all development projects in the City.

2.2.3 Except for the City fees described herein, this Agreement shall not prevent the City from establishing any new City fees on a City-wide basis and applied to Site in a non-discriminatory manner, and to apply such new or increased fees to the Project or applicable portion thereof where such new or increased fees may be charged.

2.3 Permitted Density, Height and Use Limitations.

The permitted uses, density and intensity of use, location of uses, maximum height and size of proposed buildings, minimum setbacks, and other standards applicable to the Project shall be those set forth in the Project Approvals and this Agreement, whichever is the strictest.

2.4 No Conflicting Enactments.

Except as specifically permitted above, City shall not impose on the Project any existing law or New Law (whether by action of the City Council or by initiative, referendum or other means) any ordinance, resolution, rule, regulation, standard, directive, condition or other measure (each individually, a "City Law") that is in conflict with the Applicable Law or this Agreement or that reduces the development rights or assurances provided by this Agreement. Without limiting the generality of the foregoing, any City Law shall be deemed to conflict with Applicable Law or this Agreement or reduce the development rights provided hereby if it would accomplish any of the following results, either by specific reference to the Project or as part of a general enactment which applies to or affects the Project:

- (a) Change any land use designation or permitted use of the Site;
- (b) Limit or control the availability of public utilities, services or facilities or any privileges or rights to public utilities, services, or facilities (for example, water rights or water connections) for the Project;
- (c) Limit or control the location of buildings, structures, grading, or other improvements of the Project in a manner that is inconsistent with or more restrictive than the limitations included in the Project Approvals;
- (d) Limit or control the rate, timing, phasing or sequencing of the approval, development or construction of all or any part of the Project in any manner;
- (e) Apply to the Project any City Law otherwise allowed by this Agreement that is not uniformly applied on a City-wide basis to all substantially similar types of development projects and project sites;

- (f) Result in Developer having to substantially delay construction of the Project or require the issuance of additional permits or approvals by the City other than those required by the Existing Development Regulations;
- (g) Substantially increase the cost of constructing or developing the Project or any portion thereof;
- (h) Establish, enact, increase, or impose against the Project or Site any fees, taxes (including without limitation general, special and excise taxes), assessments, liens or other monetary obligations (including generating demolition permit fees, encroachment permit and grading permit fees) other than those specifically permitted by this Agreement or other connection fees imposed by third party utilities;
- (i) Impose against the Project any condition, dedication or other exaction not specifically authorized by the Existing Development Regulations;
- (j) Limit the processing or procuring of applications and approvals of Subsequent Approvals.

2.5 Additional Exclusions.

Nothing within this Agreement provides any rights to Developer, or any limitations upon the City, regarding rights, fees, or regulations pertaining to potential gen-tie transmission lines, the undergrounding of electrical transmission facilities off of the Site, or fees or regulations pertaining to the transmission of electricity through the City, including but not limited to franchise or similar fees.

3.0 DEVELOPER'S OBLIGATIONS.

3.1 Payments to City by Developer.

3.1.1 General.

Developer shall make the payment to City described in this Section 3.1 as a condition of development of the Project. Nothing in this Section 3.1 shall be construed as a limitation on the right of the City to impose, levy, or assess the Site other development fees as permitted by applicable law and this Agreement.

3.1.2 Developer's Payment of Development Impact Fees.

Developer shall pay to the City, Development Impact Fees in accordance with Ordinances 425, 440, 453 and Resolution 06-166 prior to the City's issuance of any building permit for the Project or any construction or development of the Project on the Site, whichever is earlier. The parties agree that the purpose of the Development Impact Fees are designed to compensate the City for (A) additional intensity of use resulting from the Project; and (B) the mitigate potential added wear and tear on the municipal infrastructure which will result from the Development Plan Payment of Development Fees shall be as follows;

- (a) Developer shall pay the full Development Impact Fee for Circulation (Non-Residential Circulation Impact Fees are \$16,917 per acre) in the amount of \$1,877,787.00 (111-acres multiplied by \$16,917 = \$1,877,787).
- (b) Developer shall be credited for improvements to roadways, in accordance with the conditions of approval, in the amount of \$1,180,000.
- (c) Developer shall not pay Impact Fees for Drainage as the project mitigates for drainage impacts via detention basins.
- (d) Developer shall pay full Impact Fees for Fire Facilities (Non-Residential Fire Facilities Impact fees are \$893 per acre) of \$99,123 (111-acres multiplied by \$893 = \$99,123).
- (e) All fees shall be due and payable, upon issuance of Building Permits, in accordance with the conditions of approval. For example; Circulation Impact fees shall be paid as follows; Phase 1 development includes the improvement of Beaver, Holly and Koala Roads. Developer shall improve Beaver, Holly and Koala Roads in accordance with the Conditions of Approval and pay \$697,787 (\$1,877,787-\$1,180,000=\$697,787) for Circulation. Developer shall pay full Impact fees for Fire Facilities as identified in item (d) above.

Upon payment of the Development Impact Fees by Developer, estimated to be \$796,910 (\$697,787 for Circulation and \$99,123 for fire) the City shall provide, within ten (10) days of request by the Developer, an estoppel certificate (or other certificate reasonably acceptable to the parties) demonstrating that the Developer has satisfied the obligation imposed in this Section 3.1.2. Additionally, upon payment of the Development Impact Fees, this Development Agreement shall terminate in the manner and in the time provided in Section 1.1.

Payment by Developer of the Development Impact Fees in accordance with the terms of this Agreement shall be deemed as full satisfaction by Developer of the following:

- (a) Circulation Impact Fee (most recently adopted pursuant to Resolution 06-166);
- (b) Fire Impact Fee (most recently adopted pursuant to Resolution 06-166); and
- (c) Master Drainage Plan Development Impact Fee (set forth in Municipal Code Section 14.36.040.)

3.1.3 Other Fees and Charges.

Except as otherwise set forth herein, the City may impose its existing, or any new or increased, fees, charges, levies, or assessments for the development of the Site, and impose or increase, subject to the required procedure, any taxes applicable to the Site; provided that the foregoing is not intended and shall not be construed to limit or restrict whatever right Developer might otherwise have to challenge any fee, charge, levy, assessment, or tax imposed. Developer shall timely pay all applicable fees, charges, levies, assessments, and special and general taxes validly imposed in accordance with the Constitution and laws of the State of California.

3.1.4 Sales and Use Taxes.

Developer shall make commercially reasonable efforts to ensure that any sales or use tax incurred due to the development and construction on the Site of the Project shall be determined to be from a point of sale in the City and allocated to the City. The Developer shall work with the City to determine how the receipt of sales and use taxes related to the construction and development of the Project will be maximized for the City. This process shall include, but is not necessarily limited to: Developer obtaining a street address within the City for acquisition, purchasing, and billing purposes; Developer registering this address with the State Board of Equalization; Developer using this address throughout development and construction of the Project for acquisition, purchasing, and billing purposes for all major purchases associated with the Project; and Developer allowing City to use this sales tax information publicly for reporting purposes (collectively, the “Sales Tax Realization Obligations”).

3.2 Indemnification.

(a) Developer agrees to and shall indemnify, hold harmless, and defend, the City and its respective officers, officials, members, agents, employees, and representatives (collectively, “the Indemnified Parties”), from liability or claims for death or personal injury and claims for property damage which may arise from the acts, errors, and/or omissions of the Developer or its contractors, subcontractors, agents, employees or other persons acting on its behalf in relation to the Project and/or this Agreement, except to the extent that the liability or claims arise from the City’s negligence or misconduct. This obligation continues in full force and effect for a period of ten (20) years beyond the expiration date of the Agreement. The foregoing indemnity applies to all deaths, injuries, and damages, and claims therefor, suffered or alleged to have been suffered by reason of the acts, errors, and/or omissions referred to in this paragraph, regardless of whether or not the City prepared, supplied, or approved plans or specifications, or both, and regardless of whether or not any insurance policies are applicable.

(b) Developer agrees to and shall indemnify, hold harmless, and defend, the Indemnified Parties from any challenge to the validity of this Agreement or to the City’s implementation of their rights under this Agreement; the Developer shall indemnify, hold harmless, pay all costs and provide defense for the Indemnified Parties in said action or proceeding with counsel mutually chosen by the City and Developer.

(c) In the event the Indemnified Parties are made a party to any action, lawsuit, or other adversarial proceeding in any way involving claims specified in paragraphs (a) (except with respect to paragraph (a) above, to the extent that the liability or claims arise from the City’s negligence or misconduct) or (b) above, Developer shall provide a defense to the Indemnified Parties, or at the Indemnified Parties’ option, reimburse the Indemnified Parties their reasonable costs of defense, including attorney’s fees, incurred in defense of such claim. The Indemnified Parties and the Developer shall jointly select legal counsel. In addition, Developer shall be obligated to promptly pay any final judgment or portion thereof rendered against the Indemnified Parties. The City shall, at no cost to the City, cooperate with the Developer in any such defense as Developer may reasonably request.

3.3 Phasing Plan.

(a) The Phasing Plan shall commence in accordance with the attached phasing plan as shown in Exhibit B attached to this document. The Developer shall pay all Development Impact Fees in accordance with section 3.1.2. The Developer acknowledges that the existing improvements along the project's property boundary do not meet the City's roadway standards set forth in Chapter 13.20 of the Adelanto Municipal Code. The Developer agrees to improve its share of Beaver Road, Koala Road and Holly Road (the "Roadway Improvements") in phases. The Developer's share of the Roadway Improvements is defined as the half-width of the ultimate right-of-way for roadways immediately adjacent to the Site. The Roadway Improvements shall consist of paving, storm drains, Drainage Channel Crossings, curb, gutter, street lighting, landscape, and/or sidewalk as required by the Public Works Department at the time of improvements, consistent with the standards set forth in Chapter 13.20 of the Adelanto Municipal Code. Developer may defer submittal of improvement plans for the Roadway Improvements in accordance with the phasing plan. In the event that Developer fails to timely commence the construction of the Roadway Improvements in accordance with the preceding sentence, and following written notice by the City to Developer and a failure of the Developer within 60 days following such notice to commence work on the Roadway Improvements and thereafter diligently pursue such work to completion, the City is hereby authorized to cause the construction of said Roadway Improvements to be done and charge the entire cost and expense, including administrative costs and attorney's fees, to Owner, its successors and assigns. This Agreement shall be recorded in the office of the Recorder of San Bernardino County, California, and shall constitute notice to all successors and assigns of the title to said property of the obligations in this Agreement, and also a lien on the Site in such amount as will fully reimburse City, including interest as set forth above, subject to foreclosure in event of default in payment. The Developer shall at all times guarantee performance of the Roadway Improvements by providing good and sufficient security, including but not limited to a lien on the Site, to the satisfaction of the City Attorney for the ultimate costs of installing the Roadway Improvements.

(b) Offsite street improvements shall be constructed in accordance with item 85 of the Conditions of Approval:

3.4 Reimbursements and Credits. 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-imburements are subject to the approval of the City Engineer and shall be consistent with the Transportation background focus study. Credits and re-imburements 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. Credits shall be in accordance with item 3.1.2 above.

4.0 CITY'S OBLIGATIONS & ACKNOWLEDGEMENTS.

4.1 Scope of Subsequent Review.

Nothing set forth herein shall impair or interfere with the right of the City to require the processing of building permits as required by law, pursuant to the applicable provisions of the

Adelanto Municipal Code and the provisions of City's Fire Codes and ordinances, Health and Safety Codes and ordinances, and Building, Electrical, Mechanical, and similar building codes.

4.2 Project Approvals Independent.

All approvals required for the Project which may be or have been granted, and all land use entitlements or approvals generally which have been issued or will be issued, by the City with respect to the Project, constitute independent actions and approvals by the City. If any provision of this Agreement or the application of any provision of this Agreement (other than Section 3.1) to a particular situation is held by a court of competent jurisdiction to be invalid or unenforceable, or if this Agreement terminates for any reason other than Developer's default, then such invalidity, unenforceability or termination of this Agreement or any part hereof shall not affect the validity or effectiveness of any such Project approvals or other land use approvals and entitlements, except that in the event that the payment of the Fiscal Mitigation Payment is challenged this Agreement and any entitlements relating to the Site, including without limit the Development Plan shall be deemed null and void and of no force or effect whatsoever.

4.3 Review for Compliance.

- (a) Conducting the Periodic Review. Throughout the Term of this Agreement, at least once every twelve (12) months following the execution of this Agreement, City shall review the extent of good-faith compliance by Developer with the terms of this Agreement. This review (the "Periodic Review") shall be conducted by the Community Development Director or his/her designee and shall be limited in scope to compliance with the terms of this Agreement pursuant to California Government Code Section 65865.1.
- (b) Notice. At least ten (10) days prior to the Periodic Review, and in the manner prescribed in Section 8.1 of this Agreement, City shall deposit in the mail to Developer a copy of any staff reports and documents to be used or relied upon in conducting the review and, to the extent practical, related exhibits concerning Developer's performance hereunder. Developer shall be permitted an opportunity to respond to City's evaluation of Developer's performance, either orally at a public hearing or in a written statement, at Developer's election. Such response shall be made to the Community Development Director.
- (c) Good Faith Compliance. During the Periodic Review, the Community Development Director shall review Developer's good-faith compliance with the terms of this Agreement. At the conclusion of the Periodic Review, the Community Development Director shall make written findings and determinations, on the basis of substantial evidence, as to whether or not Developer has complied in good faith with the terms and conditions of this Agreement. The decision of the Community Development Director shall be appealable to the City Council. If the Community Development Director finds and determines that Developer has not complied with such terms and conditions, the Community Development Director may recommend to the City Council that it terminate or modify this Agreement by giving notice of its intention to do so, in the manner set forth in California Government Code Sections

65867 and 65868. The costs incurred by City in connection with the Periodic Review process described herein shall be shared equally by Developer and City.

- (d) Failure to Properly Conduct Periodic Review. If City fails, during any calendar year, to either (i) conduct the Periodic Review or (ii) notify Developer in writing of City's determination, pursuant to a Periodic Review, as to Developer's compliance with the terms of this Agreement and such failure remains uncured as of December 31 of any year during the term of this Agreement, such failure shall be conclusively deemed an approval by City of Developer's compliance with the terms of this Agreement.
- (e) Written Notice of Compliance. With respect to any year for which Developer has been determined or deemed to have complied with this Agreement, City shall, within thirty (30) days following request by Developer, provide Developer with a written notice of compliance, in recordable form, duly executed and acknowledged by City. Developer shall have the right, in Developer's sole discretion, to record such notice of compliance.

5.0 DEFAULT; REMEDIES; DISPUTE RESOLUTION.

5.1 Notice of Default.

In the event of failure by either party hereto substantially to perform any material term or provision of this Agreement, the non-defaulting party shall have those rights and remedies provided herein, provided that such non-defaulting party has first provided to the defaulting party a written notice of default in the manner required by Section 8.1 hereof identifying with specificity the nature of the alleged default and the manner in which said default may satisfactorily be cured. Without limiting the scope of what is considered "material," the parties agree that Developer's failure to perform any of the obligations contained in Section 3.0 shall be a material default.

5.2 Cure of Default.

Upon the receipt of the notice of default, the alleged defaulting party shall promptly commence to cure, correct, or remedy the identified default at the earliest reasonable time after receipt of the notice of default and shall complete the cure, correction or remedy of such default not later than five (5) days [or thirty (30) days for non-monetary defaults] after receipt of the notice of default, or, for such defaults that cannot reasonably be cured, corrected or remedied within five (5) days [or thirty (30) days for non-monetary defaults], such party shall commence to cure, correct, or remedy such default within such five (5) day period [or thirty (30) day period for non-monetary defaults], and shall continuously and diligently prosecute such cure, correction or remedy to completion.

5.3 City Remedies.

In the event of an uncured default by Developer of the terms of this Agreement, the City, at its option, may institute legal action in law or in equity to cure, correct, or remedy such default, enjoin any threatened or attempted violation, or enforce the terms of this Agreement. In no event shall the City be entitled to consequential, exemplary or punitive damages for any

Developer default. For purposes of this Agreement the term “consequential damages” shall include, but not be limited to, potential loss of anticipated tax revenues from the Project or any portion thereof. Furthermore, the City, in addition to, or as an alternative to, exercising the remedies set forth in this Section 5.3, in the event of a material default by Developer, may give notice of its intent to terminate or modify this Agreement pursuant to the Development Agreement Act, in which event the matter shall be scheduled for consideration and review by the City Council in the manner set forth in the Development Agreement Act.

5.4 Developer’s Exclusive Remedies.

The parties acknowledge that the City Entities would not have entered into this Agreement if they were to be liable in damages under, or with respect to, this Agreement or any of the matters referred to herein including, but not limited to, the Development Plan, Conditions of Approvals, the Existing Development Regulations or any future amendments or enactments thereto, or the Project, except as provided in this Section. Accordingly, Developer covenants on behalf of itself and its successors and assigns, not to sue the City Entities for damages or monetary relief (except for attorneys’ fees as provided for by Section 8.22) for any breach of this Agreement by the City or arising out of or connected with any dispute, controversy, or issue between Developer and the City regarding this Agreement or any of the matters referred to herein including but not limited to the application, interpretation, or effect of this Agreement, the Development Plan, the Conditions of Approval, the Existing Development Regulations or any future amendments or enactments thereto, or any land use permits or approvals sought in connection with the development of the Project or any component thereof, or use of a parcel or any portion thereof, the parties agreeing that declaratory and injunctive relief, mandate, and specific performance shall be Developer’s sole and exclusive judicial remedies.

6.0 MORTGAGEE PROTECTION; CERTAIN RIGHTS OF CURE.

6.1 Encumbrances on the Project Site.

This Agreement shall not prevent or limit the Developer from encumbering the Site or any portion thereof or any improvements thereon with any mortgage, deed of trust, sale and leaseback arrangement, or any other form of conveyance in which the Site, or a portion thereof or interest therein, is pledged as security, and contracted for in good faith and fair value (a “Mortgage”) securing financing with respect to the construction, development, use or operation of the Project.

6.2 Mortgage Protection.

This Agreement shall be superior and senior to the lien of any Mortgage. Notwithstanding the foregoing, no breach of this Agreement shall defeat, render invalid, diminish, or impair the lien of any Mortgage made in good faith and for value, and any acquisition or acceptance of title or any right or interest in or with respect to the Site or any portion thereof by a holder of a beneficial interest under a Mortgage, or any successor or assignee to said holder (a “Mortgagee”) [whether pursuant to foreclosure, trustee’s sale, deed in lieu of foreclosure, lease termination or otherwise] shall be subject to all of the terms and conditions of this Agreement.

6.3 Mortgagee Not Obligated.

No Mortgagee will have any obligation or duty under this Agreement to perform the obligations of the Developer or other affirmative covenants of Developer hereunder, or to guarantee such performance, except that to the extent that any covenant to be performed by the Developer is a condition to the performance of a covenant by the City, the performance thereof shall continue to be a condition precedent to the City's performance hereunder.

6.4 Notice of Default to Mortgagee; Right of Mortgagee to Cure.

City shall, upon written request to the City, deliver to each Mortgagee a copy of any notice of default given to Developer under the terms of this Agreement, at the same time of sending such notice of default to Developer. The Mortgagee shall have the right, but not the obligation, within five (5) days [or thirty (30) days for non-monetary defaults] after the receipt of such notice from the City, to cure, correct, or remedy the default, or, for such defaults that cannot reasonably be cured, corrected, or remedied within five (5) days [thirty (30) days for non-monetary defaults], the Mortgagee shall commence to cure, correct, or remedy the default within such five (5) day period [or thirty (30) day period for non-monetary defaults], and shall continuously and diligently prosecute such cure to completion. If the default is of a nature which can only be remedied or cured by such Mortgagee upon obtaining possession of the Site, such Mortgagee shall have the right to seek to obtain possession with diligence and continuity through foreclosure, a receiver or otherwise, and shall be permitted thereafter to remedy or cure the default within such time as is reasonably necessary to cure or remedy said default but in no event more than thirty (30) days after obtaining possession. If any such default cannot, with diligence, be remedied or cured within such thirty (30) day period, then such period shall be extended to permit the Mortgagee to effect a cure or remedy so long as Mortgagee commences said cure or remedy during such thirty (30) day period, and thereafter diligently pursues and completes such cure.

7.0 TRANSFERS OF INTEREST IN SITE OR AGREEMENT.

7.1 Successors and Assigns.

Developer shall have the right to sell, transfer or assign its interest in the Site, or any portion thereof (provided that no such transfer shall violate the Subdivision Map Act, Government Code §66410, et seq.) to any person, partnership, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale or transfer shall include, with respect to the Site or the portion thereof sold or transferred, the assignment and assumption, in a fully executed written agreement, in whole or in part, of the rights, duties and obligations of the Developer under the terms of this Agreement. Developer shall notify the City of any sale, transfer, or assignment of its interest in the Site. Upon such sale, transfer or assignment, Developer shall, with respect to the Site or the portion thereof sold or transferred, be released from any further obligations under the terms of this Agreement, provided:

(a) Developer no longer has any legal or equitable interest in the Site or the portion thereof sold or transferred, as applicable;

(b) Developer is not, at the time of the transfer, in default under the terms of this Agreement; and

(c) Developer has submitted an executed assignment and assumption agreement in a form and content reasonably acceptable and approved by the City prior to entering such assignment.

8.0 MISCELLANEOUS.

8.1 Notices.

All notices permitted or required hereunder must be in writing and shall be effected by (i) personal delivery, (ii) first class mail, registered or certified, postage fully prepaid, or (iii) reputable same-day or overnight delivery service that provides a receipt showing date and time of delivery, addressed to the following parties, or to such other address as any party may from time to time, designate in writing in the manner as provided herein:

To City:	City of Adelanto 11600 Air Expressway Adelanto, CA 92301 Attn: City Clerk
With a copy to:	City Attorney 11600 Air Expressway Adelanto, CA 92301 Attn: City Attorney
To Developer:	Clark Pacific Precast, LLC Attn: Tom McGuire 1980 South River Road Sacramento, CA 95691
With a copy to:	Clark Pacific Precast, LLC Attn: General Counsel 1980 South River Road Sacramento, CA 95691

Any written notice, demand or communication shall be deemed received immediately if personally delivered, shall be deemed delivered on the day following the date of mailing if delivered by overnight delivery service, and shall be deemed received on the third day from the date it is postmarked if delivered by registered or certified mail.

8.2 Force Majeure.

In addition to specific provisions of this Agreement, performance by either party hereunder shall not be deemed to be in default where delays or failures to perform are due to war, insurrection, strikes, walk-outs, riots, floods, earthquakes, fires, casualties, acts of God, acts of the public enemy, terrorism, epidemics, quarantine restrictions, freight embargoes, governmental restrictions imposed or mandated by other governmental entities, governmental restrictions or priority, unusually severe weather, inability to secure labor, materials, or tools necessary for the Project, delays of any contractor, subcontractor or supplier; acts of another party, acts or the failure to act of any public or governmental agency or entity (except that acts or

the failure to act of the City shall not excuse performance by the City) or any other causes beyond the control or without the fault of the party claiming an extension of time to perform. An extension of time for any such cause shall only be for the period of the enforced delay, which period shall commence to run from the time of the commencement of the cause. The City and the Developer may also extend times of performance under this Agreement in writing.

Notwithstanding the paragraph above, Developer is not entitled pursuant to this Section 8.2 to an extension of time to perform because of past, present, or future difficulty in obtaining suitable construction or permanent financing for the development of the Site, or because of economic or market conditions.

8.3 Binding Effect.

This Agreement, and all of the terms and conditions hereof, shall be binding upon and inure to the benefit of the parties, any subsequent owner of all or any portion of the Project or the Site, and their respective assigns, heirs or successors in interest, whether or not any reference to this Agreement is contained in the instrument by which such person acquired an interest in the Project or the Site.

8.4 Independent Entity.

The parties acknowledge that, in entering into and performing this Agreement, each of the Developer, the City is acting as an independent entity and not as an agent of the other in any respect.

8.5 Agreement Not to Benefit Third Parties.

This Agreement is made for the sole benefit of the parties, and no other person shall be deemed to have any privity of contract under this Agreement nor any right to rely on this Agreement to any extent for any purpose whatsoever, nor have any right of action of any kind on this Agreement, nor be deemed to be a third party beneficiary under this Agreement.

8.6 Covenants.

The provisions of this Agreement shall constitute mutual covenants which shall run with the land comprising the Site for the benefit thereof, and the burdens and benefits hereof shall bind and inure to the benefit of each of the parties hereto and all successors in interest to the parties hereto for the term of this Agreement.

8.7 Nonliability of City Officers and Employees.

No official, officer, employee, agent or representative of the City, acting in his/her official capacity, shall be personally liable to Developer, or any successor or assign, for any loss, costs, damage, claim, liability, or judgment, arising out of or connection to this Agreement, or for any act or omission on the part of the City.

8.8 Covenant Against Discrimination.

Developer and City covenant and agree, for themselves and their respective successors and assigns, that there shall be no discrimination against, or segregation of, any person or group or persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry, or any other impermissible classification, in the performance of this Agreement. Developer shall comply with the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101, *et seq.*).

8.9 Amendment of Agreement.

This Agreement may be amended from time to time by mutual consent of the original parties or such party to which the Developer assigns all or any portion of its interest in this Agreement, in accordance with the provisions of Government Code Sections 65867 and 65868.

8.10 No Waiver.

No waiver of any provision of this Agreement shall be effective unless in writing and signed by a duly authorized representative of the party against whom enforcement of a waiver is sought and referring expressly to this Section. No delay or omission by either party in exercising any right or power accruing upon non-compliance or failure to perform by the other party under any of the provisions of this Agreement shall impair any such right or power or be construed to be a waiver thereof, except as expressly provided herein. No waiver by either party of any of the covenants or conditions to be performed by the other party shall be construed or deemed a waiver of any succeeding breach or nonperformance of the same or other covenants and conditions hereof.

8.11 Cooperation in Carrying Out Agreement.

Each party shall take such actions and execute and deliver to the other all such further instruments and documents as may be reasonably necessary to carry out this Agreement in order to provide and secure to the other party the full and complete enjoyment of its rights and privileges hereunder.

8.12 Estoppel Certificate.

Any party hereunder may, at any time, deliver written notice to any other party requesting such party to certify in writing that, to the best knowledge of the certifying party, (i) this Agreement is in full force and effect and a binding obligation of the parties, (ii) this Agreement has not been amended or modified either orally or in writing, or if so amended, identifying the amendments, (iii) the requesting party is not in default in the performance of its obligations under this Agreement, or if in default, describing the nature and amount of any such defaults, and (iv) any other reasonable information requested. A party receiving a request hereunder shall execute and return such certificate within thirty (30) days following receipt of such written request. The City Manager, Assistant City Manager, and Community Development Director are each authorized to sign and deliver an estoppel certificate on behalf of the City. The City acknowledges that a certificate hereunder may be relied upon by transferees and Mortgagees.

8.13 Construction.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction that might otherwise apply. As used in this Agreement, and as the context may require, the singular includes the plural and vice versa, and the masculine gender includes the feminine and vice versa.

8.14 Recordation.

This Agreement shall be recorded with the County Recorder of San Bernardino County at Developer's cost, if any, within the period required by Government Code Section 65868.5. Amendments approved by the parties, and any cancellation or termination of this Agreement, shall be similarly recorded.

8.15 Captions and References.

The captions of the paragraphs and subparagraphs of this Agreement are solely for convenience of reference, and shall be disregarded in the construction and interpretation of this Agreement. Reference herein to a paragraph or exhibit are the paragraphs, subparagraphs and exhibits of this Agreement.

8.16 Time.

Time is of the essence in the performance of this Agreement and of each and every term and condition hereof as to which time is an element.

8.17 Recitals & Exhibits Incorporated; Entire Agreement.

The Recitals to this Agreement and all of the exhibits and attachments to this Agreement are, by this reference, incorporated into this Agreement and made a part hereof. This Agreement, including all Exhibits attached hereto, constitutes the entire agreement between the parties with respect to the subject matter of this Agreement, and this Agreement supersedes all previous negotiations, discussions and agreements between the parties, and no parole evidence of any prior or other agreement shall be permitted to contradict or vary the terms hereof.

8.18 Exhibits.

Exhibit "A" (Legal Description of Site) to which reference is made in this Agreement is deemed appropriated herein in its entirety.

8.19 Counterpart Signature Pages.

For convenience the parties may execute and acknowledge this agreement in counterparts and when the separate signature pages are attached hereto, shall constitute one and the same complete Agreement.

8.20 Authority to Execute.

Developer warrants and represents that (i) it is duly organized and existing, (ii) it is duly authorized to execute and deliver this Agreement, (iii) by so executing this Agreement, Developer is formally bound to the provisions of this Agreement, (iv) Developer's entering into and performance of its obligations set forth in this Agreement do not violate any provision of any other agreement to which Developer is bound, and (v) there is no existing or threatened litigation or legal proceeding of which Developer is aware which could prevent Developer from entering into or performing its obligations set forth in this Agreement.

8.21 Governing Law; Litigation Matters.

The internal laws of the State of California shall govern the interpretation and enforcement of this Agreement without regard to conflicts of law principles. Any action at law or in equity brought by any party hereto for the purpose of enforcing, construing, or interpreting the validity of this Agreement or any provision hereof shall be brought in the Superior Court of the State of California in and for the County of Riverside, or such other appropriate court in said county, and the parties hereto waive all provisions of law providing for the filing, removal, or change of venue to any other court. Service of process on City shall be made in accordance with California law. Service of process on Developer shall be made in any manner permitted by California law and shall be effective whether served inside or outside of California. In the event of any action between the parties hereto seeking enforcement of any of the terms of this Agreement or otherwise arising out of this Agreement, the prevailing party in such litigation shall be awarded, in addition to such relief to which such party is entitled, its reasonable attorney's fees, expert witness fees, and litigation costs and expenses.

8.22 No Brokers.

Each of the City and the Developer represents to the other party that it has not engaged the services of any finder or broker and that it is not liable for any real estate commissions, broker's fees, or finder's fees which may accrue by means of this Agreement, and agrees to hold harmless the other party from such commissions or fees as are alleged to be due from the party making such representations.

[Remainder of Page Intentionally Left Blank.]

IN WITNESS WHEREOF, the Developer and the City have executed this Agreement as of the Reference Date.

“DEVELOPER”

Clark Pacific Precast, LLC, a California
LIMITED LIABILITY COMPANY

By: _____

Its: _____

By: _____

Its: _____

“CITY”

CITY OF ADELANTO, a California
municipal corporation and charter city

By: _____

Cindy Herrera
City Manager

ATTEST:

Cindy Herrera
City Clerk

APPROVED AS TO FORM

City Attorney

State of California)
County of _____)

On _____, before me, _____, Notary Public,
(here insert name and title of the officer)
personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (seal)

State of California)
County of _____)

On _____, before me, _____, Notary Public,
(here insert name and title of the officer)
personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (seal)

State of California)
County of _____)

On _____, before me, _____, Notary Public,
(here insert name and title of the officer)
personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
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foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (seal)

State of California)
County of _____)

On _____, before me, _____, Notary Public,
(here insert name and title of the officer)
personally appeared _____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument, and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (seal)

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EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ADELANTO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

EXCEPTING 50% OF ALL GAS, OIL, HYDROCARBONS AND ALL MINERAL LYING IN, ON OR UNDER SAID LAND, AS RESERVED BY T.I. MICALLEF AND SALLY MICALLEF, HUSBAND AND WIFE, BY DEED RECORDED OCTOBER 30, 1959, IN BOOK 4969, PAGE 435, OFFICIAL RECORDS.

APN: 3129-551-01-0-000

PARCEL 2:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 6 WEST OF THE SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPT THEREFROM FIFTY PERCENT OF ALL GAS, OIL, HYDROCARBONS AND ALL MINERALS LYING IN, ON OR UNDER SAID LAND, AS RESERVED BY T. J. MICALLEF AND SALLY MICALLEF, HUSBAND AND WIFE, BY DEED RECORDED OCTOBER 30, 1959 IN BOOK 4969, PAGE 435 OF OFFICIAL RECORDS.

APN: 3129-551-02-0-000

PARCEL 3:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING 50 PER CENT OF ALL GAS, OIL, HYDROCARBONS AND ALL MINERALS LYING IN, ON OR UNDER SAID LAND, AS RESERVED BY T. J. MICALLEF AND SALLY MICALLEF, HUSBAND AND WIFE, IN DEED RECORDED OCTOBER 30, 1959 IN BOOK 4969, PAGE 436 OFFICIAL RECORDS, BUT WITHOUT SURFACE RIGHTS DOWN TO A DEPTH OF 500 FEET AS CONTAINED IN QUITCLAIM DEED EXECUTED BY T. 3. MICALLEF AND SALLY MICALLEF RECORDED AUGUST 10, 1977.

APN: 3129-551-03-0-000

PARCEL 4:

THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 6 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

APN: 3129-541-01-0-000

PRELIMINARY PHASING PLAN ADELANTO PLANT SITE DEVELOPMENT

3129-261-11

3129-501-08

3129-501-09

PHASE 1 (OFF-SITE) BEAVER ROAD

PHASE 2 (OFF-SITE)

PHASE 2 (OFF-SITE)

PHASE 1 (OFF-SITE) KOALA ROAD

3128-331-01

3128-331-02

3128-331-04

3128-331-07

PHASE 2

3129-261-11

PHASE 1 OFF-SITE IMPROVEMENTS
 BEAVER ROAD - CURB, GUTTER, ASPHALT, UNDERGROUND
 HOLLY ROAD - CURB, GUTTER, ASPHALT, UNDERGROUND
 KOALA ROAD - CURB, GUTTER, ASPHALT, UNDERGROUND
 SEWER CONNECTION TO EXISTING SEWER LINE
 WATER CONNECTION TO EXISTING WATER LINE

PHASE 2 IMPROVEMENTS
 BEAVER ROAD - S/W, LANDSCAPING, IRRIGATION
 HOLLY ROAD - S/W, LANDSCAPING, IRRIGATION
 KOALA ROAD - S/W, LANDSCAPING, IRRIGATION

PROJECT PROPERTY BOUNDARY

PHASE 2

PHASE 1

PHASE 2

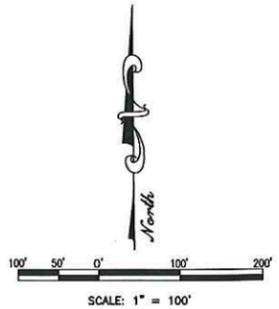
3129-551-01

3129-551-02

3129-551-03

3129-551-04

- PHASE 1 ON-SITE
- PHASE 1 OFF-SITE
- PHASE 2 ON-SITE
- PHASE 2 OFF-SITE



MerrellJohnson
 COMPANIES
 22221 HIGHWAY 18
 APPLE VALLEY, CALIFORNIA 92307
 (760) 240-8000
 (760) 240-1400 FAX

128 E. FREDRICKS STREET
 BARISTOW, CALIFORNIA 92311
 (760) 256-2068
 (760) 256-0418 FAX

APN'S: 3129-541-01
 3129-551-01 TO 03

PHASING EXHIBIT

FOR
 CLARK PACIFIC

DRAWN BY:
 SAD
 DATE:
 12/17/15
 JOB NO.
 3369
 SHEET
 PH-1

**CALIFORNIA ENVIRONMENTAL QUALITY ACT
INITIAL STUDY**

**CLARK-PACIFIC ADELANTO PLANT
APN: 312954101
ADELANTO, CALIFORNIA**

Submitted to:

Planning Division
City of Adelanto
11600 Air Expressway Boulevard
Adelanto, California 92301

Submitted by:

Clark-Pacific

Prepared by:

Lilburn Corporation
1905 Business Center Drive
San Bernardino, CA 92408

October 2015

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CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:	Clark Pacific Adelanto Plant
Lead Agency Name and Address:	City of Adelanto 11600 Air Expressway Boulevard P.O. Box 10 Adelanto, CA 92301
Contact Person and Phone Number:	Mark de Manincor (760) 246-2300
Project Location:	Southeast corner of Holly Road and Beaver Road
Project Sponsor Name and Address:	Clark Pacific 1980 South River Road Sacramento, CA 95691
General Plan Description:	Manufacturing Industrial.
Zoning:	MI (Manufacturing/Industrial)
Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)	See description below.
Surrounding land uses and setting; briefly describe the project's surroundings:	Vacant to the east and south, existing manufacturing land uses to the north, and a car testing facility to the west. Adelanto Airport to the west.
Other public agencies whose approval is required (E.G. permits, financial approval, or participation agreements):	See description below.

DESCRIPTION OF PROJECT:

Project Summary

Clark Pacific Inc., a manufacturer of pre-cast and pre-stressed concrete products is proposing the development of a pre-cast concrete products production facility on approximately 111 acres in the City of Adelanto.

Pre-cast concrete products, such as those produced by Clark Pacific have a variety of applications and have been used in the construction of high rise residential developments, industrial, commercial, transportation, parking and other structures. Production of pre-cast panels involves the use of steel forms, reinforcing steel, miscellaneous metal connectors, and concrete. To fabricate the pre-cast products, the reinforcing and miscellaneous metal are set in steel forms, concrete is poured into the forms, the concrete is cured overnight, the product is removed from the form the next morning when it is textured/finished, and then placed in storage. The panels generally average from 60 to 62 feet in length and 12 feet in width; panels may occasionally reach up to 95 feet in length. When the job site destination is ready, Clark Pacific transports the panels by truck and installs them.

The Proposed Project entails the construction and operation of a structural concrete manufacturing facility on approximately 111 acres at the southeast corner of Beaver Road and Holly Road in the City of Adelanto.

Project Location

The City of Adelanto is located in San Bernardino County, California about 9 miles northwest of Victorville in the High Desert portion of the County. The Project Site is located in the southwestern portion of the City approximately 3 miles east of Highway 395 and approximately 2 miles north of California State Route-18 (Palmdale Road/Pearblossom Highway). Figure 1: Regional Location Map, depicts the location of the Project Site in context of its regional setting. As shown on Figure 2: Vicinity Map, the Project Site incorporates approximately 111 acres located at the southeast corner of Beaver Road and Holly Road in the City of Adelanto. The property lies within Section 7 of Township 5 North, Range 6 West, Adelanto Calif. Quadrangle, San Bernardino Baseline and Meridian, and includes the following Assessor Parcel Numbers: 3129-541-01, 3129-551-01, -02, and -03.

Description of the Proposed Project

Two discretionary actions are required on the part of the City to approve the Project. Approval of a Development Agreement is necessary to allow the project within the City. The Project Applicant also seeks approval of a General Plan Amendment to realign Koala Road to the east side of the Proposed Project location.

The Project Applicant proposes to construct and operate a structural concrete manufacturing facility on a 111-acre property in accordance with the existing M-I Manufacturing Industrial land use designation. The proposed facility is designed to include an 80,000 square-foot production building, a 45,000 square-foot materials warehouse, a 4,000 square-foot maintenance shop, a 16,800 square-foot administrative building, and approximately 39,000 square-feet of ancillary buildings attached to the production building (see Figure 3: Facility Master Plan).

The Proposed Project will also include construction of a concrete batch plant with aggregate bins, casting tables, and concrete outside storage area for various structural elements produced at the facility.

Construction of the manufacturing plant will entail conventional construction consisting of reinforced concrete tilt-up buildings approximately 24 feet in height. The cement batch plant silos will be approximately 40 feet in height. Proposed parking includes an approximately 442-space standard automobile parking lot, with additional trailer parking stalls provided within the facility.

Hours of Operation

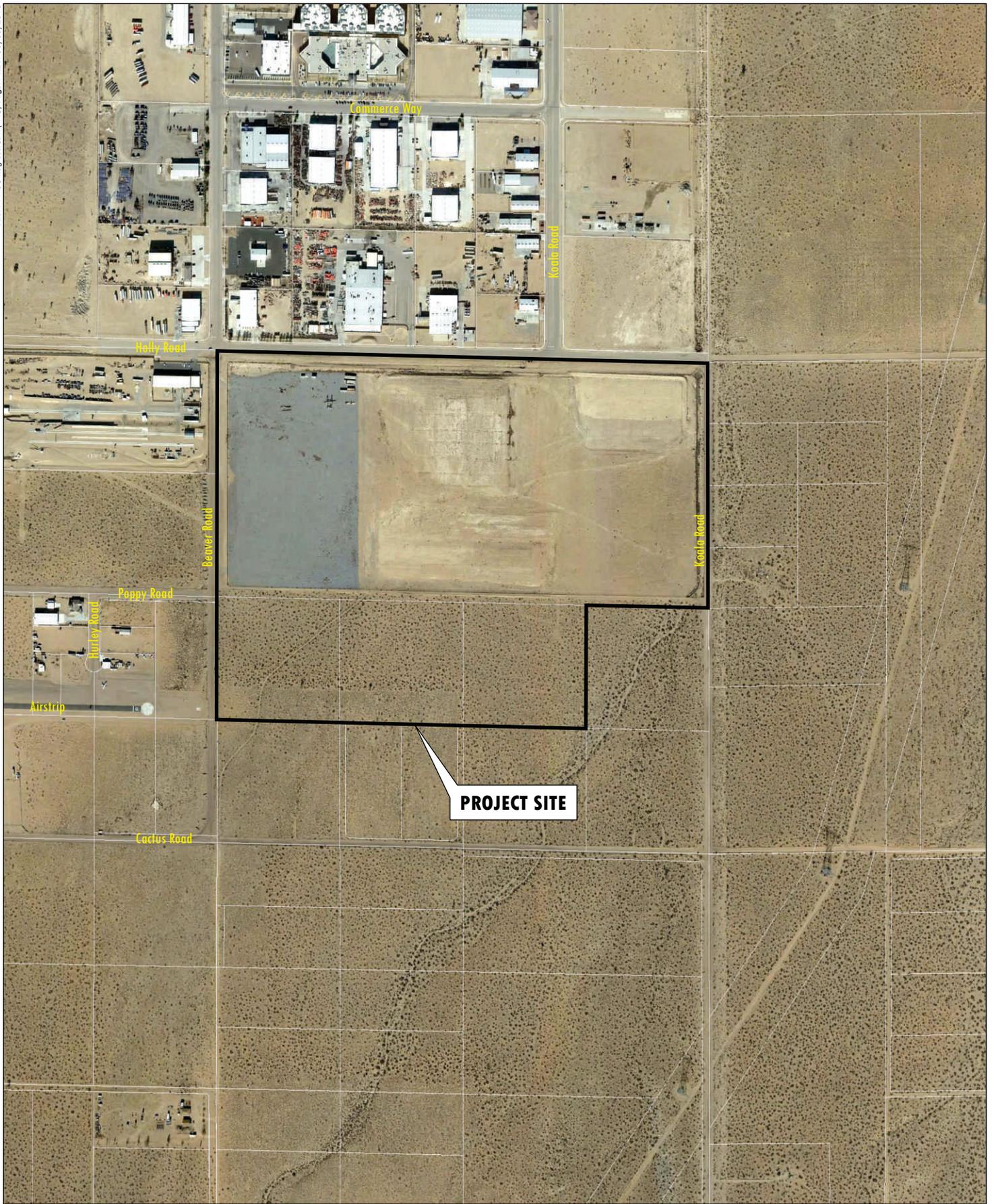
Proposed hours of operation, in general would be from 7:00 am to 4:00 pm; however, the facility may request an early start and end time during extreme weather.



REGIONAL LOCATION

MERRELL JOHNSON COMPANY - CLARK PACIFIC ADELANTO PLANT
City of Adelanto, County of San Bernardino, California

FIGURE 1



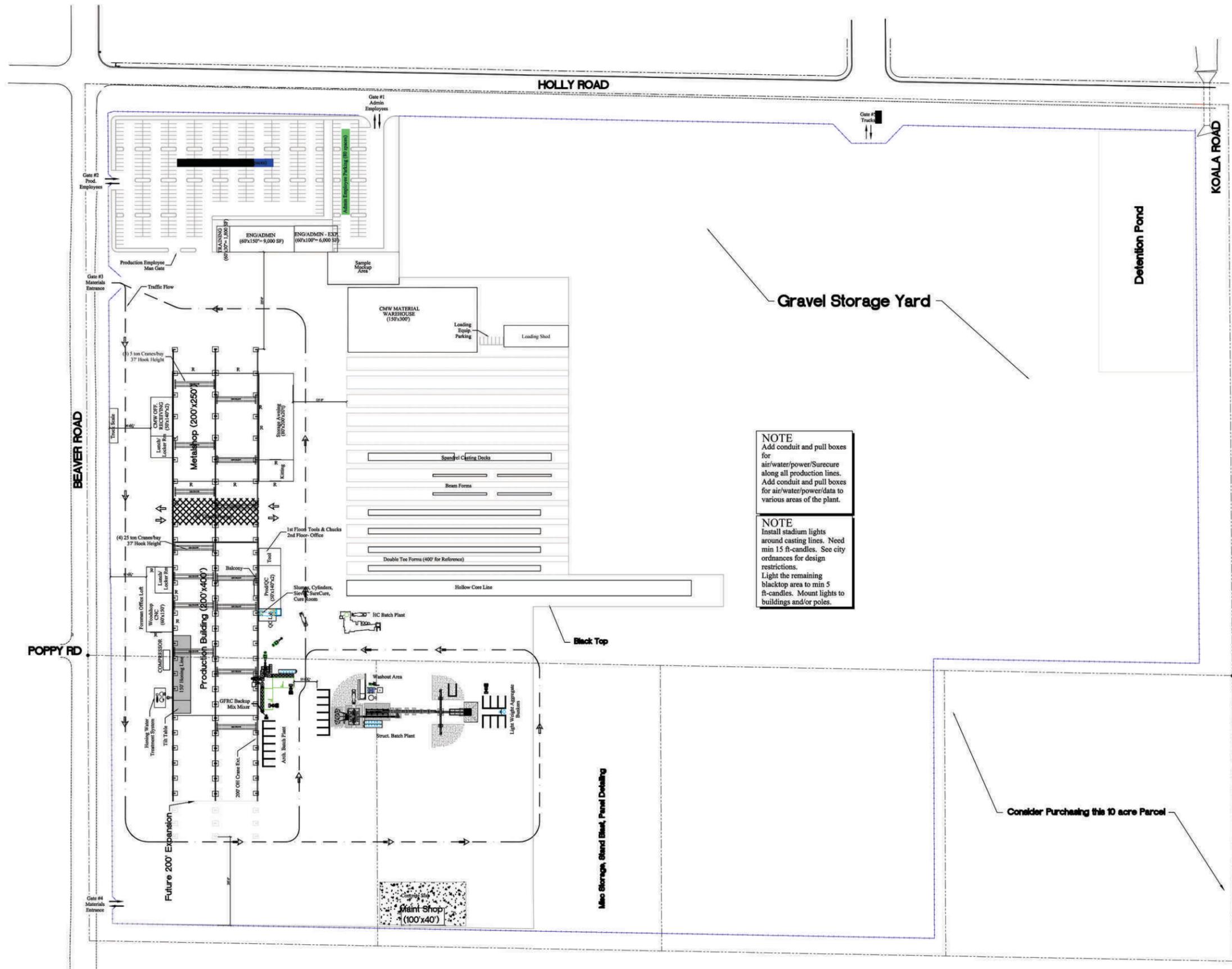
PROJECT SITE



PROJECT VICINITY

MERRELL JOHNSON COMPANY - CLARK PACIFIC ADELANTO PLANT
City of Adelanto, County of San Bernardino, California

FIGURE 2



NOTE
 Add conduit and pull boxes for air/water/power/Surecure along all production lines. Add conduit and pull boxes for air/water/power/data to various areas of the plant.

NOTE
 Install stadium lights around casting lines. Need min 15 ft-candles. See city ordinances for design restrictions. Light the remaining blacktop area to min 5 ft-candles. Mount lights to buildings and/or poles.

Consider Purchasing this 10 acre Parcel



PROJECT SITE PLAN
 MERRELL JOHNSON COMPANY - ADELANTO PLANT
 City of Adelanto, County of San Bernardino, California

FIGURE 3

Clark-Pacific Inc./Project No. _____

October 2015

Traffic

Regional access to the Project Site is mainly provided by US-395. Local access is provided by various roadways in the vicinity of the site. The north-south roadways expected to provide local access include Beaver Road, Koala Road, Bellflower Street, and US-395. The east-west roadways which will be most affected by the project include Rancho Road, Industry Way, Holly Road, Mojave Drive, Palmdale Road, Dos Palmas Road, and Luna Road.

Off-Site Improvements

The Proposed Project development will include half-street improvements on the east side of Beaver Road, south side of Holly Road, and west side of Koala Road. The drainage corridor on the easterly property line will be improved and has been designed to carry a 100-year event (Q-100) capacity of 888 cubic feet per second (cfs). The channel will have a 20-foot earthen bottom width, concrete side slopes at a 2:1 slope, and an access road on the channel's west side.

Existing General Plan Designation and Zoning

The Project Site is located in the, Manufacturing/Industrial zone of the City of Adelanto's Land Use/Zoning Map. The Manufacturing/Industrial zone comprises a wide corridor through the city that stretches west to east across the entire city. The drainage channel located along the Project Site's east boundary is identified in the City's Zoning Map as a "Drainage/Open Space Corridor," and is part of the City's Master Plan of Drainage. Project approval will provide for a General Plan Amendment to realign Koala Road to the east of the Project Site.

Surrounding Land Uses and Setting:

The Proposed Project is centrally located within the Manufacturing/Industrial zone, on the south side of Holly Road between Beaver Road and Koala Road. Existing manufacturing and industrial uses occur to the north and west; land to the south and east is vacant. Rural residential development occurs within the Airport Park land use designation west of Beaver Road and south of Poppy Road. The visual character of the site's surroundings is dominated by manufacturing and industrial uses occurring to the north and west of the site, and undeveloped properties designated for future industrial and manufacturing development.

Other Public Agencies Whose Approval is Required :

Other agencies responsible for the protection of natural resources and/or with interest in the Proposed Project include:

- Lahonton Regional Water Quality Control Board (Construction Activity General Construction Permit; NPDES Permit),
- City of Adelanto Public Works Department (Water Quality Management Permit and storm drain design and roadway improvements), and
- City of Adelanto Water Department (domestic water and sewer system design).
- San Bernardino County Fire Department Certified Unified Program Agency (Hazardous Materials Release Response Plan and Inventory - Business Plan)

The above mentioned agencies are not meant to be an all-inclusive list and other agencies may have responsibility over some aspect of the project.

Employment

At full operation the Proposed Project is anticipated to employ approximately 300 full- and part-time employees.

EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on seventeen (17) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

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

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

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

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

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

Prepared By: Lilburn Corporation	Date:
Signature:	
Printed Name:	
Reviewed by:	Date:
Printed Name: Mark de Manincor	2-25-16

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
I. AESTHETICS - Would the project				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

- I a) **No impact.** The Project Site is located south of Holly Road between Beaver Road and Koala Road. The site is located within the City of Adelanto Manufacturing/Industrial zoned district and would not have an effect on a scenic vista. Manufacturing and industrial uses occur to the north and the west of the site. No existing development occurs to the east or south. Development of the site is consistent with zoning and existing uses; therefore, no impacts are identified or anticipated and no mitigation measures are required.
- I b) **No impact.** Visual resources identified in the City of Adelanto General Plan include the Shadow Mountains, the Fremont Wash, the bluffs along the Mojave River, and the distant San Bernardino and San Gabriel Mountains. Development of the Proposed Project would not impact the resources identified in the General Plan. Development of the site will not substantially damage scenic resources, including trees, rock outcroppings or historic buildings and scenic highways because these resources do not occur at the site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- I c) **No impact.** The proposed facility will produce pre-cast concrete products. The facility will be developed on four parcels zoned for manufacturing/industrial uses within the City of Adelanto. Surrounding zoning and existing development is also manufacturing/industrial. Development of the site would not substantially degrade the existing character or quality of the site and its surroundings and no mitigation measures are required.
- I d) **Less than significant.** As shown on Figure 3: Facility Master Plan, stadium lights would be installed around the casting line area of the facility. The stadium lights illumination would include at a minimum 15 foot-candles; portions of the site developed with blacktop would be lit with a minimum 5 foot-candles. All lighting would be designed in accordance with the City of

Adelanto Industrial Design Standards as defined in Section 17.15.070(H) of the Development Code. Although development of the Proposed Project would result in new light sources; all lighting will be designed in accordance with the City of Adelanto Development Code therefore, less than significant impacts are anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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II. AGRICULTURE AND FORESTRY RESOURCES -

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

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

SUBSTANTIATION

II a) **No impact.** Graded portions of the Project Site are identified as “grazing land” in the California Department of Conservation-California Important Farmland Finder; the portion of the site developed with decomposed gravel is identified as “other land.” No prime farmland, unique farmland, or farmland of Statewide importance, is shown on the Farmland Mapping and Monitoring Program maps. The Proposed Project will not result in the conversion of the farmland to non-agricultural use; therefore, no impacts are identified or anticipated and no mitigation measures are required.

- II b) **No impact.** As identified in the latest Williamson Act Map for the County of San Bernardino (FY 2012/2013) the Project Site is not under a Williamson Act contract and no Williamson Act lands occur in the vicinity. The site is currently vacant and is not developed or zoned for agricultural uses. The Proposed Project would not conflict with existing zoning for agricultural uses or with an existing Williamson Act contract. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- II c) **No impact.** Existing zoning at the site is MI (mineral/industrial). Existing zoning to the north, east and south is also MI. To the west, zoning includes MI and AP (airport park). No zoning for forest land, timberland, or timberland zoned for Timberland Production occurs at the site or in its vicinity. Development of the Proposed Project would not conflict with zoning for, or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. Therefore, no impacts are identified or anticipated and no mitigation measures are required
- II d) **No impact.** No agricultural uses or zoning for farmland and forest land occur at the site. Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural uses or conversion of forest land to non-forest use because those uses do not exist at the site. Therefore, no impacts are identified or anticipated and no mitigation measures are required

Potentially Significant Impact Less than Significant with Mitigation Incorp. Less than Significant No Impact

III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

The following is based on an Air Quality Assessment prepared by Lilburn Corporation, March 2015

- a) **Less Than Significant Impact:** The Proposed Project is the development of a pre-cast and pre-stressed concrete products manufacturer. The Project Site is within the Mojave Desert Air Basin (MDAB) and under the jurisdiction of the Mojave Desert Air Quality Management District (MDAQMD). The MDAQMD is responsible for updating the Air Quality Management Plan (AQMP). The AQMP was developed for the primary purpose of controlling emissions to maintain all federal and state ambient air standards for the district. The proposed use is consistent with the City's General Plan and therefore, consistent with the current AQMP. Development of the proposed use is not anticipated to significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the plan. Less than significant impact is anticipated.
- b/c) **Less Than Significant Impact:** Proposed site development and construction was screened using CalEEMod version 2013.2.2 air model. This model is used to generate emissions estimates for

land use development projects. The criteria pollutants screened for included: reactive organic gases (ROG), nitrous oxides (NO_x), carbon monoxide (CO), and particulates (PM₁₀ and PM_{2.5}). Two of these, ROG and NO_x, are ozone precursors. Emissions assumptions were based on the CalEEMod default values for an industrial land use. The emission levels listed reflect the estimated winter season levels, which are normally higher due to atmospheric conditions (marine layer) and increased use of heating systems. The general construction phases for most projects include site grading and development.

Construction Emissions

Construction earthwork emissions are considered short-term, temporary emissions. Once construction is complete and the facility is in use, emissions will be predominately generated by employee vehicles. The resulting emissions generated by construction of the Proposed Project are shown in Tables 1 and 2.

Table 1
Construction Emissions Summary
(Pounds Per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	5.1	54.7	42.1	0.0	21.1	12.6
Grading	6.5	74.9	50.2	0.0	17.2	7.4
Building Construction	4.1	31.4	28.2	0.0	2.8	2.0
Paving	2.0	20.2	15.4	0.0	1.2	1.1
Architectural Coating	63.4	2.2	2.6	0.0	0.3	0.2
Highest Value (lbs/day)	63.4	74.9	50.2	0.0	21.1	12.6
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: Air Quality Assessment, October 2015

Phases don't overlap and represent the highest concentration.

As shown in Table 1, construction emissions would not exceed MDAQMD thresholds. Impacts would be less than significant. However, the Applicant would be required to comply with MDAQMD rules and regulations 402 and 403 (i.e watering exposed areas 2x daily).

Compliance with MDAQMD Rules 402 and 403

The Applicant is required to comply with all applicable MDAQMD rules and regulations. Therefore, per MDAQMD Rules 402 and 403, the mitigation requiring that exposed surfaces during construction be watered twice per day was "turned on" within the CalEEMod analysis. The developer and its contractor will be required to comply with mandated MDAQMD rules and regulations, including but not limited to, Rules 402 and 403. Therefore, the following dust control conditions applicable to the site activities as recommended by Rules 402 and 403 shall also be implemented:

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

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The following mitigation measures shall be implemented to reduce impacts.

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. Site development will be limited to one acre disturbed per day.
3. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLP) spray method, or manual coatings application such as paint brush, hand roller, trowel, dauber, rag, or sponge.
4. The contractor shall utilize water-based or low VOC coating per MDAQMD Rule 1113. The following measures shall also be implemented:
 - Use Super-Compliant VOC paints whenever possible.
 - If feasible, avoid painting during peak smog season: July, August, and September.
 - Recycle leftover paint. Take any left-over paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
 - Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
 - For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center (www.cleanup.org).
 - Recycle the empty paint can.
 - Look for non-solvent containing stripping products.

- Use Compliant Low-VOC cleaning solvents to clean paint application equipment.
 - Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
5. The project proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation.
 6. The project proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
 7. All buildings on the project site shall conform to energy use guidelines in Title 24 of the California Administrative Code as updated to reduce energy consumption and reduce GHG emissions.
 8. The operator shall maintain and effectively utilize and schedule on site equipment and delivery trucks in order to minimize exhaust emissions from truck idling.

Operational Emissions

Operational source emissions associated with the operation of the facility are from energy usage. The primary emissions are from mobile sources (e.g. vehicles). It is anticipated that the proposed project would generate approximately 1,088 vehicular trips a day (Traffic Impact Analysis prepared by Kunzman Associates, Inc., March 2015). Operational emissions associated with the Proposed Project are listed in Table 2.

Table 2
Operations Emissions Summary
(Pounds Per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	5.1	0.0	0.0	0.0	0.0	0.0
Energy	0.2	1.7	1.4	0.0	0.1	0.1
Mobile	5.2	15.2	64.8	0.1	7.0	2.0
Concrete Batch Plant ¹	0.0	0.0	0.0	0.0	15.9	15.9
Total Value (lbs/day)	10.5	16.9	66.2	0.1	23.0	18.0
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

Source: Air Quality Assessment, October 2015

As shown in Table 2, operational impacts are less than significant. Therefore, project level impacts are not anticipated to exceed MDAQMD thresholds. Less than significant impact is anticipated.

- d) **Less Than Significant Impact:** The Project Site is zoned for Manufacturing/Industrial uses which has been previously assessed and approved per the City’s General Plan and has been included in the AQMP. An increase in air quality emissions produced as a result of construction activities would be short-term, below MDAQMD significance thresholds, and would cease once construction is complete. Dust suppression (i.e., water application) as required by the City’s Development Code, would reduce 50 to 75 percent of fugitive dust emissions during

construction. Operational emissions were also modeled and determined to not exceed MDAQMD thresholds. Therefore, impacts to sensitive receptors from pollutants are anticipated to be less than significant.

- e) **Less Than Significant Impact:** The proposed end use is not anticipated to generate emissions that could generate objectionable odors. A less than significant impact is anticipated.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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IV. BIOLOGICAL RESOURCES - Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

Natural Resources Assessment, Inc. (NRAI) conducted a general biological survey of the Project Site. The survey findings were documented in NRAI's "Biological Resources Assessment Clark Pacific Concrete Plan Expansion Project" report dated March 30, 2015. Subsequent protocol surveys for the Mohave ground squirrel were completed; the findings are summarized here in.

IV a) **Less than significant with mitigation incorporated.** Approximately 80 acres of the Project Site fronting Holly Road were previously developed. This portion of the Project Site is enclosed by a perimeter fence, about one-third of the area is covered with decomposed granite and supports ruderal (weedy) plant species, the remaining two-thirds are vacant compacted land with a plant community dominated by weedy forbs such as desert fiddleneck (*Amsinckia tessallata*) and Russian thistle (*Salsola tragus*), and weedy, mostly non-native red brome (*Bromus medritensis* ssp. *madritensis*).

The southern portion (approximately 30 acres) of the Project Site is relatively undisturbed and supports two stands of creosote bush scrub. The first stand of creosote bush occurs predominantly on the northern section of the 30 acre area. Vegetation is dominated by creosote bush (*Larrea tridentate*) and burrobush (*Ambrosia dumosa*). Other shrubs in this area include California buckwheat (*Eriogonum fasciculatum*), cheesebush (*Hymenoclea salsola*), Mormon tea (*Ephedra nevadensis*), and disk goldenhead (*Acamptopappus sphaerocephalus*). Annual wild flowers in this area include Fremont's pincushion (*Chaenactis fremontii*), desert dandelion (*Malacothrix glabrata*), and desert suncup (*Camissonia campestris*). The second stand of creosote bush scrub occurs on the southwest corner of the 30 acre area. The stand appears to have been disturbed by past grading activities. The dominant shrub is burrobush followed by creosote bush. There is almost no California buckwheat, cheesebush, Mormon tea, or goldenhead shrubs in this area, but there are many of the same wildflowers as occur further north.

NRAI found that the undisturbed 30-acre portion of the Project Site provides suitable habitat for the Mohave ground squirrel, a State-listed threatened species; desert tortoise, a State and federally listed threatened species; and burrowing owl, a California species of special concern.

Following the general biological survey of the Project Site, surveys for Mohave ground squirrel were completed by Phillippe Vergne of ENVIRA Consulting. The surveys followed the USFWS protocol survey guidelines for Mohave ground squirrel; a total of three trapping sessions were conducted between April and July 2015. All trapping sessions returned negative results for Mohave ground squirrel and it was concluded that the species is not present at the Project Site.

NRAI concluded that impacts to the creosote bush scrub plant community and the associated wildlife habitat are not considered to be significant. Although no sign of desert tortoise was recorded during the field survey, NRAI recommended measures as described below be incorporated into the project to avoid and minimize potential impacts to the species should it occupy the area prior to or during construction. Similar measures are recommended for burrowing owl. Following the negative results of the focused surveys for Mohave ground squirrel; no additional recommendations were made to address Mohave ground squirrel.

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

Desert Tortoise

- BIO-1:** A clearance survey shall be conducted for desert tortoise prior to construction per USFWS guidelines (guidelines are summarized in the NRAI report). The clearance survey shall be completed no more than 30 days prior to the start of ground disturbance. If animals are found resident on-site, consultation with the CDFW and USFWS will be required. Implementation of avoidance/minimization mitigation measures and/or a take permit and compensatory mitigation shall be implemented as agreed to by the Project Proponent and the regulatory agencies.
- BIO-2:** During construction, if desert tortoise wanders onto the site in the absence of an exclusion fence, all construction shall be halted. The Project Proponent shall notify the Planning Department of the incident. Construction shall resume only after the animal leaves the area on its own.
- BIO-3:** All construction personnel connected with the project or working on-site shall be required to attend an education course on the desert tortoise. The course should be given by a qualified desert tortoise biologist. The course should be given prior to the start-up of construction work. At a minimum, the course should cover the following:
- General behavior and ecology of the tortoise
 - Distribution of the desert tortoise
 - Sensitivity to human activities
 - Status of the desert tortoise under state and federal endangered species acts
 - Restrictions and guidelines that must be followed by all construction personnel
 - Penalties and fines for harming desert tortoise
 - Reporting requirements
 - Project protective mitigation measures

Burrowing Owl

- BIO-4:** The project proponent shall conduct a take avoidance survey no less than 14 days prior to initiating ground activities on the project area to determine if burrowing owls are nesting on site. If burrowing owls are found during the take avoidance survey, follow up surveys by a CDFW approved biologist and implementation of avoidance measures, preparation of a Burrowing Owl Mitigation and Monitoring Plan, and compensatory mitigation in consultation with the CDFW mitigation may be required.

5. IV b) **No impact.** No riparian vegetation was documented within the Project Site during the biological resources survey. The Proposed Project would not have an adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service because these resources do not occur on-site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- IV c) **No impact.** No wetlands as defined by Section 404 of the Clean Water Act occur on the site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- IV d) **Less than significant.** Under existing conditions approximately 80 acres of the Project Site are fenced and do not allow for wildlife movement. The approximately 30 acres on the south allow for movement limited by the chain-link fence of the 80-acres to the north and sporadic development to the west and south. A desert drainage along the eastern property boundary has been developed into an open ditch as part of the City's Master Plan of Drainage and no longer serves as a wildlife corridor. Due to the proximity of the undisturbed 30 acres to the previously developed site, it was concluded that the implementation of the project will not result in significant habitat fragmentation. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- IV e) **Less than significant.** Joshua trees and silver cholla were recorded within the 30 undisturbed acres. Removal of these species is regulated under the California Desert Native Plants Act and Division 8, Chapter 88.01: Plant Protection and Management of the San Bernardino County Development Code. The City of Adelanto enforces native plant protection measures as described in the County Development Code. Prior to obtaining a grading permit the Project Proponent would be required to submit an application for a Native Vegetation Removal Permit and Joshua Tree Survey to the City's Planning Department. A survey completed by the City's Engineering Department would identify all Joshua Trees and other native vegetation requiring transplantation and issue a vegetation removal permit for all other vegetation. Transplantation of all Joshua Trees and other vegetation noted on the permit as requiring transplantation must be performed under the supervision of an experienced/City-approved arborist. Prior to the required transplantation of any native vegetation, a transplantation plan must be submitted to the City of Adelanto. After transplantation, the City may inspect the transplanted specimens to assure that transplantation has been performed appropriately. As part of its approval process through the City the Proposed Project will include a native plant survey and ultimately a transplantation plan. Implementation of the project is not anticipated to conflict with local policies or ordinances biological resources. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- IV f) **No impact.** The Project Site is not located within a Natural Community Conservation Plan as identified in the latest California Regional Conservation Plans map published by the California Department of Fish and Wildlife (March 2014). The Project Site is located within the planning boundaries of the West Mojave Plan HCP, a federal land use plan adopted by the BLM in 2006 for the conservation of the desert tortoise, the Mohave ground squirrel, and over 100 other

sensitive plants and animals, and their natural communities. The West Mojave Plan provides a streamlined program for complying with the requirements of CESA and FESA. However, to date no approvals or implementation plans have been approved by CDFW; therefore, the plan applies only to public lands under the jurisdiction of BLM. The Project Site is also located within the planning boundaries of the Desert Renewable Energy Conservation Plan (DRECP) NCCP/HCP. The DRECP is currently a proposed plan, a final draft of the document has not been approved, and no implementing agreements have been issued. No other NCCP/HCPs are known in the area, the Proposed Project is not anticipated to conflict with approved local, regional, or State implemented habitat conservation plans. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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V. CULTURAL RESOURCES - Would the project

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

A Phase I Cultural Resources Investigation of the Project Site was completed by McKenna et al. (April 2015). The cultural resource investigation included the following tasks: (1) archaeological records search, (2) Native American consultation, (3) paleontological overview, (4) historic background research, (5) field studies, and (6) analysis and report preparation. The findings of the Cultural Resources Investigation are summarized here in.

V a-b) **No impact.** Historic property records show that no improvements were reported to have occurred in the Project Site until 2007. Aerial photography confirmed that up until 2006, the project site's 110 total acres remained unimproved. Hanson Structural Precast Pacific, Inc. held title to the 80-acre parcel fronting Holly Road from 2007-2012; it is presumed that improvements in this portion of the Project Site occurred sometime in 2007. Pedestrian surveys of the 111-acre Project Site were conducted on March 3 and 4, 2015 and April 9, 2015. During the field surveys it was confirmed that the significant disturbances within the project area are all modern and post-date 2006. No evidence of historic structural remains was identified within the property.

Scant evidence of cans (utility and food) were identified during the field survey scattered through the area (less than 20 cans in over 111 acres). As described in the report, the cans are representative of items deposited over many years (historic and modern cans). Additionally the items were not concentrated, but scattered over a wide area and without context. Some appeared to have blown into the area, others likely discarded, but not associated with any identified property owner or complex. The cans are all standard items indicative of the 20th century, lack

context and spatial integrity, and are not considered significant artifacts. No mitigation measures related to these resources are recommended, as no impacts are anticipated.

The Phase I Cultural Resources Report concluded that no prehistoric uses were identified within the Project Site. It is also considered highly unlikely that historic resources will be found in a buried context within the property. Based on its research and field investigations, McKenna et al. concluded that approval of the Proposed Project would not result in any adverse impacts to known or potentially significant historical, prehistoric, or archaeological resources and that no mitigation measures are warranted. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

- V c) **Less than significant.** A paleontological overview was completed as part of the Phase I Cultural Resources Investigation. As described in the report the Project Site is dominated by the presence of younger alluvium deposits derived from the erosion of the north-facing slopes of the San Gabriel Mountains. These deposits have not been associated with fossil specimens. The Project Site is not considered sensitive for paleontological resources. The Cultural Resources Investigation recommends that a paleontological monitor be considered if deep excavation associated with earthwork for development will impact older alluvial deposits. According to the proposed grading plan, earthwork activities will impact the upper 10 feet. No impacts to older alluvial deposits are anticipated; therefore no impacts to paleontological resources are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required
- V d) **Less than significant.** Construction activities, particularly grading, soil excavation and compaction, could adversely affect unknown buried human remains. Per State Health and Safety Code 7050.5, if human remains are encountered during construction, no further disturbance shall occur until the San Bernardino County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The San Bernardino County Coroner must be notified within 24 hours by the project contractor if a discovery is made on-site. If the County Coroner determines that the remains are not historic, but pre-historic, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendant for the area. Once the most likely descendent is determined, treatment of the Native American human remains will proceed pursuant to Public Resources Code Section 5097.98. The NAHC may become involved with decisions concerning the disposition of the remains. Should remains be uncovered during excavation or site preparation, appropriate authorities would be contacted as required by State law; therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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VI. GEOLOGY AND SOILS - Would the project:

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|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv. Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 181-B of the California Building Code (2001) creating substantial risks to life or property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

A report documenting the findings of a Geotechnical Investigation was prepared by Merrell Johnson Companies (May 2015). The purpose of the investigation was to evaluate surface and subsurface

conditions of the Project Site and provide recommendations for earthwork, design and construction of proposed structure foundations and site improvements. A total of 11 test borings to depths ranging from 5 to 50 feet below the existing ground surface were analyzed. The results of the Geotechnical Investigation are referenced herein.

- VI a) i) **Less than significant.** Per the City of Adelanto General Plan, the City of Adelanto is generally located in a seismically active region of Southern California. The Helendale Fault is located east of the city and the San Andreas Fault is located south of the city. These faults may generate potentially damaging earthquakes that could result in property damage, injury, or loss of life. No Alquist-Priolo Earthquake Fault Zoning Map has been prepared by the State Geologist for the Adelanto USGS Quadrangle and no earthquake faults are known to occur in the immediate vicinity of the Project Site. The Proposed Project is not anticipated to expose people or structures to potential adverse effects related to the rupture of a known earthquake fault. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- ii) **Less than significant.** The Project Site is located in a seismically active region of Southern California and may be subject to seismic ground shaking during the project lifetime. The City of Adelanto requires a Design Review for all development projects involving the issuance of a building permit, including the construction of structures on vacant property. Title 14 of the City's Development Code includes provisions implementing the California Building Code and other relevant codes defining the minimum standards of the city to "safeguard life or limb, health, property, and public welfare by regulating the design, construction, quality of material, use and occupancy, location and maintenance of buildings, equipment, structures, and grading within the City" (Development Code 14.10.020). Implementation of the requirements in Title 14 of the Development Code through the Design Review process would ensure that potential impacts related to seismic ground shaking are less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- iii) **No impact.** The Project Site is relatively flat and there are no prominent landforms in the immediate vicinity. No groundwater was encountered in the test borings completed by Merrell Johnson. The groundwater level is expected to be very deep below the site and not within the upper 50 feet; as such, no impacts related to seismic-related ground failure, including liquefaction are anticipated. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- iv) **No impact.** The Project Site is relatively flat and there are no prominent landforms in the immediate vicinity. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- VI b) **Less than significant.** Development of the facility will include the construction of various structures including a production building, warehouse, maintenance shop, offices and other

ancillary buildings. To minimize the potential for erosion, approximately half of the site will be paved with permeable decomposed granite and used as a storage yard. A portion of the site would be developed with a detention pond for the retention of onsite stormflow. Any erosion would be retained onsite at the detention pond. Less than significant impacts related to loss of topsoil or erosion are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

VI c) **Less than significant.** The Project Site is located in a generally seismic active region of Southern California. The project is subject to a Design Review prior to issuance of grading and building permits. The California Building Code and relevant codes would be enforced through the Design Review process. Implementation of the relevant building code requirements as required through the City's Design Review will ensure that less than significant impacts related to landslide, lateral spreading, subsidence, liquefaction, or collapse occur. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

VI d) **Less than significant with mitigation incorporated.** Based on the results of the boring data collected by Merrell Johnson, the site is underlain by about 10 to 15 feet of medium dense to dense silty sand. Typically, stiff to very stiff sandy silt of low plasticity underlies the upper sands to depths on the order of 25 feet. Below this depth, the soils are mainly medium dense to very dense silty sands with occasional layers of stiff to very stiff sandy silt and thin lenses of relatively clean poorly graded sand. Based on the soil types encountered and the nature of the materials determined by laboratory testing, Merrell Johnson determined that the on-site soils have a very low potential for expansion. Enforcement of the California Building Code regulations through the City's Project Review will avoid significant impacts involving expansive soils. Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

GEO-1: In order to detect undesirable materials or conditions and soft areas that may be encountered in the construction area, all site preparation and fill placement should be continuously observed and tested by a representative of a qualified geotechnical engineering firm. The engineering firm that provides observation and testing during construction shall assume the responsibility of "geotechnical engineer of record" and, as such, shall perform additional tests and investigation as necessary to satisfy themselves as to the site conditions and the recommendations for site development.

VI e) **No impact.** The Proposed Project includes the extension of sewer services to the site, no septic tanks are proposed. No impacts are anticipated related to soils and their ability to support proposed sewer systems. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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VII. GREENHOUSE GAS EMISSIONS - Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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

The City of Adelanto has not adopted Greenhouse Gas (GHG) thresholds of significance therefore, the MADAQMD threshold will be utilized. The following is based on an Air Quality Assessment prepared by Lilburn Corporation, March 2015.

VII a) **Less Than Significant Impact:** Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin or even at a neighborhood level. GHG emissions are treated differently, in that the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. Currently three gases are evaluated: Carbon dioxide (CO₂) Methane (CH₄) and Nitrous oxide (N₂O). The CalEEMod model was used to determine emissions from GHGs. Project GHG emissions are shown in Tables 3 and 4, construction and operational emissions, respectively.

Table 3
Construction Emissions Summary
Greenhouse Gases
(Tons/yr)

Source/Phase	CO ₂	CH ₄	N ₂ O
Site Preparation	211.7	0.0	0.0
Grading	330.8	0.0	0.0
Building Construction	460.7	0.0	0.0
Paving	25.0	0.0	0.0
Architectural Coating	2.0	0.0	0.0
Total	1,030.2	0.0	0.0
Total MTCO₂e	1,032.2		
MDAQMD Threshold	100,000		
Significant	No		

Source: Air Quality Assessment, October 2015

Table 4
Operational Emissions Summary
Greenhouse Gases
(Tons/yr)

Source	CO ₂	CH ₄	N ₂ O
Area	0.0	0.0	0.0
Energy	913.7	0.0	0.0
Mobile	1,484.3	0.2	0.0
Waste	46.5	2.7	0.0
Water	172.8	1.4	0.0
Concrete Batch Plant ¹	0.0	0.0	0.0
Total Tons Per Year	2,617.3		
MDAQMD Threshold (tons)	100,000		
Significant	No		

Source: Air Quality Assessment, October 2015

As shown in Tables 3 and 4, GHG emissions are not anticipated to exceed the MDAQMD threshold. Therefore, less than significant impact is anticipated.

- VII b) **Less Than Significant Impact:** There are no existing GHG plans, policies, or regulations that have been adopted by CARB or MDAQMD that would apply to this type of emissions source. It is possible that CARB may develop performance standards for Project-related activities prior to Project construction. In this event, these performance standards would be implemented and adhered to, and there would be no conflict with any applicable plan, policy, or regulation; therefore, impacts would be less than significant, and no mitigation would be required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS -

Would the project:

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

SUBSTANTIATION

VIII a) **Less than significant.** Construction and operational activities may involve use of petroleum-based fuels, lubricants, solvents, and other such materials. The construction phase may include the transport of gasoline and diesel fuel to the Project Site and onsite storage for the sole purpose of fueling construction equipment. All transport, handling, use and disposal of substances such as petroleum products, solvents, and paints related to construction and operations will comply with Federal, State, and local laws regulating the management and use of hazardous materials. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

VIII b) **Less than significant.** Hazardous materials and hazardous waste programs are managed by the San Bernardino County Fire Department Certified Unified Program Agency (CUPA). The CUPA is charged with the responsibility of conducting compliance inspections for regulated facilities within San Bernardino County that handle hazardous material, generate or treat a hazardous waste and/or operate an underground storage tank. The CUPA administers permits, inspection activities, and enforcement activities. The use of hazardous materials for operation of the facility would be regulated by the CUPA through a Hazardous Materials Release Response Plan and Inventory (Business Plan). Compliance with the CUPA permit requirements would reduce potential impacts to a level less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

VIII c) **No impact.** The Project Site is not located within one-quarter mile of an existing or proposed school. The Proposed Project will have no impact. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

VIII d) **No impact.** As shown on the EnviroStor database compiled by the California Department of Toxic Substances Control, the Project Site is not located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The Project Site is not located on a clean-up site or in a location where corrective action is required; therefore, implementation of the project would not create a significant hazard to the public or the environment.

An Environmental Site Assessment (ESA) of the Project Site was completed by Lilburn Corporation (May 2015). The purpose of the ESA was to assess historical uses at the site specifically relating to the presence of a Recognized Environmental Condition (REC) such as hazardous materials or petroleum products. The ESA did not identify evidence of a REC onsite and no further assessment of the site was recommended. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

VIII e) **No impact.** The Project Site is located approximately five miles southwest of the Southern California Logistics Airport. The Project Site is not located within the airport land use plan. Implementation of the Project would not result in a safety hazard for people residing or working

in the project area. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

VIII f) **Less than significant.** The Project Site is located immediately east of the Adelanto Airport, a privately owned airstrip with two unpaved runways. One extends north-south and is 3,930 feet long and 100 feet wide. The other extends east-west and is 5,100 feet long and 100 feet wide. Use of the Adelanto airstrip is exclusively private and permission is required prior to any aircraft landing. Use of the facility is irregular. All flight plans are required to be cleared with the Southern California Logistics Airport, located approximately five miles northeast of the Project Site, in order to avoid conflicting traffic. Due to the private nature of the airstrip, irregularity of flight scheduling, and coordination with SCLA, impacts related to safety hazards at the Adelanto Airport are considered less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

VIII g) **No impact.** Project approvals from the San Bernardino County Fire Department CUPA involve the requirement for a business emergency plan outlining site evacuation and emergency situation protocols. Implementation of the project would not impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan. The project will have no impact. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

VIII h) **Less than significant.** The Project Site is surrounded by vacant desert land to the south and east and will develop an interface with wildlands. The City of Adelanto Municipal Code Chapter 14.20 adopts the 2013 edition of the California Fire Code making all provisions of it applicable in the City of Adelanto. Applicable provisions of the Fire Code implemented into the project design will reduce the risk of loss, injury, or death involving wildland fires to a level less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

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

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- j) Inundation by seiche, tsunami, or mudflow?

SUBSTANTIATION

IX a) **Less than significant.** A Hydrology Study for the Adelanto Plant Site Development dated March 30, 2015 was prepared by Merrell Johnson Companies. As described in the hydrology study, existing topography of the site slopes from the southwest towards the northeast at approximately 1.5%. The surveyors found evidence of small flows in the form of sheet flow across the project area and an existing drainage ditch along the eastern property boundary. The drainage ditch follows the historical course of a blue line stream delineated in the Adelanto Master Plan of Drainage as Channel 3A. As shown on Figure 3: Facility Master Plan, the site design includes a detention basin at the facility’s northeast corner. The site has been designed to direct all storm runoff generated onsite to flow into the detention basin; therefore no impacts to water quality standards are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

IX b) **Less than significant.** According the City of Adelanto Water Department Annual Water Quality Report 2013, approximately 5.2 million gallons of water are pumped daily from a combination of ten (10) City wells. The project is subject to a Design Review prior to issuance of grading and building permits. A water feasibility study or a will serve letter, depending on the projected water demand, will be required from the City Water Department as part of the Design Review process to ensure that the City of Adelanto Water Department has adequate water supply to service the Proposed Project. Less than significant impacts are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

IX c-d) **Less than significant.** A blue line desert wash occurs outside of the project area near the eastern boundary. On the eastern boundary the wash is channelized into a ditch that crosses under Holly Road and continues in a ditch until it releases back to a natural channel north of Rancho Road/Powerline Road. The natural and channelized portions of the channel are identified in the City of Adelanto General Plan Land Use/Zoning Map as an as a “Drainage/Open Space Corridor.” The channel is part of the City of Adelanto Master Plan of Drainage and must be maintained for storm runoff. The Proposed Project includes improvements to the drainage channel. The improved channel has been designed to carry a 100-year event (Q-100) capacity of 888 cfs. The channel will be seven (7) feet deep and will have a 20-foot earthen bottom width with concrete side slopes at a 2:1 slope, and an access road maintained on the channel’s west side.

As described in the Hydrology Study, offsite storm runoff flows are tributary to the western and southern boundaries of the project. The existing master plan drainage enters the site approximately at the southeast corner of the site and flows northward, parallel to the proposed right-of-way for Koala Road. Runoff flows tributary to the southern boundary will be intercepted

within the Project Site along the southern boundary and conveyed eastward within their historical flow lines to the master plan drainage channel on the east. Runoff flows tributary to the western site boundary will be intercepted within the street improvements of Beaver Road and conveyed northward in their historical flow lines past the Project Site. Ultimately, all flows will be conveyed within the eastern drainage as designed in the City of Adelanto Master Plan of Drainage. Implementation of the Proposed Project would not substantially alter the existing drainage pattern of the Project Site or immediate vicinity including the natural drainage that comprises part of the City of Adelanto Master Plan of Drainage. Less than significant impacts are anticipated related to the proposed improvements. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required

- IX e) **Less than significant.** The proposed facility would not generate runoff that exceeds the capacity of the storm water drainage system. The site design includes a detention basin with a capacity of 25,000 cf. All runoff generated onsite would be contained within the detention basin and/or accommodated by the improved storm drain on the eastern boundary of the Project Site. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required
- IX f) **No impact.** The Proposed Project would not otherwise degrade water quality; refer to Section IX(a).
- IX g) **No impact.** The Project Site is mapped in FEMA's Flood Insurance Rate Map Number 06071C5790H. The Project Site is mapped in "Zone D." Zone D is defined as areas in which flood hazards are undetermined but possible; no potential for flood is quantified. The Proposed Project does not include any housing. Production buildings, warehouses, and supporting services buildings will be designed to meet all applicable regulations of the California Building Code. No impacts related to flood hazards are anticipated. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- IX h) **No impact.** The Hydrology Study identified evidence of sheet flow across the Project Site. Although flood hazards are undetermined in the FEMA Flood Insurance Rate Map, the Hydrology Study states that structures should be elevated above the existing terrain to protect them from storm runoff in the form of sheet flows. The facilities internal drainage has been designed to convey storm runoff to a detention basin on the site's northeast corner and toward the historical drainage on the east. Development of the site would not impede or redirect flows from a 100-year storm. Therefore, no impacts are identified or anticipated and no mitigation measures are required
- IX i-j) **No impact.** No levees, dams, or large bodies of water are located near the Project Site. The Proposed Project does not include any habitable structures that would expose people or structures to significant loss associated with flooding. The Project Site is not located in a coastal area, near a large body of water, or in a hillside area; and therefore, would not be subject to seiche, tsunami, or mudflow. No impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION

- X a) **No impact.** The Project Site is located in the Manufacturing/Industrial zone of the City of Adelanto’s Land Use/Zoning Map. The Manufacturing/Industrial zone comprises a wide corridor through the City that stretches west to east across the City. The Proposed Project is centrally located within the Manufacturing/Industrial zone, on the south side of Holly Road between Beaver Road and Koala Road. Existing manufacturing and industrial uses occur to the north and west, land to the south and east is vacant. The Proposed Project is consistent with the existing zoning and surrounding land uses and will not physically divide an established community. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- X b) **No impact.** The Proposed Project is consistent with the existing land use zoning and general plan policy. The project is not anticipated to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project. The Adelanto North 2035 Comprehensive Sustainable Plan was adopted by the City of Adelanto on August 27, 2014. The Plan promotes sustainable desert development in a 27 square-mile area that includes portions of the City of Adelanto and unincorporated San Bernardino County. The southern boundary of the plan area is defined by Holly Road. The Project Site is located south of Holly Road and therefore is located outside of the Plan area. The Proposed Project will not conflict with the Adelanto North 2035 land use plan. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- X c) **No impact.** The Project Site is located within the planning area of the West Mojave CDCA Plan Amendment. The West Mojave CDCA Plan Amendment was adopted by the BLM in 2006. The Record-of-Decision applies only to 3.3 million acres of BLM-managed lands. To date no approvals have been issued for the Habitat Conservation Plan component by the USFWS or the CDFW. The Project Site is located on private property outside of the BLM management; therefore the West Mojave Plan does not apply. Additionally, the Project Site is located within

the boundaries of the Desert Renewable Energy Conservation Plan (DRECP) NCCP/HCP. At the time of writing the DRECP is a proposed plan and no implementing agreements have been issued. No conflicts related to applicable land use plans or NCCPs/HCPs are anticipated. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XI. MINERAL RESOURCES - Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XI a) **No impact.** The City of Adelanto General Plan states that minimal extraction has occurred within the planning area; however, many portions of the Planning Area have the potential for mineral and resource extraction. The Department of Conservation DMG Open File Report 94-04 for Victorville-Barstow Region identifies the general vicinity of the planning area as MRZ-4. The MRZ-4 classification applies to areas of no known mineral occurrences where geologic information does not rule out either the presence or absence of significant mineral resources. Significant mineral resources are identified in the vicinity of the City. Per the Department of Conservation report, the most important commodities in the study area are those related to the production of cement and include; limestone, silica, and alumina. Quartzite Mountain and Black Mountain are identified as the two major limestone-producing areas. The Project Site is not located in areas identified as major regional resources and implementation of the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XI b) **No impact.** The Project Site is not delineated in the General Plan or in the State Geologist Maps as an area of locally important mineral resources. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XII. NOISE - Would the project result in:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION

XII a) **Less than significant with mitigation incorporated.** Acceptable and unacceptable noise levels in the City of Adelanto are defined in Table VIII-2, “Land Use Compatibility Guidelines Related to Noise Exposure” in the City’s General Plan. Per Table VIII-2 of the General Plan, acceptable noise levels in manufacturing and production land uses for general manufacturing may range from 65-70 CNEL; noise levels of 70 – 75 CNEL and 75 CNEL and above are compatible with implementation of noise level reduction design features incorporated into the project. Scattered residential development occurs west of the Project Site within the Airport Park land use designation, approximately two residences are located south of the Project Site within the

Manufacturing/Industrial land use designation. Table VIII-2 of the General Plan does not identify the Airport Park land use category therefore it is assumed that the guidelines applicable at the Project Site are also applicable within the Airport Park designation.

Noise generation related to construction activities is addressed in Section 17.90.020(d) of the City's Municipal Code: the Municipal Code requires construction projects to list general noise reduction practices as "General Notes" on the construction drawings. As part of the Project's conditions of approval (COA), the following notes must be included in the engineering plan's general notes and implemented during construction:

COA 1 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. City and State construction projects, such as road re-building or resurfacing, and any construction activity that is in response to an emergency, shall be exempt from this requirement.

COA 2 Stationary construction equipment that generates noise in excess of sixty-five (65) dBA at the project boundaries must be acoustically shielded and located at least one hundred (100') 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.

COA 3 Construction routes are limited to City of Adelanto designated truck routes.

Construction activities during development of the Project Site could include site preparation (e.g. excavation, grading, and clearing), trenching, pouring of concrete foundations, paving, erection of structures and exterior enclosures, interior improvements, equipment installation, finishing, and clean up. No pile driving or rock blasting is anticipated to occur.

Typical construction equipment that may be used during construction activities at the Project Site includes backhoes, excavators, front-end loaders, concrete pump trucks, and cranes. Noise levels associated with these types of equipment generally range from 80 to 85 dBA Leq at a distance of 50 feet. Noise levels of primary concern typically occur during the site preparation and excavation phases because the equipment used for clearing, grading, excavating, and removing material from a particular site typically generate the highest noise levels (approximately 85 dBA at 50 feet) and their operation is exposed in the open air.

The closest sensitive receptor to the Project Site is a residential property located north of the airport runway approximately 450-feet west of the property boundary within the Airport Park land use designation. Adjacent land uses on the north are all manufacturing/industrial.

Sound levels decrease as a function of distance; therefore it is anticipated that the nearest sensitive receptor at 450-feet would not experience noise levels related to construction that exceed the standards of the General Plan. However, in order to reduce potential impacts to the maximum extent practicable the following mitigation measures shall be implemented during construction in addition to the COA's as described above.

Mitigation Measures

- NOI-1: Construction equipment shall be properly maintained in accordance with manufacturer's specifications and shall be fitted with the best available noise suppression devices (e.g. mufflers, silencers, wraps). All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power equipment shall be muffled or shielded.**
- NOI-2: Construction equipment shall not idle for extended periods of time (no more than 5 minutes).**
- NOI-3: Stationary equipment (compressors, generators, and cement mixers) shall be located as far from the west project boundary as feasible.**

Major noise sources associated with the Clark Pacific operations at the Project Site primarily consist of: concrete batch plant, concrete vibrators, mobile cranes, and forklifts. During operation, on-site activities may include 24-hour operation of the facility including many of the ancillary uses identified on the Facility Master Plan (e.g. batch plant and concrete vibrators). Previous monitoring of 24-hour operations at the existing Clark Pacific production facility in West Sacramento indicates that anticipated operation noise levels are equivalent to 75 dBA Ldn at an approximate distance of 100 feet from the source (Clark Pacific Expansion Project DEIR, Yolo County, March 2012). As shown on the Facility Master Plan, the production building will be located along the western property boundary approximately 800 feet away from the nearest residence. The proposed batch plants are located east of the production building and noise associated with these aspects of operation would be shielded and attenuated by the production building. Sound levels up to 75 dBA Ldn may occur up to 100 feet from the source; however, because sound levels decrease as a function of distance and because sound sources would be either contained within the production building or shielded by it, sensitive receptors located 450-feet or further from the noise sources are not anticipated to experience noise in excess of 75 dBA Ldn. Table VIII-2 of the General Plans requires that noise level reduction measures be implemented if exterior noise levels exceed 65 CNEL and interior noise levels exceed 45 CNEL. In order to mitigate potential impacts to a level less than significant the following mitigation measure shall be implemented.

- NOI-4: Coordinate with local landowners and provide noise reduction. Within 60 days of approval of the Proposed Project, the Project Applicant shall coordinate with the landowners of residential property west of Beaver Road to measure interior and exterior noise levels over a 72 -hour period.**

If the results of the noise monitoring indicate that noise levels do not exceed 65 dBA (exterior) or 45 dBA (interior), no mitigation shall be required. If the results of the noise survey indicate that exterior noise levels exceed 60 dBA, or interior noise levels exceed 45 dBA, the project applicant shall coordinate with the landowners regarding potential noise reduction measures such as new siding, insulation, windows, or a noise-insulating barrier no less than 6-feet in height across the frontage of the property(s), as necessary to achieve an interior noise level of no more than 45 dBA.

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

- XII b) **No impact.** The City of Adelanto Development Code states that “no ground vibration shall be allowed which can be felt without the aid of instruments at or beyond the subject property line, nor will any vibration be permitted which produces a particle velocity greater than or equal to two-tenths of an inch per second at or beyond the lot line” (Development Code Section 17.90.030(a)). Site preparation will not require pile driving or rock blasting therefore no impacts to ground vibration during construction are anticipated. In order to identify potential ground vibration impacts related to the on-site concrete vibrators and batch plants, Bollard Acoustical Consultants collected data in 2012 at the Pacific Clark West Sacramento; Bollard concluded that no discernable vibration occurs at 200 feet from the concrete vibrators or batch plants. The nearest sensitive receptor is located approximately 450 feet west of the facility. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- XII c) **Less than significant impact with mitigation incorporated.** Refer to Section XII(a) above.
- XII d) **Less than significant impact with mitigation incorporated.** Refer to Section XII(a) above.
- XII e) **No impact.** The Project Site is located approximately five miles southwest of the Southern California Logistics Airport (SCLA). Due to distance, the SCLA is not anticipated to result in noise impacts at the Project Site. Therefore, no impacts are identified or anticipated and no mitigation measures are required.
- XII f) **Less than significant.** The Project Site is located less than ¼-mile east of the Adelanto Airport. The Adelanto Airport is a privately owned airstrip with two unpaved runways. One extends north-south and is 3,930 feet long and 100 feet wide. The other extends east-west and is 5,100 feet long and 100 feet wide. Use of the Adelanto airstrip is exclusively private and permission is required prior to any aircraft landing. Use of the facility is irregular. All flight plans are required to be cleared with the Southern California Logistics Airport, located approximately five miles northeast of the Project Site, in order to avoid conflicting traffic. Due to the private nature of the airstrip, irregularity of flight scheduling, and coordination with SCLA, impacts related to aircraft operations noise at the Adelanto Airport are expected to be less than

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

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIII. POPULATION AND HOUSING - Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

XIII a) **Less than significant.** The Proposed Project will generate approximately 300 jobs. It is anticipated that 225 of those jobs will be filled by existing Clark Pacific employees and 75 would be new hires. As of the 2010 Census a total of 9,086 housing units were reported in the City of Adelanto. Of those, 7,809 were reported as occupied and 1,277 were reported vacant; at the time of the census, 462 were recorded as available for rent and 323 were reported available for sale. The project will generate new job opportunities in the City; available positions are expected to be filled by the local labor pool. However, should the facility attract new resident to the area due to employment opportunities, it is expected that any demands for housing will be accommodated by the existing housing inventory and would not require construction of new housing units or extension of roads or infrastructure. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XIII b) **No impact.** The Proposed Project is the construction of an approximately 111-acre concrete casting facility within the City of Adelanto Manufacturing/Industrial zone district. The site is currently vacant. Existing manufacturing and industrial developments occur to the north and to the west. Development of the project would not displace substantial numbers of existing housing because no housing currently exists on the site. The project would not necessitate the construction of replacement housing elsewhere. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

XIII c) **No impact.** The Proposed Project would not displace substantial numbers of people and will not necessitate the construction of replacement housing elsewhere. The Proposed Project is anticipated to generate employment opportunities for approximately 300 people. Potential new hires are anticipated to come from the City and region's existing labor pool. Therefore, implementation of the project would not displace substantial number of people or necessitate the construction of replacement housing elsewhere. No impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XIV. PUBLIC SERVICES

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION

XIV a) **Fire Protection: Less than significant.** Fire services at the site are provided by the San Bernardino County Fire Department. The closest fire station is located approximately two miles northeast of the site on Rancho Road. The station is staffed daily with three personnel. A paid call firefighter program is in place to assist with additional staffing when necessary. Equipment available at the station includes; one Type 1 fire engine, one hazmat unit, one reserve Type 1 fire engine, one brush patrol, and one water tender. The Proposed Project includes the extension of water utilities to the site and will include fire hydrants in the public right-of-way and within the facility. Development of the site is not anticipated to have a significant demand on fire services; the project would not significantly impact service ratios or response time and would not require construction of new fire protection facilities. Less than significant impacts related to fire protection services are anticipated during the life of the project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Police Protection: Less than significant. Police services at the site are provided by the San Bernardino County Sheriff. The Adelanto Sheriff Station is located approximately 4-5 miles northeast of the Project Site on Bartlett Avenue. The Proposed Project will generate employment opportunities for approximately 300 people; it is anticipated that 75% of employees will relocate from existing Clark Pacific Facilities and 25% will be new hires. Manufacturing and industrial uses occur to the north and west. Development of the site and addition of new employees is not

anticipated to result in a significant increased demand for police services. Impacts to police services are expected to be less than significant during the life of the project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Schools: Less than significant. The Project Site is served by the Adelanto Elementary School District and by the Victor Valley Union High School District. The Proposed Project is anticipated to generate approximately 300 new jobs in the City. However, these jobs are expected to be filled by the local available labor force and little to no relocations are anticipated. The Proposed Project is not anticipated to result in population growth that would generate a significant new number of students in the region. The project would have less than significant impact on the existing school service ratios and would not require the construction of new school facilities. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Parks: Less than significant. Development of the proposed concrete casting facility will have no direct impacts on local or regional park resources because no parkland occurs at the site or in its immediate vicinity. The City of Adelanto maintains and operates six public park facilities totaling 36.4 acres (City of Adelanto, March 2014). All parks are located in the northern portion of the City within the Adelanto North 2035 planning area. In addition to City parks, other recreational grounds in the city include a privately owned and operated motocross park for dirt bikes and the El Mirage Off-Highway Vehicle Recreation Area operated by the Bureau of Land Management. The Proposed Project would not have a direct impact on area parks and is not anticipated to generate new residents to the region that would adversely impact available park resources or that would generate demand for additional parkland. Less than significant impacts related to park resources are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XV. RECREATION

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION

- XV a) **Less than significant.** The City of Adelanto maintains and operates six public park facilities totaling 36.4 acres (City of Adelanto, March 2014). All parks are located in the northern portion of the City within the Adelanto North 2035 planning area. In addition to City parks, other recreational grounds in the City include a privately owned and operated motocross park for dirt bikes and the El Mirage Off-Highway Vehicle Recreation Area operated by the Bureau of Land Management. The Proposed Project would not have a direct impact on area parks and is not anticipated to generate new residents to the region that would adversely impact available park resources or that would generate demand for additional parkland. Less than significant impacts related to park resources are anticipated. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- XV b) **No impact.** The Proposed Project does not include recreation facilities and does not require the construction or expansion of recreational facilities which may have an adverse effect on the environment. No impacts related to construction of new park facilities would occur. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVI. TRANSPORTATION/TRAFFIC - Would the project:

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|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVI a) **Less than significant with mitigation incorporated.** The traffic issues related to the proposed land uses and development have been evaluated in the context of the California Environmental Quality Act in a Traffic Impact Analysis (TIA) prepared by Kunzman Associates, Inc. (March 30, 2015). The City of Adelanto is the lead agency responsible for preparation of the traffic impact analysis; a series of scoping discussions were conducted with the City of Adelanto to define the desired analysis locations for each analysis year in the TIA. The average daily traffic volume forecasts were determined using the growth increment approach on the *San Bernardino Transportation Analysis Model Year 2008 and Year 2035* average daily traffic volume forecasts. Linear growth between the Year 2008 base condition and the forecast Year 2035 condition was assumed; since the increment years between 2015 and 2035 is 20 years, a factor of 0.74 was used.

Regional access to the Project Site is mainly provided by the US-395. Local access is provided by various roadways in the vicinity of the site. The north-south roadways expected to provide local access include Beaver Road, Koala Road, Bellflower Street, and US-395. The east-west roadways which will be most affected by the project include Rancho Road, Industry Way, Holly Road, Mojave Drive, Palmdale Road, Dos Palmas Road, and Luna Road.

A total of 14 study intersections were identified and analyzed in the TIA, including the four gates that provide access to the Project Site. Study intersections in the circulation system included:

- Beaver Road (NS) at:
 - Holly Road (EW)
- Koala Road (NS) at:
 - Rancho Road (EW)
 - Industry Way (EW)
 - Holly Road (EW)
- Bellflower Street (NS) at:
 - Rancho Road (EW)
- US-395 (NS) at:
 - Rancho Road (EW)
 - Mojave Drive (EW)
 - Palmdale Road (EW)
 - Dos Palmas Road (EW)
 - Luna Road (EW)

TIA Assumptions

Project traffic volumes for all future projections were estimated using employee and truck data obtained from Clark Pacific. The Project Site is proposed to have 300 employees and 25 trucks per day. For purposes of the TIA, the project trucks were increased by twenty-five percent to account for projected operation growth.

During a typical day, the 300 employees are expected to enter the site in the morning and exit the site in the evening. It is assumed that half of the employees will exit and re-enter the site during the day. On a daily basis, there is expected to be 900 employee trips (300 in, 150 out, 150 in, and 300 out).

The City of Adelanto General Plan and Circulation Element have been adopted in accordance with CEQA requirements, and any roadway improvements within the City of Adelanto that are consistent with these documents are not considered a significant impact, so long as the project contributes its “fair share” funding for improvements. A traffic impact is considered significant if the project both: i) contributes measureable traffic to and ii) substantially and adversely changes the Level of Service at any off-site location projected to experience deficient operation under foreseeable cumulative conditions, where feasible improvements consistent with the City of Adelanto General Plan cannot be constructed.

Existing intersection traffic conditions were established through morning and evening peak hour traffic counts obtained by Kunzman Associates, Inc. Explicit peak hour factors were calculated using the data collected.

Under existing conditions existing delay and Level of Service at the study area intersections operate within acceptable Levels of Service during the peak hours. Based on the above assumptions, the Proposed Project is anticipated to generate approximately 1,088 passenger car equivalent daily trips. Table 5 summarizes the expected trip generation.

Table 5
Project Trip Generation

Percentage Splits							
Vehicle Type	Peak Hour						Daily
	Morning			Evening			
	Inbound	Outbound	Total	Inbound	Outbound	Total	
Cars ¹	95%	5%	5%	5%	95%	23%	100%
Trucks ²	95%	5%	10%	5%	95%	10%	100%
PCE Factors ³							
Peak Hour							
	Morning			Evening			
	Inbound	Outbound	Total	Inbound	Outbound	Total	
Cars	1	1	1	1	1	1	1
Trucks	3	3	3	3	3	3	3
Trips							
Peak Hour							
	Morning			Evening			
	Inbound	Outbound	Total	Inbound	Outbound	Total	
Cars	43	2	45	10	197	207	900
Trucks	18	1	19	1	18	19	188
Total	61	3	64	11	215	226	1,088

Future Level of Service

Opening Year 2017

For opening year 2017 with project delay Level of Service, the TIA study area intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the intersection US-395 (NS) at Mojave Drive (EW). Without improvements, the intersection is anticipated to operate at LOS E; the addition of a southbound through lane would improve movement at the intersection to LOS D. Additional improvements recommended for Opening Year 2017 include cross street stops at the intersection of Beaver Road (NS) with Holly Road (EW) and at the four Project Site access points.

Year 2035 without Project

Traffic projections for year 2035 without Project conditions indicate that three of the study area intersections would operate at unacceptable LOS F during the peak hours without improvements. Intersections anticipated to operate at unacceptable LOS include:

1. US-395 (NS) at Mojave Drive (EW)
2. US-395 (NS) at Palmdale Road (EW)
3. US-395 (NS) at Dos Palmas Road (EW)

North and southbound lane additions, as identified in the TIA, would result in improvement from unacceptable LOS F to LOS D.

Year 2035 with Project

Traffic projections for the year 2035 with Project traffic indicate that the three intersections identified above would operate at unacceptable LOS F during the peak hours. The intersections would operate at acceptable LOS D during the peak hours with improvements. Recommended improvements by intersection include:

1. US-395 (NS) at Mojave Drive (EW) – addition of:
 - one (1) southbound left turn lane
 - one (1) southbound through lane.
2. US-395 (NS) at Palmdale Road (EW) – addition of:
 - one (1) northbound left turn lane,
 - one and a half (1.5) northbound through lane
 - half (1/2) northbound right turn lane
 - one (1) southbound left turn lane
3. US-395 (NS) at Dos Palmas Road (EW) – addition of:
 - one and a half (1.5) northbound through lane
 - half (1/2) northbound right turn lane
 - one (1) southbound through lane

Implementation of the above listed improvements would result in improved LOS from projected LOS F to LOS D. Improvement recommendations for intersections with projected acceptable LOS include cross street stop signs at all Project Site access gates. Additionally, a traffic signal warrant analysis found that projected 2035 traffic conditions without the Proposed Project warrant a traffic signal at the intersection of Bellflower Street (NS) and Rancho Road (EW). Projected 2035 traffic conditions with project conditions warrant an additional traffic signal at the intersection of Koala Road (NS) and Rancho Road (EW).

The improvements identified within the TIA are consistent with the City of Adelanto General Plan and its Circulation Element. As such, the improvements would not constitute a significant impact, so long as the project contributes its “fair share” funding for improvements. Kunzman

Associates, Inc. identified a fair share cost of approximately \$341,700. The dollar figures are rough order of magnitude estimates only and are intended only for the discussion purposes of the TIA, they do not imply any legal responsibility formula for contributions of mitigation.

The TIA identified improvements to the circulation system that would be necessary to maintain acceptable Levels of Service within the study area. In order to ensure that traffic impacts on the circulation system remain at a level less than significant the Project Applicant would contribute fair share funding of improvements as identified in Mitigation Measure TT-1.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

Mitigation Measures

TT-1: The Project Applicant shall pay appropriate development impact fees (fair share) that will go towards the capital improvement program to provide for the implementation of the recommended roadway improvements that will offset potential impacts to the Congestion Management Program intersections as identified in the TIA for the Proposed Project prepared by Kunzman Associates, Inc. and dated March 30, 2015.

XVI b) **Less than significant impact with mitigation incorporated.** See response to XVI (a) above.

XVI c) **Less than significant.** The Proposed Project would not include an air travel component; products transported to and from the Project Site would not be by air. The Project Site is located less than ¼-mile east of the Adelanto Airport. The Adelanto Airport is a privately owned airstrip with two unpaved runways. One extends north-south and is 3,930 feet long and 100 feet wide. The other extends east-west and is 5,100 feet long and 100 feet wide. There are 21 aircraft based at the airport; fifteen single-engine airplanes, three helicopters, two glider planes, and one ultralight craft. Use of the Adelanto airstrip is exclusively private and permission is required prior to any aircraft landing. Use of the facility is irregular. All flight plans are required to be cleared with the Southern California Logistics Airport, located approximately five miles northeast of the Project Site, in order to avoid conflicting traffic. Due to the private nature of the airstrip, irregularity of flight scheduling, and coordination with SCLA, impacts related to aircraft traffic at the Adelanto Airport are expected to be less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XVI d) **Less than significant with mitigation incorporated.** The TIA recommended site access driveway improvements and site adjacent roadway improvements (conditions of approval) for the Project as described below. The TIA Exhibit 29 illustrates the on-site and site adjacent recommended roadway lane improvements. Construction of the onsite and site adjacent improvements shall occur in conjunction with Project development activity as required by the City.

Conditions of Approval: Onsite Improvements

The Project Site should provide sufficient parking spaces to meet City of Adelanto parking code requirements in order to service on-site parking demand

Onsite traffic signing and striping should be implemented in conjunction with detailed construction plans for the Project.

Sight distance at each project access should be reviewed with respect to California Department of Transportation/City of Adelanto standards in conjunction with the preparation of final grading, landscaping, and street improvement plans.

Conditions of Approval: Site Adjacent Improvements

Construct Beaver Road from Holly road to the south project boundary at its ultimate half-section width as a Major Collector (80 foot right-of-way) including landscaping and parkway improvements in conjunction with development.

Construct Holly Road from Beaver Road to the east project boundary at its ultimate half-section width as a Major Arterial (100 foot right-of-way) including landscaping and parkway improvements in conjunction with development.

As is the case for any roadway design, the City of Adelanto should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that traffic operations are satisfactory.

As identified in the Project Description of this Initial Study, the Proposed Project includes a proposal for improvements on Beaver Road and Holly Road adjacent to the Project Site, and Koala Road. The additional recommendations from the TIA would be implemented as outlined in Mitigation Measure TT-2.

Possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant.

TT-2: Onsite traffic signing and striping shall be implemented in conjunction with detailed construction plans for the Project Site. Sight distance at each project access point shall be reviewed with respect to standard Caltrans and City of Adelanto sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

XVI e) **Less than significant.** The Proposed Project would provide adequate paved access to and from the site. With required adherence to the City requirements for emergency access, impacts would be less than significant. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

XVI f) **No impact.** The Proposed Project would not conflict with adopted policies, plans, or programs regarding public transit, bikeways or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities. Therefore, no impacts are identified or anticipated and no mitigation measures are required.

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

SUBSTANTIATION

XVII a) **Less than significant.** A Hydrology Study for the Adelanto Plant Site Development dated March 30, 2015 was prepared by Merrell-Johnson Companies. As described in the hydrology study, existing topography of the site slopes from the southwest towards the northeast at approximately 1.5%. The surveyors found evidence of small flows in the form of sheet flow across the project area and an existing drainage ditch along the eastern property boundary. The drainage ditch follows the historical course of a blue line stream delineated in the Adelanto Master Plan of Drainage as Channel 3A. As shown on Figure 3: Facility Master Plan, the site design includes a detention basin at the facility's southeast corner. The site has

been designed to direct all storm runoff generated onsite to flow into the detention basin and to a surface storm drain on the eastern project boundary. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- XVII b) **Less than significant.** Wastewater treatment service in the City is provided by the City of Adelanto Water Department. The onsite sewer collection facilities will be designed per the guidelines and regulations in the “Adelanto Public Utility Authority Sewer Standards” October 2003 and verified during the City’s Design Review. The City Water Department operates a 1.5 million gallons per day (MGD) activated sludge wastewater treatment plant through an operations and maintenance contract with PERC Water Corporation. The City is currently constructing a 2.5 MGD upgrade that will increase its wastewater treatment capabilities to 4.0 MGD and will produce treated reclaimed water that can be used for lawn/public park irrigation, construction and dust control, and other non-potable uses. The Project Site will be served by an existing 8-inch sewer line in Holly Road between the existing Koala Road “T-intersection” and Beaver Road that continues north on Beaver Road. A new 8-inch sewer line will be constructed in the re-aligned Koala Road along the Project Site’s easterly property line and tie into an existing sewer at Beaver Road and Holly Road. The proposed connection to the existing wastewater collection and treatment system would not result in significant impacts and would not require addition to the system capacity. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- XVII c) **Less than significant.** The City of Adelanto has three regional channel systems to carry storm runoff through the incorporated area of the City. Per the City’s Master Plan of Drainage, Channel 1 has a drainage area of approximately 15.6 square miles, Channel 2 has a drainage area of approximately 48.7 square miles, and Channel 3 has a drainage area of approximately 80.4 square miles. The ditch on the eastern project boundary is a designated storm drain channel within the Master Plan of Drainage. The Proposed Project includes improvements to the drainage channel. The channel improvement has been designed to carry a 100-year event (Q-100) capacity of 888 cfs. The channel will be seven (7) feet deep and will have a 20-foot earthen bottom width, with concrete side slopes at a 2:1 slope, and an access road on the channel’s west side. The proposed improvements to the storm drain system on the eastern project boundary would not cause significant environmental effects related to construction. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- XVII d) **Less than significant.** According the City of Adelanto Water Department Annual Water Quality Report 2013, approximately 5.2 million gallons of water are pumped daily from a combination of ten (10) City wells. The project is subject to a Design Review prior to issuance of grading and building permits. A water feasibility study or a will serve letter, dependent of the projected water demand, will be required from the City Water Department as part of the Design Review process to ensure that the City of Adelanto Water Department has adequate water supply to service the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

- XII e) **Less than significant.** Implementation of the Proposed Project includes the extension of sewer lines as described in Section XII(b) above. The City of Adelanto Water Department is currently expanding its capacity for wastewater treatment from 1.5 MGD to 4.0 MGD. As the expansion of wastewater treatment capacity is already underway, the City would have adequate capacity to serve the project's projected demand and would not significantly impact existing commitments. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- XII f) **Less than significant.** The Project Site is served by the County of San Bernardino Victorville Landfill located approximately 11 miles northeast of the site. Solid waste generation from operations is not anticipated to exceed 40 cubic yards (cy) per week, on average. The Victorville Landfill is permitted to receive a maximum throughput of 3,000 tons/day or 1.1 million tons per year. The landfill has a reported remaining capacity of 81,510,000 cy (CalRecycle). At a maximum waste generation of 40 cy per week, the Proposed Project is anticipated to generate approximately 562 tons of waste per year; accounting for less than 1% of the permitted annual throughput. Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.
- XII g) **Less than significant.** The Project would be required to comply with the City of Adelanto's waste reduction programs, including recycling and other diversion programs to divert the amount of solid waste deposited into landfills. As such, the Applicant would be required to implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (CAL Pub Res. Code § 42911), the Project would be required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collections areas are required to be shown on construction drawing and be in place before occupancy permits are issued. The implementation of these programs would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would comply with all applicable solid waste statutes; therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

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

SUBSTANTIATION

- XVIII a) The project does not have the potential to significantly degrade the overall quality of the region’s environment, or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Potential impacts to the desert tortoise and burrowing owl were identified and would be avoided via implementation of mitigation measures as discussed in Section IV above. There are no identified historic or prehistoric resources on this site. If any archaeological or paleontological resources are identified during construction of the project, the project is conditioned to stop and notify appropriate authorities, who properly record and/or remove for classification any such finds. Although potential adverse impacts have been identified or anticipated, implementation of mitigation measures as identified in this document would reduce impacts to a level below significant.
- XVIII b) The project does not have impacts that are individually limited, but cumulatively considerable. The Project Site has existing infrastructure that is sufficient for all planned uses and no construction that would add cumulative impacts would occur. The Project vicinity is either developed or is capable of absorbing such development without generating any cumulatively significant impacts. No significant adverse cumulative impacts are identified or anticipated and no mitigation measures are required.

- XVIII c) The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly, as there are no such impacts identified by the studies conducted for this project or identified by review of other sources or by other agencies.

Only minor increases in traffic, emissions and noise will be created by implementation of the Proposed Project. These potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse affects upon the region, the local community or its inhabitants with the incorporation of mitigation. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the project approval.

XIX. MITIGATION MEASURES

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

BIO-1:

A clearance survey shall be conducted for desert tortoise prior to construction per USFWS guidelines (guidelines are summarized in the NRAI report). The clearance survey shall be completed no more than 30 days prior to the start of ground disturbance. If animals are found resident on-site, consultation with the CDFW and USFWS will be required. Implementation of avoidance/minimization mitigation measures and/or a take permit and compensatory mitigation shall be implemented as agreed to by the Project Proponent and the regulatory agencies.

Monitoring: Monitoring to be implemented by the Planning Department prior to issuance of the grading permit as required in the Mitigation Monitoring and Reporting Program.

BIO-2:

During construction, if desert tortoise wanders onto the site in the absence of an exclusion fence, all construction shall be halted. The Project Proponent shall notify the Planning Department of the incident. Construction shall resume only after the animal leaves the area on its own.

Monitoring: Self-monitoring.

BIO-3:

All construction personnel connected with the project or working on-site shall be required to attend and education course on the desert tortoise. The course should be given by a qualified desert tortoise biologist. The course should be given prior to the start-up of construction work. At a minimum, the course should cover the following:

- General behavior and ecology of the tortoise
- Distribution of the desert tortoise
- Sensitivity to human activities
- Status of the desert tortoise under state and federal endangered species acts
- Restrictions and guidelines that must be followed by all construction personnel
- Penalties and fines for harming desert tortoise
- Reporting requirements
- Project protective mitigation measures

Monitoring: Monitoring to be provided by the Planning Department prior to the issuance of grading permits as required in the Mitigation Monitoring and Reporting Program.

BIO-4:

The project proponent shall conduct a take avoidance survey no less than 14 days prior to initiating ground activities on the project area to determine if burrowing owls are nesting on site. If burrowing owl are found during the take avoidance survey, follow up surveys by a CDFW approved biologist and

Clark-Pacific Inc./Project No. _____

October 2015

implementation of avoidance measures, preparation of a Burrowing Owl Mitigation and Monitoring Plan, and compensatory in consultation with the CDFW mitigation may be required.

Monitoring: Monitoring to be provided by the Planning Department prior to issuance of grading permits as required in the Mitigation Monitoring and Reporting Program.

GEO-1:

In order to detect un-desirable materials or conditions and soft areas that may be encountered in the construction area, all site preparation and fill placement should be continuously observed and tested by a representative of a qualified geotechnical engineering firm. The engineering firm that provides observation and testing during construction shall assume the responsibility of “geotechnical engineer of record” and, as such, shall perform additional tests and investigation as necessary to satisfy themselves as to the site conditions and the recommendations for site development.

Monitoring: Self-monitoring

NOI-1:

Construction equipment shall be properly maintained in accordance with manufacturer’s specifications and shall be fitted with the best available noise suppression devices (e.g. mufflers, silencers, wraps). All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power equipment shall be muffled or shielded.

Monitoring: Self-monitoring

NOI-2:

Construction equipment shall not idle for extended periods of time (no more than 5 minutes).

Monitoring: Self-monitoring

NOI-3:

Stationary equipment (compressors, generators, and cement mixers) shall be located as far from the west project boundary as feasible.

Monitoring: Self-monitoring

NOI-4:

Coordinate with local landowners and provide noise reduction. Within 60 days of issuance of the occupancy permit, the Project Applicant shall coordinate with the landowners of residential property west of Beaver Road to measure interior and exterior noise levels over a 72 –hour period. If the results of the noise monitoring indicate that noise levels do not exceed 65 dBA (exterior) or 45 dBA (interior), no mitigation shall be required. If the results of the noise survey indicate that exterior noise levels exceed 60 dBA, or interior noise levels exceed 45 dBA, the project applicant shall coordinate with the landowners regarding potential noise reduction measures such as new siding, insulation, windows, or a noise-insulating barrier no less than 6-feet in height across the frontage of the property(s), as necessary to achieve an interior noise level of no more than 45 dBA.

Monitoring: Monitoring to be provided by the Planning Department as required in the Mitigation Monitoring and Reporting Program.

TT-1:

The Project Applicant shall pay appropriate development impact fees (fair share) that will go towards the capital improvement program to provide for the implementation of the recommended roadway improvements that will offset potential impacts to the Congestion Management Program intersections as identified in the TIA for the Proposed Project prepared by Kunzman Associates, Inc. and dated March 30, 2015.

Monitoring: Monitoring to be provided by the Planning Department prior to issuance of the grading permit as required in the Mitigation Monitoring and Reporting Program.

TT-2:

Onsite traffic signing and stripping shall be implemented in conjunction with detailed construction plans for the Project Site. Sight distance at each project access point shall be reviewed with respect to standard Caltrans and City of Adelanto sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.

Monitoring: Monitoring to be provided by the Planning Department during final plan check as required in the Mitigation Monitoring and Reporting Program.

GENERAL REFERENCES (List author or agency, date, title)

City of Adelanto General Plan. 1994.

City of Adelanto Development Code. Current through 12-10-2014.

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California Department of Conservation. 1994. Mineral Land Classification of a Part of Southwestern San Bernardino County: The Barstow-Victorville Area, California. (DMG Open File Report 94-04).

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California Department of Toxic Substances Control. EnviroStor Databased. Accessed 4-16-2015.

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Kunzman Associates, Inc. March 30, 2015. Clark Pacific Adelanto Plant Site Development.

McKenna et al. May 19, 2015. A Phase I Cultural Resources Investigation of Assessor Parcel No. 3129-54-01, the Clark-Pacific Cement Plant Property, Adelanto, San Bernardino County California.

Merrell Johnson. March 30, 2015. Hydrology Study for Adelanto Plant Site Development c/o Clark Pacific.

Merrell Johnson. May 2, 2015. Geotechnical Investigation Clark Pacific, Adelanto Plant, Adelanto, CA. Prepared for Clark Pacific.

Natural Resources Assessment, Inc. March 30, 2015. Biological Resources Assessment Clark Pacific Concrete Plant Expansion Project.

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Yolo County. March 2012. Clark Pacific Expansion Project DEIR.

MITIGATION MONITORING CHECKLIST

Project File No.: LDP 15-04, CUP 15-03, GPA 15-03

Applicant: Clark Pacific Precast LLC

Initial Study Prepared by: Mark de Manincor, Senior Planner

Date: May 11, 2016

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
Aesthetics						
Agricultural Resources						
Air Quality						
Biological Resources						
BIO – 1: A clearance survey shall be conducted for desert tortoise prior to construction per UAFWS guidelines (guidelines are summarized in the DRAI report). The clearance survey shall be completed no more than 30 days prior to the start of ground disturbance. If animals are found resident on-site, consultation with the CDFW and USFWS will be required. Implementation of avoidance/minimization mitigation measures and/or a take permit and compensatory mitigation shall be implemented as agreed to by the Project Proponent and the regulatory agencies.	DD/CE/CP	B	Prior to Grading	B/D		2/4/7
BIO – 2: During Construction, if desert tortoise wanders onto the site in the absence of an exclusion fence, all construction shall be halted. The Project Proponent shall notify the Planning Department of the incident. Construction shall resume only after the animal leaves the area on its own.		During construction		Self monitoring		

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
<p>BIO – 3: All construction personnel connected with the project or working on-site shall be required to attend and education course on the desert tortoise. The course should be given by a qualified desert tortoise biologist. The course should be given prior to the start-up of construction work. At a minimum, the course should cover the following:</p> <ol style="list-style-type: none"> 1. General behavior and ecology of the tortoise 2. Distribution of the desert tortoise 3. Sensitivity to human activities 4. Status of the desert tortoise under state and federal endangered species acts 5. Restrictions and guidelines that must be followed by all construction personnel 6. Penalties and fines for harming desert tortoise 7. Reporting requirements 8. Project protective mitigation measures 	DD/CE/CP	B	Prior to grading	B/D		2/4/7
<p>BIO – 4: The project proponent shall conduct a take avoidance survey no less than 14 days prior to initiating ground activities on the project area to determine if burrowing owls are nesting on site. If burrowing owl are found during the take avoidance survey, follow up surveys by a CDFW approved biologist and implementation of avoidance measures, preparation of a Burrowing Owl Mitigation and Monitoring Plan, and compensatory in consultation with the CDFW mitigation may be required.</p>	DD/CE/CP	B	Prior to grading	B/D		2/4/7
Cultural Resources						
Geology and Soils						

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
GEO – 1: In order to detect un-desirable materials or conditions and soft areas that may be encountered in the construction area, all site preparation and fill placement should be continuously observed and tested by a representative of a qualified geotechnical engineering firm. The engineering firm that provides observation and testing during construction shall assume the responsibility of “geotechnical engineer of record” and, as such, shall perform additional tests and investigation as necessary to satisfy themselves as to the site conditions and the recommendations for site development.	Self Monitoring					
Hazards and Waste Materials						
Hydrology and Water Quality						
Land Use and Planning						
Mineral Resources						
Noise						
NOI – 1: Construction equipment shall be properly maintained in accordance with manufacturer’s specifications and shall be fitted with the best available noise suppression devices (e. g. mufflers, silencers, wraps). All impact tools shall be shrouded or shielded, and all intake and exhaust ports on power equipment shall be muffled or shielded	Self Monitoring					
NOI – 2: Construction equipment shall not idle for extended periods of time (no more than 5 minutes).	Self Monitoring					

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
NOI – 3: Stationary equipment (compressors, generators, and cement mixers) shall be located as far from the west project boundary as feasible.	Self Monitoring					
NOI – 4: Coordinate with local landowners and provide noise reduction. Within 60 days of issuance of the occupancy permit, the Project Applicant shall coordinate with the landowners of residential property west of Beaver Road to measure interior and exterior noise levels over a 72-hour period. If the results of the noise monitoring indicate that noise levels do not exceed 65 dBA (exterior) or 45 dBA (interior), no mitigation shall be required. If the results of the noise survey indicate that exterior noise levels exceed 60 dBA, or interior noise levels exceed 45 dBA, the project applicant shall coordinate with the landowners regarding potential noise reduction measures such as new siding, insulation, windows, or a noise-insulating barrier no less than 6-feet in height across the frontage of the property(s), as necessary to achieve an interior noise level of no more than 45 dBA.	DD/CE/CP	C		A		4
Population and Housing						
Public Services						
Recreation						
Transportation/Traffic						

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
TT – 1: The Project Applicant shall pay appropriate development impact fees (fair share) that will go towards the capital improvement program to provide for the implementation of the recommended roadway improvements that will offset potential impacts to the Congestion Management Program intersections as identified in the TIA for the Proposed Project prepared by Kunzman Associates, Inc. and dated March 30, 2015 and revised.						
Onsite traffic signing and stripping shall be implemented in conjunction with detailed construction plans for the Project Site. Sight distance at each project access point shall be reviewed with respect to standard Caltrans and City of Adelanto sight distance standards at the time of preparation of final grading, landscape, and street improvement plans.	DD/CP/CE	C	A			3
Utilities and Service Systems						
Mandatory Findings of Significance						

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification	Sanctions
DD - Development Director or designee	A - With Each New Development	A - On-site Inspection	1 - Withhold Recordation of Final Map
CP - City Planner or designee	B - Prior To Construction	B - Other Agency Permit / Approval	2 - Withhold Grading or Building Permit
CE - City Engineer or designee	C - Throughout Construction	C - Plan Check	3 - Withhold Certificate of Occupancy
BO - Building Official or designee	D - On Completion	D - Separate Submittal (Reports/Studies/Plans)	4 - Stop Work Order
PO - Police Captain or designee	E - Operating		5 - Retain Deposit or Bonds
FC - Fire Chief or designee			6 - Revoke CUP
			7 - Citation



City of Adelanto
Development Department
11600 Air Expressway, Adelanto, CA 92301
(760) 246-2300

MITIGATED NEGATIVE DECLARATION 15-01

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project File No.: LDP 15-04, CUP 15-03, GPA 15-03
Public Review Period Closes: April 01, 2016

Project Name: LDP 15-04, CUP 15-03, GPA 15-03
Project Applicant: Clark Pacific Precast, LLC
1980 South River Road
Sacramento, CA 95691

Project Location: The proposed project site is on the southwest corner of Holly Road and Koala Road, within the City of Adelanto, County of San Bernardino, APN's 3129-551-01, 02, 03 and 3129-541-01

Project Description: A proposal to develop a Pre-Cast, Pre-Stressed Concrete Products Manufacturing and Storage Facility on 111 acres of land on the southwest corner of Holly Road and Koala Road located within the City of Adelanto, County of San Bernardino.

FINDING

This is to advise that the City of Adelanto, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Negative Declaration based upon the following finding:

- The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment.
- The Initial Study identified potentially significant effects but:
- (1) Revisions in the project plans or proposals made or agreed to by the applicant before this proposed Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - (2) There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the City of Adelanto Planning Department at 11600 Air Expressway, Adelanto, CA 92301, (760) 246-2300.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

March 2, 2016 – April 1, 2016

City of Adelanto, City Council

Date of Determination

Adopted By



City of Adelanto
Development Department
11600 Air Expressway, Adelanto, CA 92301
(760) 246-2300

Notice of Determination

TO: Clerk of the Board
County of San Bernardino
385 N. Arrowhead, 2nd Floor
San Bernardino, CA 92415-0130

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

Documentary Handling Fee (\$2,660.25)

Receipt Number:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

PROJECT DESCRIPTION: A proposal to develop a Pre-Cast, Pre-Stressed Concrete Products Manufacturing and Storage Facility on 111 acres of land.

PROJECT LOCATION: The proposed project site is on the southwest corner of Holly Road and Koala Road, within the City of Adelanto, County of San Bernardino. APN's 3129-551-01, 02, 03 and 3129-541-01

APPLICANT: Clark Pacific Precast, LLC

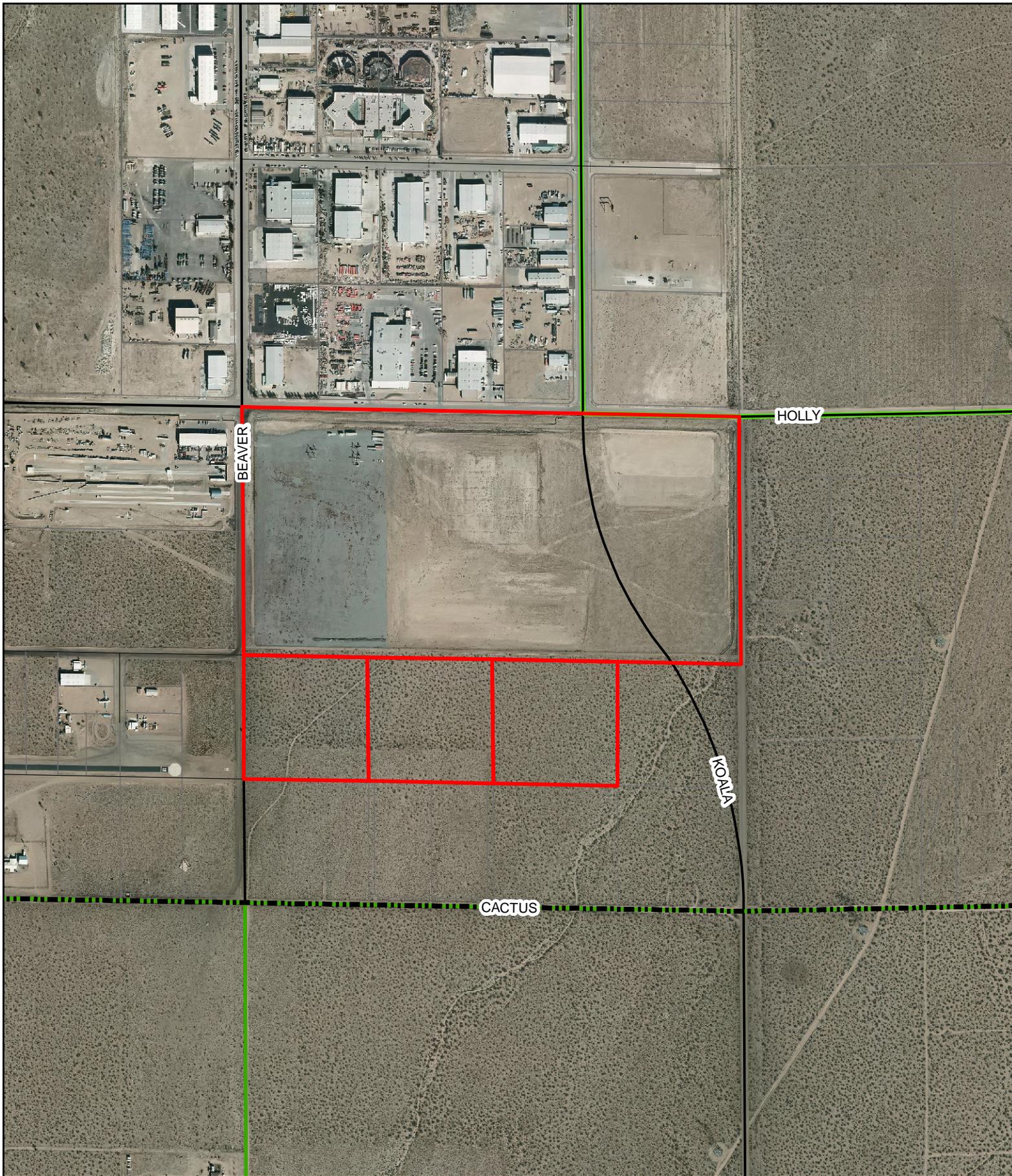
STATE CLEARINGHOUSE NUMBER: 2016021109

This is to advise that the **City of Adelanto** approved the above described project on 04/27/16, with an effective date of 04/27/16, and has made the following determinations regarding the above project.

1. The project will, will not, have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were, were not, made a condition of the approval of this project.
4. A statement of overriding considerations was, was not, adopted for this project.
5. Findings were, were not, made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval is available to the General Public at: **City of Adelanto, 11600 Air Expressway, Adelanto, California 92301.**

Mark de Manincor	04/27/16 (Date)	Senior Planner (760) 246-2300 ext. 3001 (Title)	(Telephone)
------------------	--------------------	--	-------------



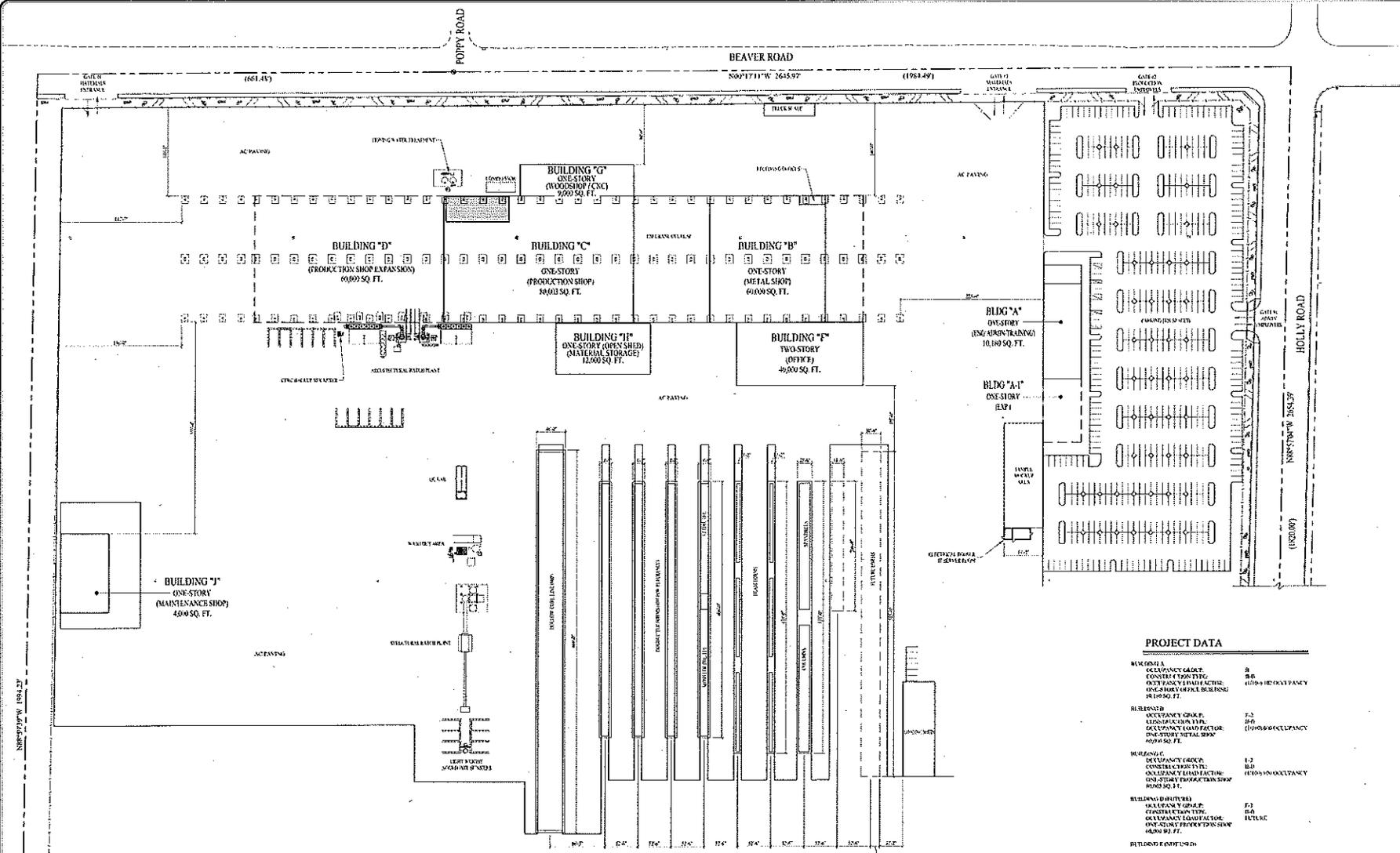
LDP 15-04 GPA 15-03
Clark Pacific
Aerial Exhibit

1 in = 660 feet



REV.	DATE	DESCRIPTION

DESIGNER: LRC
 DATE: 10-06-15
 SCALE: 1" = 60'-0"
 SHEET NO: 0212



2013 CALIFORNIA BUILDING CODE

SECTION 102.01 CLASSIFICATION
 - COMMERCIAL: GROUP B-3
 - BUSINESS: GROUP B-2
 - FACTORY & INDUSTRIAL: GROUP B-1
 - STORAGE: GROUP S-1

SECTION 102.02 TABLE 102-1.1 USE OF CONSTRUCTION TYPE
 TABLE 102-1.1

SECTION 102.02 TABLE 102-1.2 OCCUPANCY GROUP AND ALLOWABLE HEIGHT
 TABLE 102-1.2

FUNCTION OF SPACE	OCCUPANCY GROUP
ACCESSORY STORAGE AREAS, EXCEPT FOR STORAGE OF FLAMMABLE LIQUIDS	GROUP B-3
ACCESSORY STORAGE AREAS, EXCEPT FOR STORAGE OF FLAMMABLE LIQUIDS	GROUP B-3
AREAS WITH STORED FLAMMABLE LIQUIDS	GROUP B-3
BUSINESS OFFICES	GROUP B-2
INDUSTRIAL AREAS	GROUP B-1
WAREHOUSES	GROUP S-1

PARKING REQUIREMENTS LOAD CALC.

BUILDING	AREA	PARKING LOAD FACTOR	NO. OF SPACES
BUILDING A	10,180 SQ. FT.	1.25	41
BUILDING B	60,000 SQ. FT.	0.50	120
BUILDING C	50,000 SQ. FT.	0.50	100
BUILDING D	80,000 SQ. FT.	0.75	160
BUILDING E	N/A	N/A	N/A
BUILDING F	40,000 SQ. FT.	0.25	80
BUILDING G	20,000 SQ. FT.	0.50	40
BUILDING H	10,000 SQ. FT.	0.25	20
BUILDING I	N/A	N/A	N/A
BUILDING J	60,000 SQ. FT.	0.50	120
TOTAL PARKING SPACES REQUIRED			715
TOTAL PARKING SPACES PROVIDED			720

ZONING ORDINANCE - ADELANTO, CA

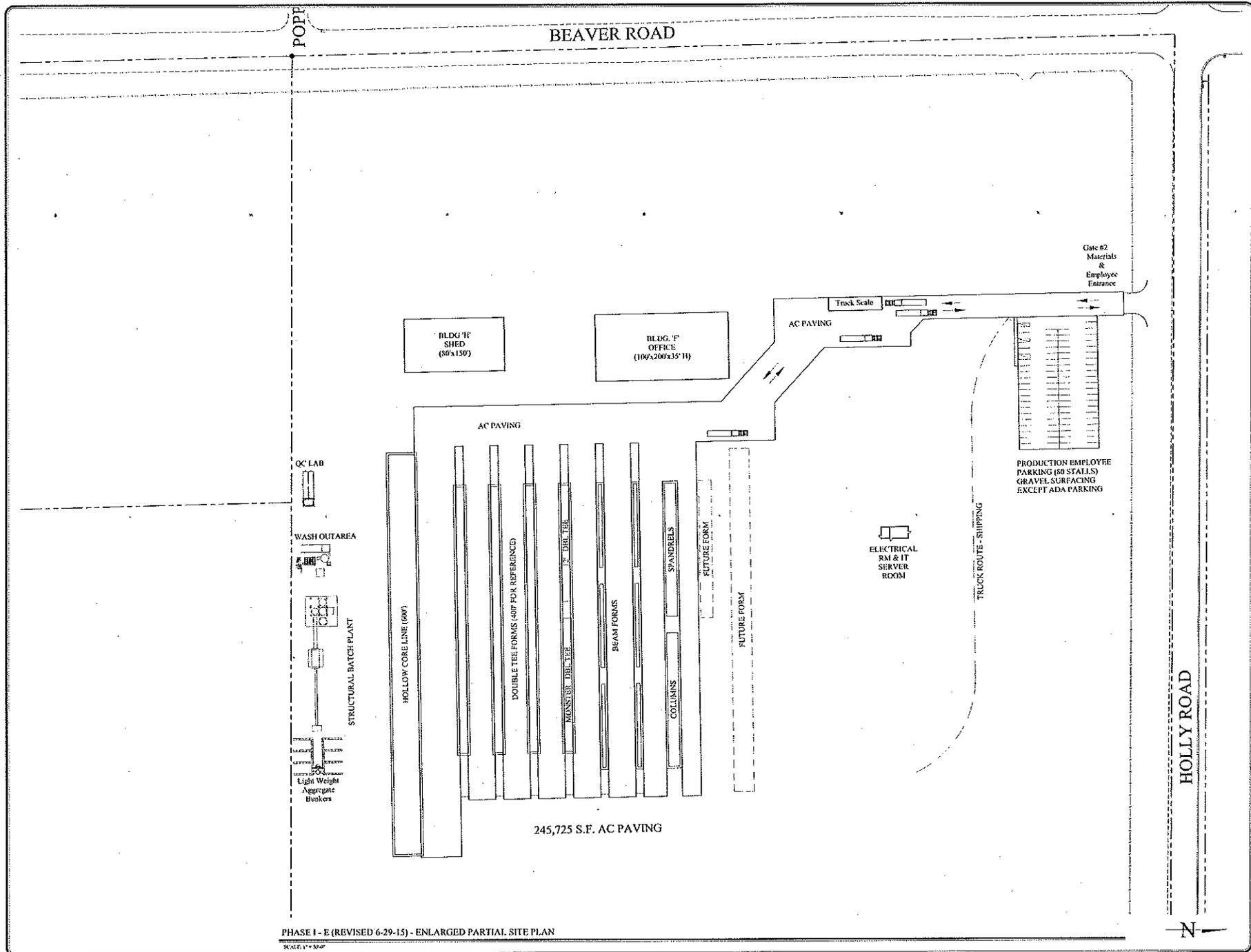
TABLE 4.2

PARKING SPACES PROVIDED	NUMBER OF HANDICAP PARKING SPACES REQUIRED
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1,000	2% MINIMUM
1,001 - OVER	2% MINIMUM

TABLE 4.3

USE	REQUIRED NUMBER OF SPACES
ASSEMBLY (A-2)	1 SPACE PER 50 SQ. FT. OF GROSS FLOOR AREA (GFA)
MANUFACTURING & PROCESSING (M-1, M-2)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
WAREHOUSE (W-1)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
RETAIL (R-1, R-2)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
OFFICE (O-1, O-2)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
RESTAURANT (R-3)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
AMUSEMENT (A-3)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
RECREATION (R-4)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)
OTHER (O-3)	1 SPACE PER 1,000 SQ. FT. OF GROSS FLOOR AREA (GFA)





1603 SOUTH HAVEN ROAD
 WICKBROOK, CA 95691
 TEL: (916) 371-6976
 FAX: (916) 370-0223
 1845 BEAVER AVENUE
 RAYTOWN, CA 94583
 TEL: (925) 823-1333
 FAX: (925) 823-1361

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PROJECT
**ADELANTO
 MASTER
 PLAN**

DESCRIPTION
**ENLARGED
 PHASE I-E
 SITE PLAN**

REV.	DATE	DESCRIPTION

DESIGNED BY: LRC
 DRAWN BY: LRC
 DATE: 10-06-15
 SCALE: 1"=50'-0"
 SHEET NO: 0012
 SHEET 30

AS1.03

PHASE I - E (REVISED 6-29-15) - ENLARGED PARTIAL SITE PLAN
 SCALE: 1"=50'

PLUMBING FACILITIES CALCULATIONS

PER PROJECT: 14014 14014 A

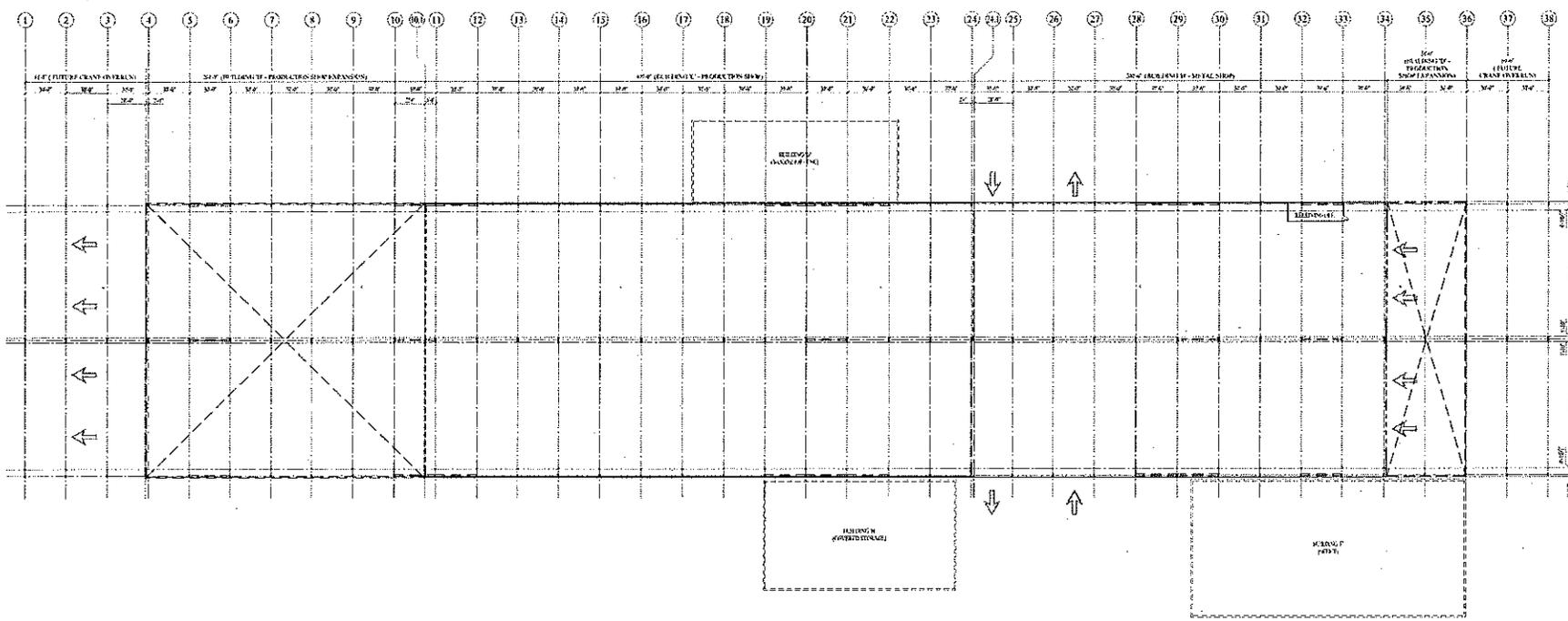
SYSTEM NAME	UNIT OF MEASURE	UNIT PRICE	NET QUANTITY	WASTAGE LOSS	WASTAGE ADJUSTED QUANTITY	UNIT PRICE	ESTIMATED TOTAL PRICE	QUANTITY	UNIT PRICE	ESTIMATED TOTAL PRICE
REGULATION VALVES	PER LINEAL FOOT	10.00	1000	10%	1100	10.00	11000.00	1100	10.00	11000.00
REGULATION VALVES	PER LINEAL FOOT	10.00	1000	10%	1100	10.00	11000.00	1100	10.00	11000.00
TOTAL FEATURES PROVIDED										

NOTE:

- THE PLUMBING FACILITIES CALCULATIONS ARE BASED UPON THE PLUMBING FACILITIES PROVIDED BY THE CLIENT. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED.
- THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED.
- THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED.
- THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE DATA PROVIDED.

CLARK PACIFIC
 1600 EAST PEPPER ROAD
 SACRAMENTO, CALIFORNIA 95834
 TEL: 916.486.1000
 FAX: 916.486.1005
 1502 S. COLLE AVENUE
 FOLSOM, CA 95632
 TEL: 916.932.1411
 FAX: 916.932.1411

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FLOOR PLAN - BUILDING 'B' & 'C' (METAL SHOP & PRODUCTION SHOP) 60,000 SQ.FT. (BLDG 'B') + 80,000 SQ.FT. (BLDG 'C') = 140,000 SQ.FT. (TOTAL)
 SCALE: 1/8" = 1'-0"

PROJECT
ADELANTO MASTER PLAN

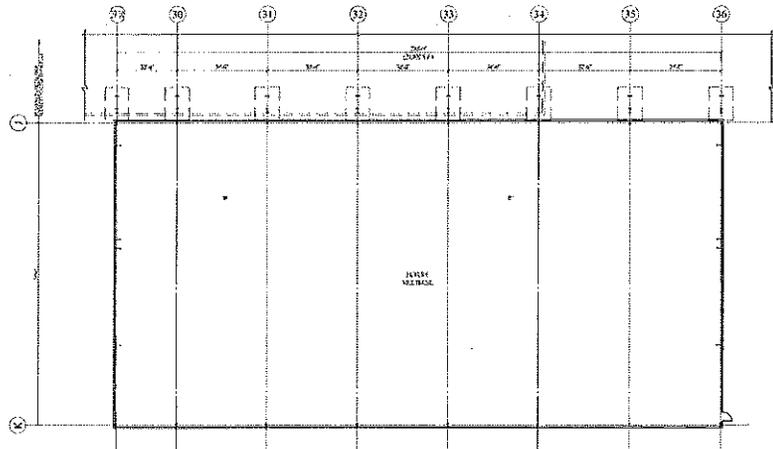
DRAWING DESCRIPTION
BUILDING 'B', 'C' METAL SHOP & PRODUCTION SHOP FLOOR PLAN

REV.	DATE	DESCRIPTION

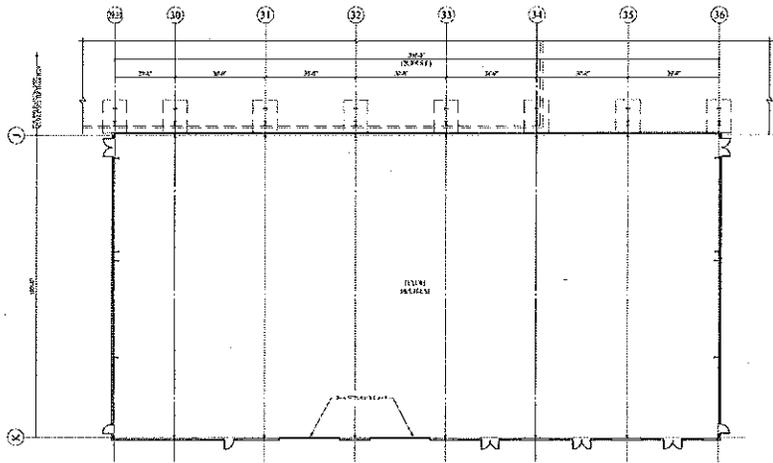
DRAWN BY: LRL
 CHECKED BY: LRL
 DATE: 10-08-15
 SCALE: 1/8" = 1'-0"
 SHEET NO: 012

SHEET NO
BC1.01





2ND FLOOR PLAN - BUILDING F OFFICE (20,000 SQ. FT.)
SCALE: 1/8" = 1'-0"



1ST FLOOR PLAN - BUILDING F OFFICE (20,000 SQ. FT.)
SCALE: 1/8" = 1'-0"



CLARK PACIFIC
 ARCHITECTS
 1400 SOUTH PEARL ROAD
 FOUNTAIN VALLEY, CA 92708
 TEL: (714) 331-0300
 FAX: (714) 331-0302
 1402 S. GARDEN AVENUE
 FONTANA, CA 92335
 TEL: (951) 824-8100
 FAX: (951) 824-1361

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PROJECT
**ADELANTO
 MASTER
 PLAN**

REVISIONS
**FIRST AND
 SECOND
 FLOOR PLANS
 BUILDING F
 OFFICE**

REV.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
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DRAWN BY: _____
 CHECKED BY: LRC
 DATE: 10-05-15
 SCALE: 1/8" = 1'-0"
 JOB NO: 0112

SHEET NO:
F1.01

FINISH LEGEND

-  METAL WALL PANEL
-  INSULATED BRICK VENEER

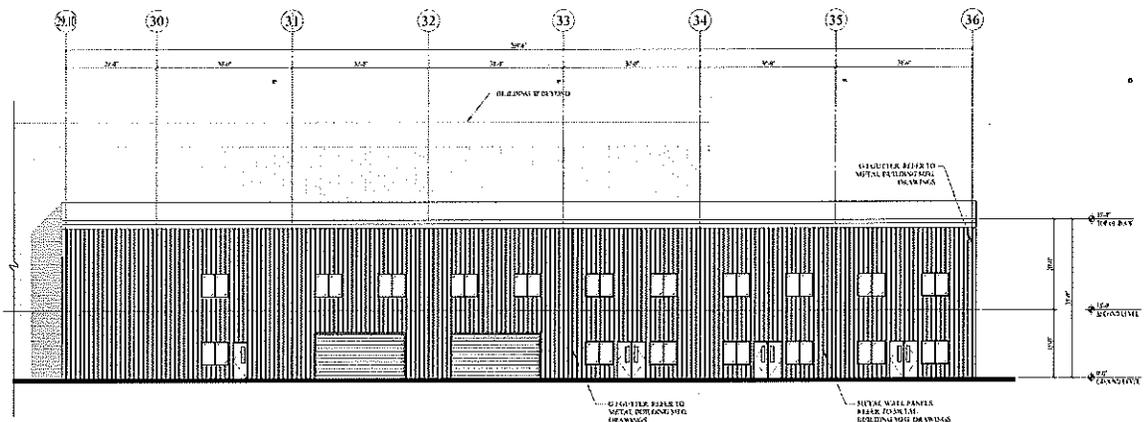
CLARK PACIFIC
 Protect. & Arg. for Life
 1545 GUYTON RIVER ROAD
 W. SACRAMENTO, CA 95601
 TELEPHONE 916/333-5500
 FACSIMILE 916/333-5505
 1500 GUYTON AVENUE
 FORTY-NINE (49) BUILDING
 TELEPHONE 916/333-5500
 FACSIMILE 916/333-5505

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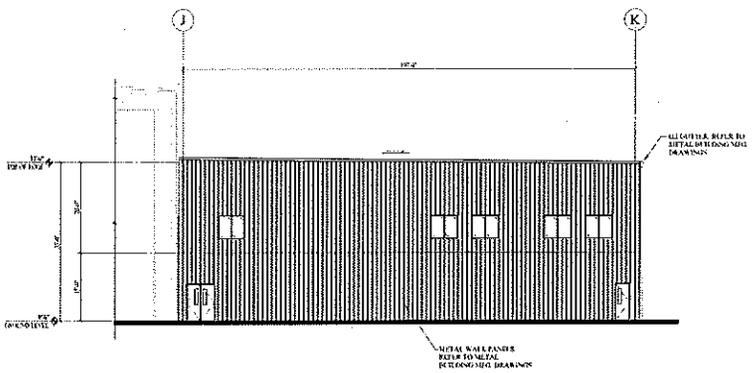
ALL DIMENSIONS AND FINISHES
 UNLESS OTHERWISE SPECIFIED
 SHALL BE IN ACCORDANCE WITH
 THE 2015 INTERNATIONAL
 BUILDING CODE (IBC) AND THE
 2015 CALIFORNIA BUILDING
 CODE (CBC) UNLESS OTHERWISE
 SPECIFIED ON THE DRAWINGS.
 CONTRACTOR SHALL VERIFY ALL
 DIMENSIONS AND FINISHES
 BEFORE COMMENCING WORK.

PROJECT
**ADELANTO
 MASTER
 PLAN**

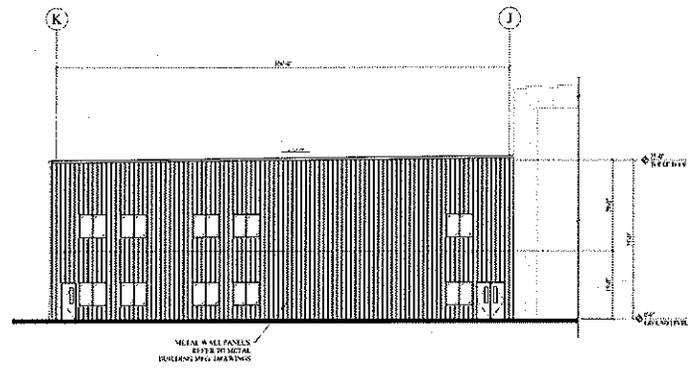
DRAWING DESCRIPTION
**BUILDING 'F'
 OFFICE -
 ELEVATIONS**



EAST ELEVATION - BUILDING 'F' OFFICE
 SCALE: 1/32" = 1'-0"



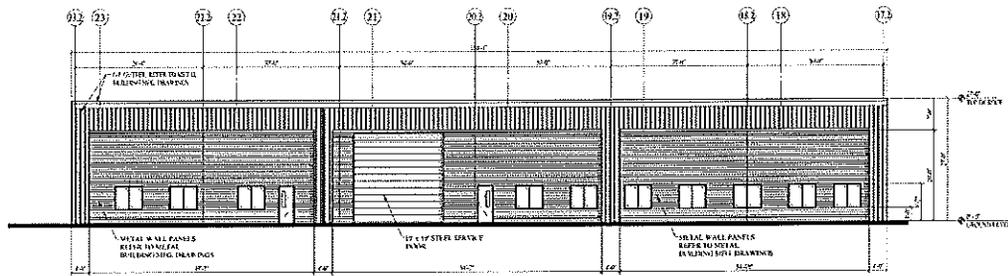
SOUTH ELEVATION - BUILDING 'F' OFFICE
 SCALE: 1/32" = 1'-0"



NORTH ELEVATION - BUILDING 'F' OFFICE
 SCALE: 1/32" = 1'-0"

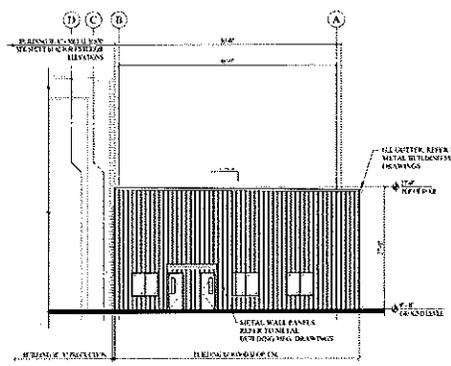
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/26/15
2	ISSUED FOR CONSTRUCTION	11/10/15
3	ISSUED FOR CORRECTIONS	11/10/15
4	ISSUED FOR CORRECTIONS	11/10/15
5	ISSUED FOR CORRECTIONS	11/10/15
6	ISSUED FOR CORRECTIONS	11/10/15
7	ISSUED FOR CORRECTIONS	11/10/15
8	ISSUED FOR CORRECTIONS	11/10/15
9	ISSUED FOR CORRECTIONS	11/10/15
10	ISSUED FOR CORRECTIONS	11/10/15

DESIGNED BY	LRG
CHECKED BY	LRG
DATE	10/26/15
SCALE	1/32" = 1'-0"
PROJECT	6012
SHEET NO.	



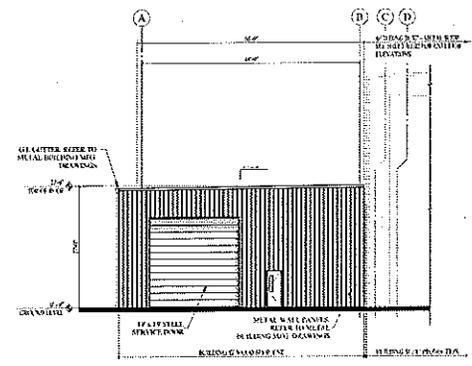
WEST ELEVATION - BUILDING G WOOD SHOP CNC

SCALE: 1/32" = 1'-0"



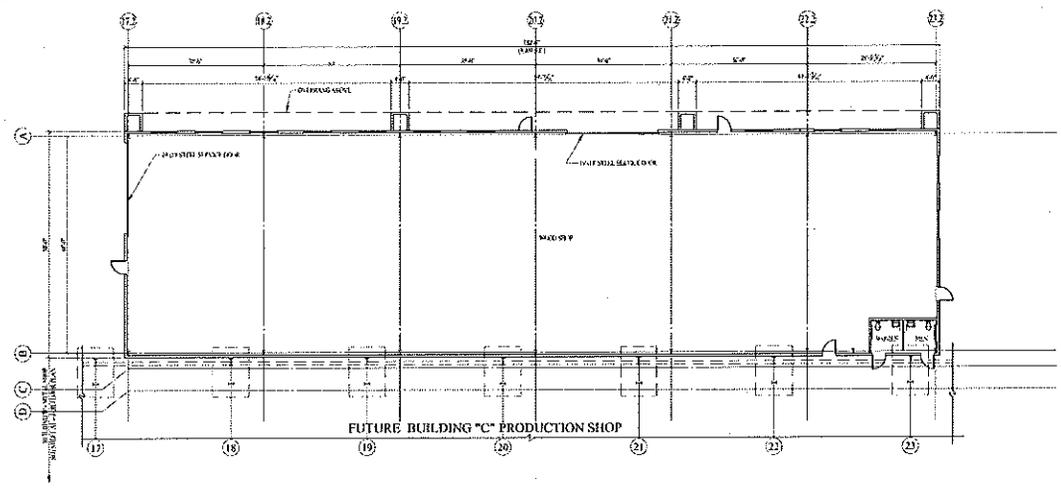
NORTH ELEVATION - BUILDING G WOOD SHOP CNC

SCALE: 1/32" = 1'-0"



SOUTH ELEVATION - BUILDING G WOOD SHOP CNC

SCALE: 1/32" = 1'-0"



FLOOR PLAN - BUILDING G WOOD SHOP CNC (9,000 SQ. FT.)

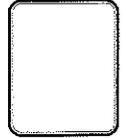
SCALE: 1/32" = 1'-0"

- METAL WALL PANELS
- METAL BUILDING WALLS
- FLOOR PLAN LINES

CLARK
PACIFIC
ARCHITECTS
1100 SOUTH WILSON ROAD
MILWAUKEE, WI 53214
TEL: 414-224-1100
FAX: 414-224-1101

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PROJECT
**ADELANTO
MASTER
PLAN**

DRAWING DESCRIPTION
**FLOOR PLAN AND
EXTERIOR
ELEVATIONS
BUILDING G
WOODSHOP
CNC**

REV.	DATE	DESCRIPTION
1		
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DRAWN BY: LBC
CHECKED BY: LBC
DATE: 10-05-15
SCALE: 1/32" = 1'-0"
JOB NO: 6602
SHEET NO:



G1.01

CLARK PACIFIC
 Forest Building Group
 1300 SLOVER AVENUE
 ROSAMOND, CA 91072
 TEL: (909) 393-1428
 FAX: (909) 393-1361

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 OTHERWISE ALL DIMENSIONS
 ARE IN METERS. DIMENSIONS
 IN METERS ARE FOR REFERENCE
 ONLY. DIMENSIONS IN METERS
 SHALL BE USED FOR ALL
 CONSTRUCTION. DIMENSIONS
 IN METERS SHALL BE USED FOR
 ALL CONSTRUCTION UNLESS
 OTHERWISE NOTED.

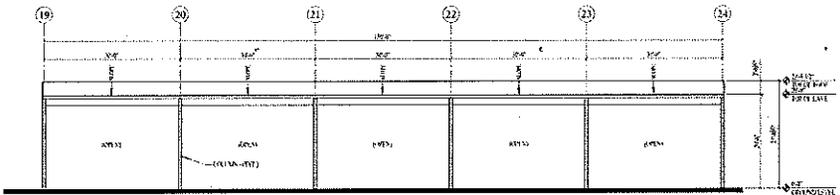
FIG. 0107
**ADELANTO
 MASTER
 PLAN**

FIG. 0108
**FLOOR PLAN
 AND
 EXTERIOR
 ELEVATIONS
 BUILDING 'H'
 MATERIAL
 STORAGE**

REV.	DATE	BY	CHKD.
1			
2			
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10			

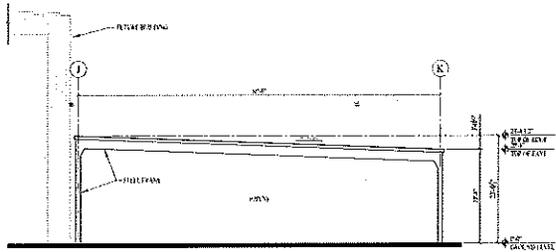
DATE: 6-2-13
 SCALE: 1/2" = 1'-0"
 SHEET: 0107

H1.01



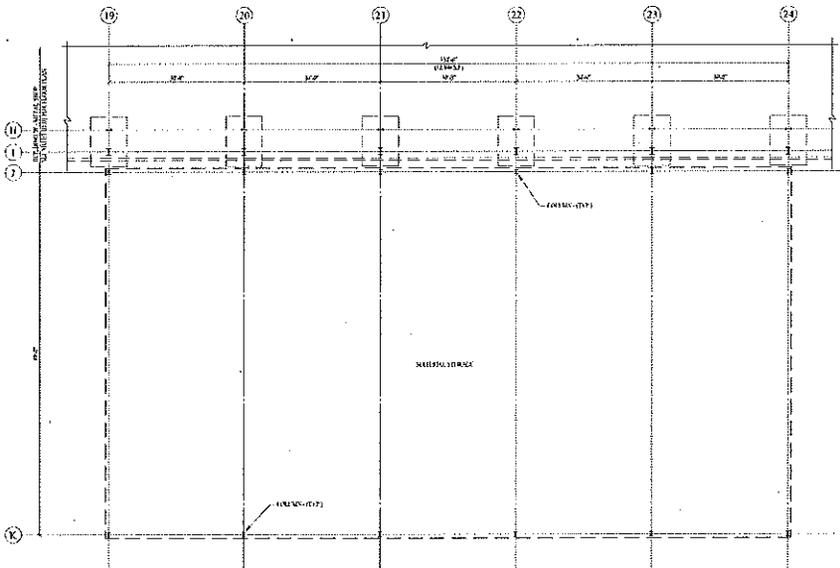
EAST ELEVATION - BUILDING 'H' MATERIAL STORAGE

SCALE: 1/2" = 1'-0"



SOUTH ELEVATION (NORTH SIM.) - BUILDING 'H' MATERIAL STORAGE

SCALE: 1/2" = 1'-0"

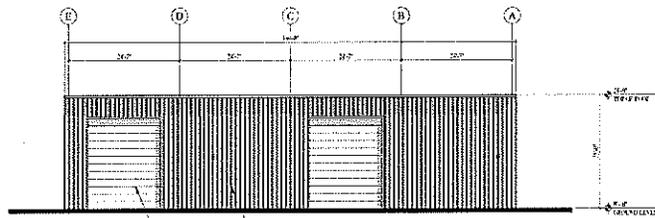


FLOOR PLAN - BUILDING 'H' MATERIAL STORAGE

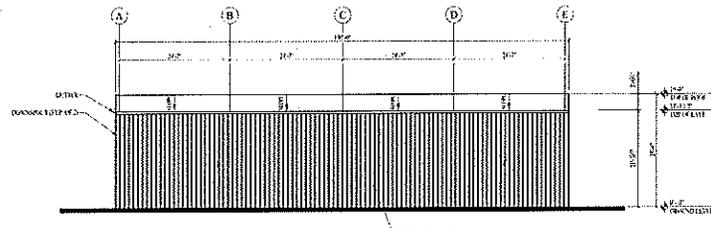
(12,000 SQ. FT.)

SCALE: 1/2" = 1'-0"

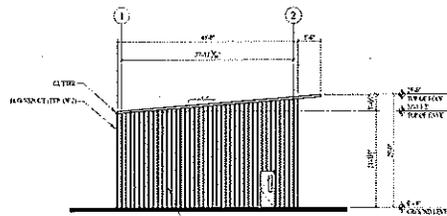




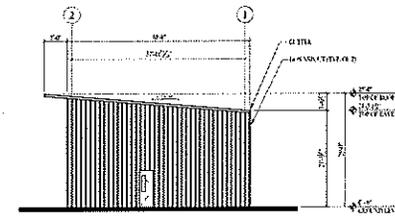
NORTH ELEVATION - BUILDING "J" - MAINTENANCE SHOP
SCALE: 3/32" = 1'-0"



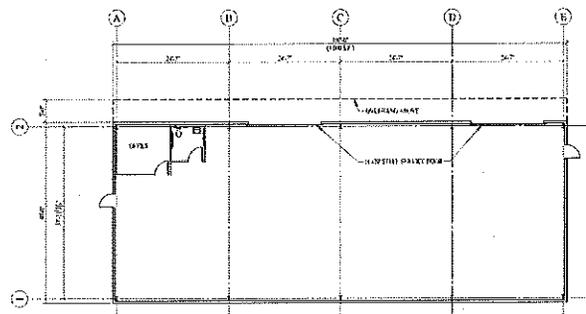
SOUTH ELEVATION - BUILDING "J" - MAINTENANCE SHOP
SCALE: 3/32" = 1'-0"



EAST ELEVATION - BUILDING "J" - MAINTENANCE SHOP
SCALE: 3/32" = 1'-0"



WEST ELEVATION - BUILDING "J" - MAINTENANCE SHOP
SCALE: 3/32" = 1'-0"



FLOOR PLAN - BUILDING "J" MAINTENANCE SHOP (4,000 SQ. FT.)
SCALE: 3/32" = 1'-0"

FINISH LEGEND

- SYNTH. GYPSUM BOARD
- EXTERIOR BRICK & MORTAR

CLARK PACIFIC
 PEACOCK BUILDING GROUP
 1740 SOUTH RIVER BLVD
 SACRAMENTO, CA 95811
 TEL: (916) 486-0000
 FAX: (916) 486-0011
 1500 BLISS AVENUE
 FORTY FIVE, CA 94516
 TEL: (925) 835-1428
 FAX: (925) 835-1428

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 2015

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ADELANTO MASTER PLAN

FLOOR PLAN & ELEVATIONS - BUILDING "J" MAINTENANCE SHOP

REV.	DESCRIPTION

DATE:	18-08-15
SCALE:	3/32" = 1'-0"
PROJECT:	0012

J1.01

Thanks for the conversation on Friday afternoon. The option for us building the drainage structure for a 25% reduction clearly does not work. It looks like we have reached an impasse with the staff (which I think we have known for some time). I think we are at the final stages of a proposal that even make this project feasible to present to City Council. The added time (over one year) as well as changes in right of way will trigger added cost to this project. The roadway documents will all need to be redone due to new city street sections. The squirrel study may need to be redone in addition to a possible 1 year delay over that 30 acres to the south. The water is clearly not available at this time to provide proper fire protection. This needs to be resolved and all will remove monies from the negotiation table. I am sure the staff will recommend we alone pay for all these added costs.

After our conversation I have created 3 options.

Option 1 :

We build the roadways. We receive the reimbursement of approximately 1,180,000. The rates will be as proposed by the city. Quantities to be verified by actual engineered drawings.

We pay the Traffic Circulation Impact fee. We Pay no Drainage Impact Fee due to no impact on drainage system. Cost to be spread over time.

7/19/2016

FW: Final options

Option 2 :

We build the roadways. We receive the reimbursement of approximately 1,180,000. The rates will be as proposed by the city. Quantities to be verified by actual engineered drawings.

We pay \$341,700 in Traffic Circulation Impact Fees. (This number is based on impacts to traffic from traffic study already submitted to the city) We pay Full Drainage Impact Fee of \$1,320,900. . Cost to be spread over time.

Option 3 :

We build the roadways. We receive the reimbursement of approximately 1,180,000. The rates will be as proposed by the city. Quantities to be verified by actual engineered drawings.

We pay \$341,700 in Traffic Circulation Impact Fees. (This number is based on impacts to traffic from traffic study already submitted to the city) We build Drainage structure as originally proposed. . Cost to be spread over time.

Any cost to provide adequate water for fire protection will be deducted from these fees.

I think this needs to be presented to the City Council through the Planning Commission.

Costs and benefits to the City

Improvement costs		City's offer	Clark Pacific's offer	Difference
drainage ROW/improvements (1/4 mile)	25% (less ROW)	\$120,955	\$0	
water/sewer lines Koala/Beaver		\$782,296	\$782,296	
curb/gutter Koala/Holly/Beaver		\$890,092	\$890,092	
sidewalk/landscaping	ADA Required	\$853,727	\$853,727	
asphalt		\$777,592	\$777,592	
Subtotal improvements		\$3,424,663	\$3,303,707	\$120,955
Impact Fees		111	111	
drainage impact fees	acres	\$11,900	\$1,320,900	\$0
circulation impact fees		\$16,917	\$1,877,787	\$1,877,787
Subtotal Impact fees		\$3,198,687	\$1,877,787	\$1,320,900
Credits/Reductions			credits may not exceed fees (fees are restricted funds)	
drainage credits ROW	87 ft width	\$209,270	total credits requested	
drainage credits onsite development		\$120,955	\$1,180,000	
circulation credits ROW	19 ft width	\$211,185		
circulation credits offsite development		\$461,695		
engineering credits	11.5% asphalt	\$53,095	\$154,873	
no water Koala and sewer Koala/Beaver		\$551,615	\$551,615	
no swale		ok	ok	
City paid improvements			estimated 18 inch waterline from Raccoon	
off-site fireflow improvements		\$0	\$600,000	
Subtotal credits/reductions		\$1,607,815	\$2,486,488	(\$878,673)
Net fees and improvements		\$5,015,535	\$2,695,007	\$2,320,528
Fees collected		\$3,198,687	\$1,877,787	
fee credits		\$1,056,200	\$154,873	
Improvements		\$3,424,663	\$3,303,707	
Real money paid by the City within next 2 years		\$0	\$1,208,898	
Uncountable benefits	Phase 1 (2-3 years)		Phase 2 (20 years)	
	50-150 jobs transferred		350-500 jobs transferred	
	some people move to/employed from Adelanto		more people move to/employed from Adelanto	
Uncountable costs	large trucks impacting Beaver and Rancho		large trucks impacting Beaver and Rancho	
	50-150 employees impacting Beaver and Rancho		350-500 employees impacting Beaver and Rancho	



Rich Kerr
Mayor

Jermaine Wright Sr.
Mayor Pro-Tem

Ed Camargo
Council Member

Charley B. Glasper
Council Member

John "Bug" Woodard Jr.
Council Member

Cynthia M. Herrera
City Manager

August 30, 2016

To: Scott and Mark
Planning Department

From: Wilson F. So, PE City Engineer *WFS*

Subject: Estimation of Water & Sewer Connection Fees for a given Project

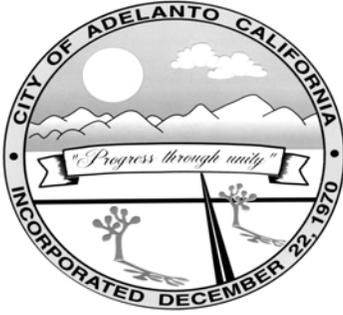
In response to your inquiry relative to how the water and sewer connection fees are being estimated and assessed and how capital improvements required of a specific project are being financed, let me provide you with this quick response:

- (a) Water Connection Fee – For a proposed project with estimated EDUs (equivalent dwelling units already given, the connection fee will be equal to #EDUS x \$ 8,265/EDU. This connection fee covers: source of water, transmission grid expansion, and storage capacity (mainly at our upper pressure zone reservoirs at the Baldy Mesa area).

We can also use the estimated water usage per day to determine the equivalent dwelling units. The water master plan originally used a volume of 500 gpd as one EDU. However, based on the State of California mandate of 16% - 20% water conservation goal; this unit volume will be adjusted to about 420 gpd/EDU – 400 gpd/EDU.

- (b) Special Water Improvements (including new transmission main extensions) – some projects may require extension of larger transmission mains due to specific need and fire flows such as the Clark Pacific Project. Before we just proceed to absolutely requiring the new main extension, we can sit down to review what type of material storage or operations that warrant such higher fire flows so that we can formulate a cost effective plan to meet the fire demand. Sometimes, we could even allow the Project developer to install an on-site storage tank for its own use and protection. In the event a new transmission/distribution water main is required, City can enter into a pay-back agreement (should be kept to no more than 10 years) when a property along and adjacent to the new main develops.
- (c) Sewer Connection Fee – will be estimated based on the number of EDUs x \$3,050/EDU. Again, we were using the unit sewage flow of 245 gpd as was used by the Victor Valley Wastewater Reclamation Authority (VWRA) as our City was one of the original founding members.

I trust that the above short explanation will be helpful to you and other planning staff at the City.



City of Adelanto

Community Development Department

DEVELOPMENT IMPACT FEES

Below is a list of current Development Impact Fees for the City of Adelanto.

Resolution 06-166

Circulation Impact Fees

Single Family Residential	\$4,452 per unit
Multi-Family Residential	\$3,076 per unit
Non-Residential	\$16,917 per acre

Fire Impact Fees

Single Family Residential	\$235 per unit
Multi-Family Residential	\$162 per unit
Non-Residential	\$893 per acre

Ordinance 425

Parks and Recreation

Residential (Single Family and Multi-Family)	\$2,890 per unit
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Master Drainage Plan

Single Family Residential	\$3,132 per unit
Multi-Family Residential	\$1,566 per unit
Non-Residential	\$11,900 per acre

Further information on these fees is available from the Public Works Engineering and Planning Departments.

J:\Planning\Development Impact Fees\DIF Fees Handout.doc



PLANNING COMMISSION AGENDA REPORT

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

DATE: September 6, 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 16-11:** Mr. Tien Hoang, is requesting a Conditional Use Permit for cultivation of medical marijuana at two existing 12,000 square foot industrial buildings. The project site is located at 17178 Raccoon Avenue, in Industrial Park 2, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 0459-671-02.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-29, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-11 to allow a Medical Marijuana Cultivation Facility at two (2) 12,000 square foot industrial buildings on an existing developed site with four (4) existing buildings, finding the project exempt under Section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Mr. Tien Hoag
5608 Persimmon Avenue
Temple City CA 91780

General Location: The project site is located at 17178 Raccoon Avenue, within the City of Adelanto, County of San Bernardino.

Assessor's Parcel Number: 0459-671-02

Environmental Determination: Exempt pursuant to section 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit 15-05
Bloomfield Productions

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 four (4) industrial buildings.

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	Developed Manufacturing/Industrial

PROJECT DESCRIPTION:

Mr. Tien Hoang is requesting a Conditional Use Permit for Medical Marijuana Cultivation Facilities at two (2) existing industrial buildings. The property is developed with four (4) separate, industrial buildings on 4.72 acres. The project is located at 17178 Raccoon Avenue.

DRAINAGE

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 Raccoon Avenue and 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 applicant is proposing a two (2) phased project that includes occupying two (2) of the four (4) buildings under phase one. The project currently is developed and is required to provide forty-eight (48) striped, paved parking spaces for the first phase. The applicant is providing fifty (50) 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 2.

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-16-29
2. Conditions of Approval
3. Notice of Exemption
4. Aerial Map
5. Site Plan

RESOLUTION NO. P-16-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING CONDITIONAL USE PERMIT 16-11 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION OF MEDICAL MARIJUANA AT TWO EXISTING 12,000 SQUARE FOOT FACILITIES ON APPROXIMATELY 4.72 ACRES OF LAND LOCATED AT 17178 RACCOON AVENUE, WITHIN INDUSTRIAL PARK 2. ASSESSOR'S PARCEL NUMBER 0459-671-02.

WHEREAS, the applicant, Mr. Tien Hoang, has proposed Conditional Use Permit 16-11 to allow for the indoor cultivation of medical marijuana at two (2) existing 12,000 square foot facilities located at 17178 Raccoon Avenue, within the City of Adelanto, County of San Bernardino; a

WHEREAS, a duly noticed public hearing was held on the 6th day of September, 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 16-11. 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 4.72 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 16-11 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September, 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-16-29 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September 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 6th day of September 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-29
September 6, 2016**

**Conditions of Approval
Conditional Use Permit 16-11**

PROJECT: A proposal to operate medical marijuana cultivation facilities, on 4.72 acres within two (2) 12,000 square foot existing industrial buildings within the MI (Manufacturing/Industrial) Zone. The project site is located at 17178 Raccoon Avenue. Assessor's Parcel Number 0459-671-02.

Applicant: Mr. Tien Hoang.

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; **September 6, 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 16-11. 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.** The project shall provide 48 parking spaces for 24,000 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements.
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 16-11

- 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 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 (2016 California Codes after 1/1/2017)
- BC13. Best Managements Practices (BMP's) are required for the site during construction
- BC 14. Plan cover sheet to include code supposition of, construction type, use and material quantities for determination of occupancy as well as deferred submittals.



SOUTHWEST GAS CORPORATION

July 14, 2016

City of Adelanto
Attn: Becky Reynolds
RReynolds@ci.adelanto.ca.us

Re: Medical Marijuana Cultivation Facility/17178 Raccoon Ave., Adelanto

Dear Ms. Reynolds,

Southwest Gas Corporation (SWG) facility maps are enclosed which detail gas structures in your project area.

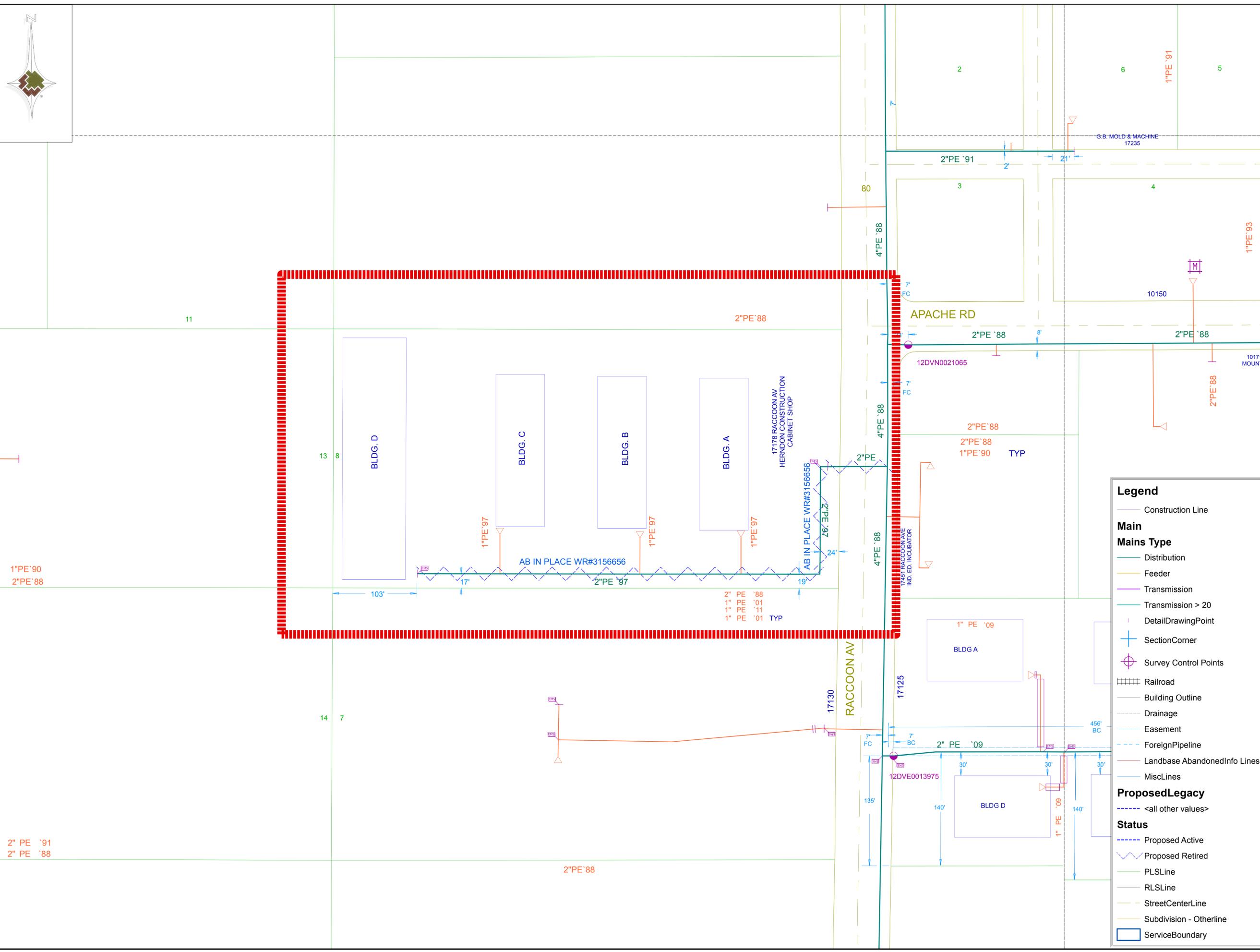
This information is provided only for design purposes. Please forward SWG a copy of the final design drawings for this project when they are available. The conflicts identified with this review must be field checked prior to a final solution. Please contact SWG as soon as possible and allow a **minimum of 90 days** to recommend a solution if additional conflicts in a specific site are anticipated.

If you have any questions, please contact me at (760) 951-4033.

Best Regards,

Adam Shochat
Supervisor/Engineering
Southern California Division – Southwest Gas
adam.shochat@swgas.com

AWS/lgw



1"PE'90
2"PE'88

2" PE '91
2" PE '88

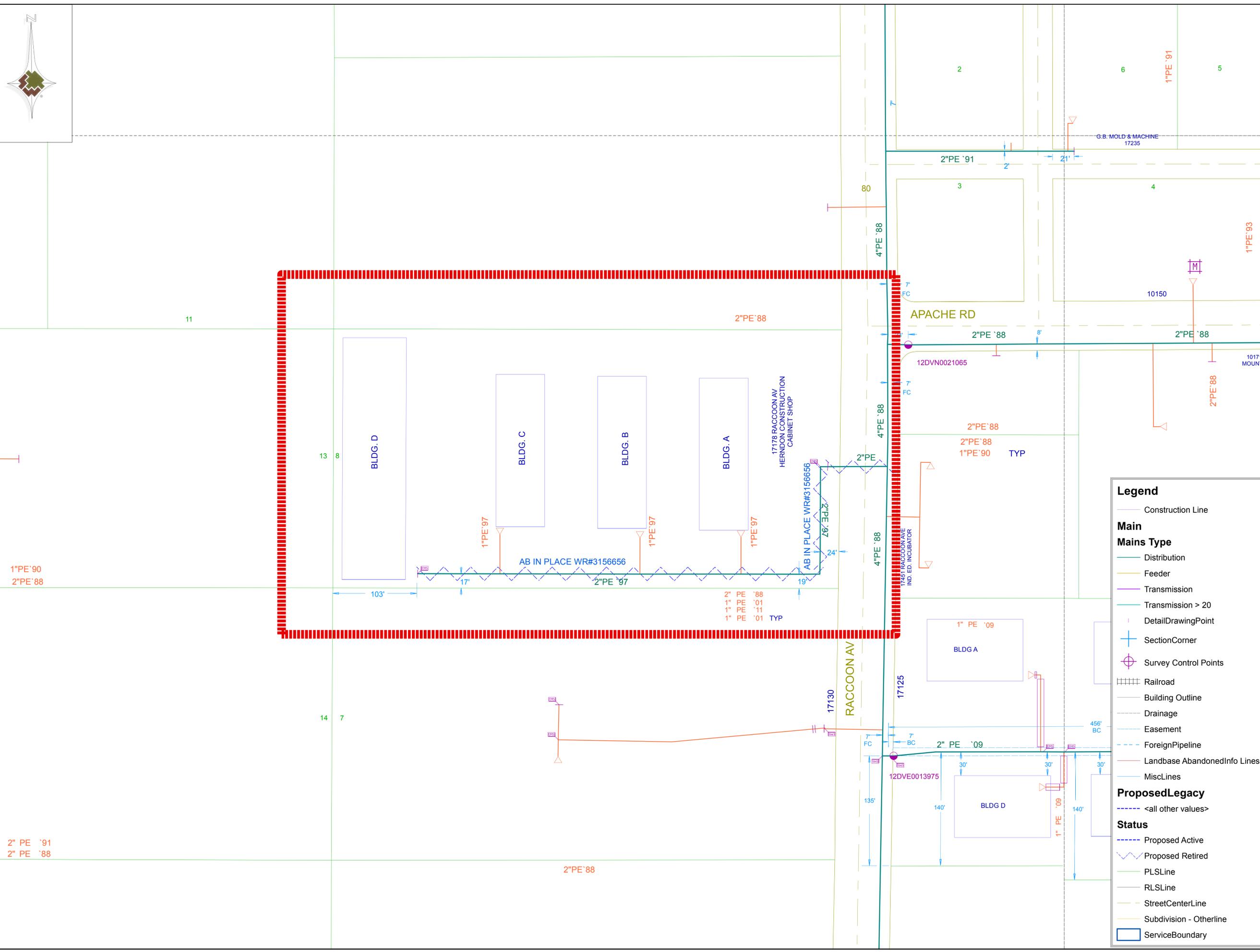
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 This document is provided for reference only and is not intended to be used for construction planning or line locating purposes. Please refer to your state's "Call Before You Dig" law. Southwest Gas makes no representations or warranties as to the adequacy, accuracy or completeness of this document or its contents. If you have any questions, please contact Southwest Gas Corporation - Engineering Department at (760) 951-4044.

TITLE:
 City of Adelanto
 Conditional Use Permit No. 16-11
 17178 Raccoon Ave
 APN: 0459-671-02

SOUTHWEST GAS CORPORATION
 SOUTHERN CALIFORNIA DIVISION
 REDLINE MAP

Sheet:	1 of 1	Scale:	1"=50'	Date:	07/14/2016
Drawn By:	T.McBride	Checked By:		Approved By:	



1"PE'90
2"PE'88

2" PE '91
2" PE '88

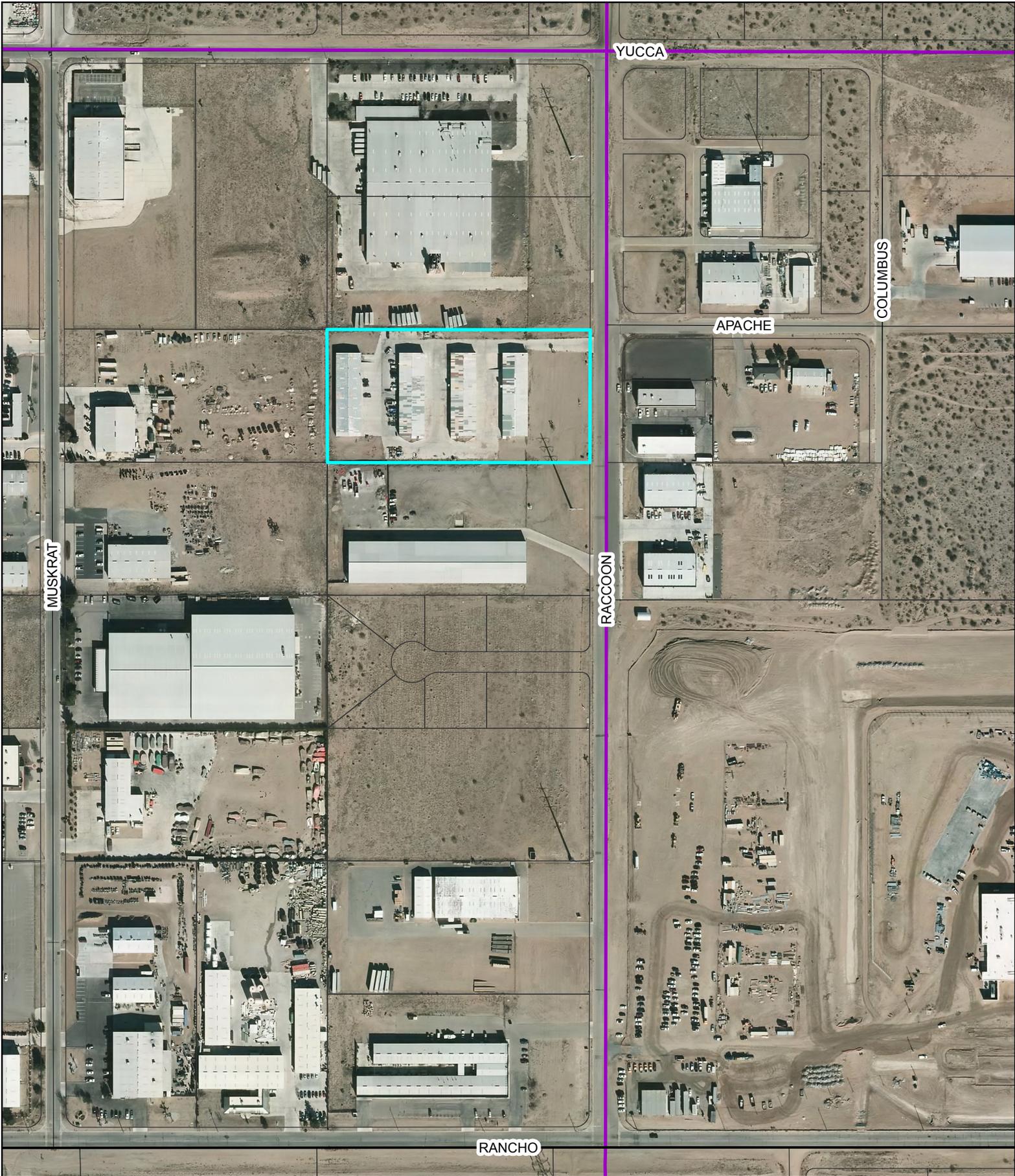
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TITLE:
City of Adelanto
Conditional Use Permit No. 16-11
17178 Raccoon Ave
APN: 0459-671-02

SOUTHWEST GAS CORPORATION
SOUTHERN CALIFORNIA DIVISION
REDLINE MAP

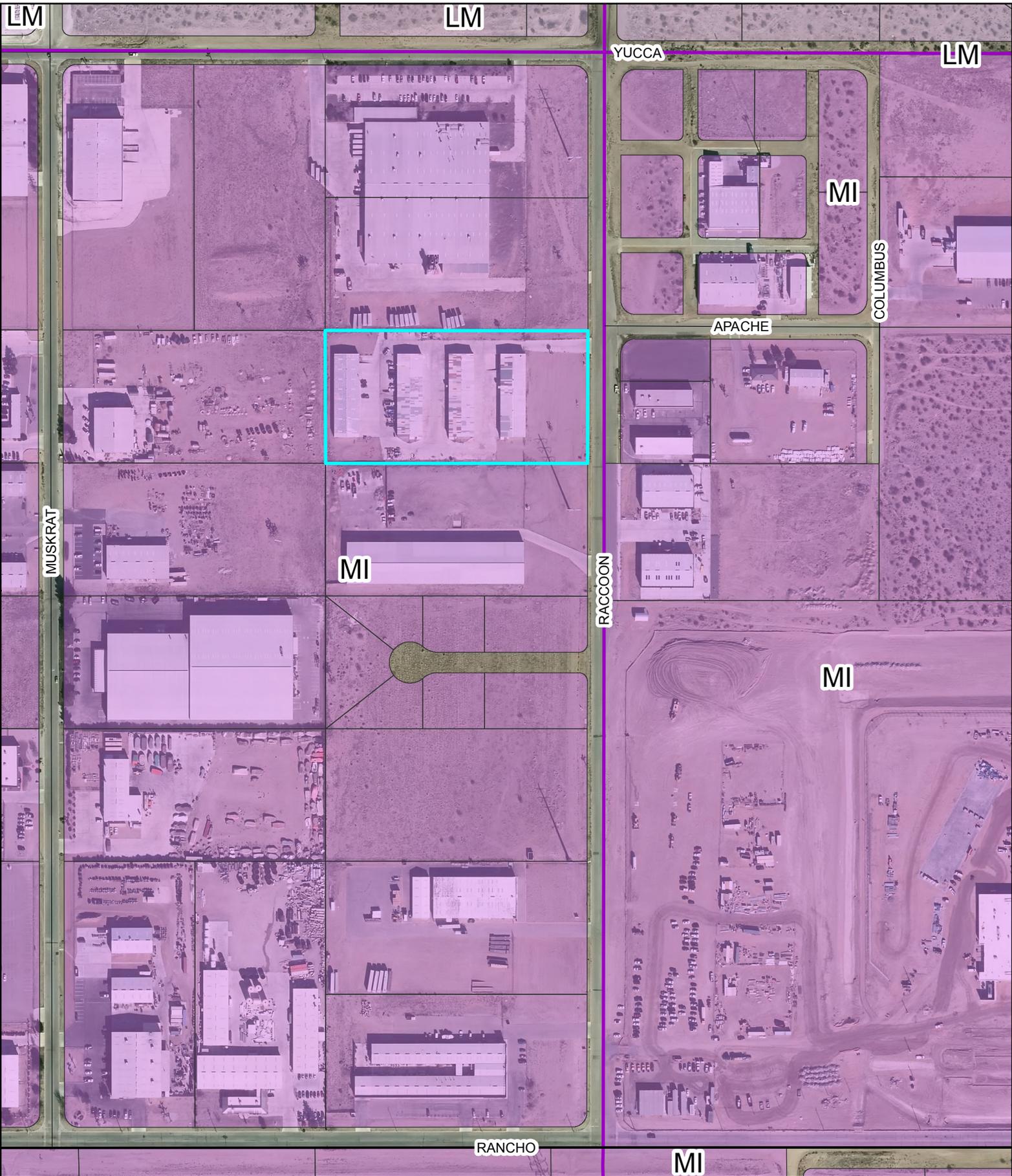
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Drawn By:	T.McBride	Checked By:		Approved By:	



CUP 16-11
APN: 0459-671-02



1 in = 300 feet

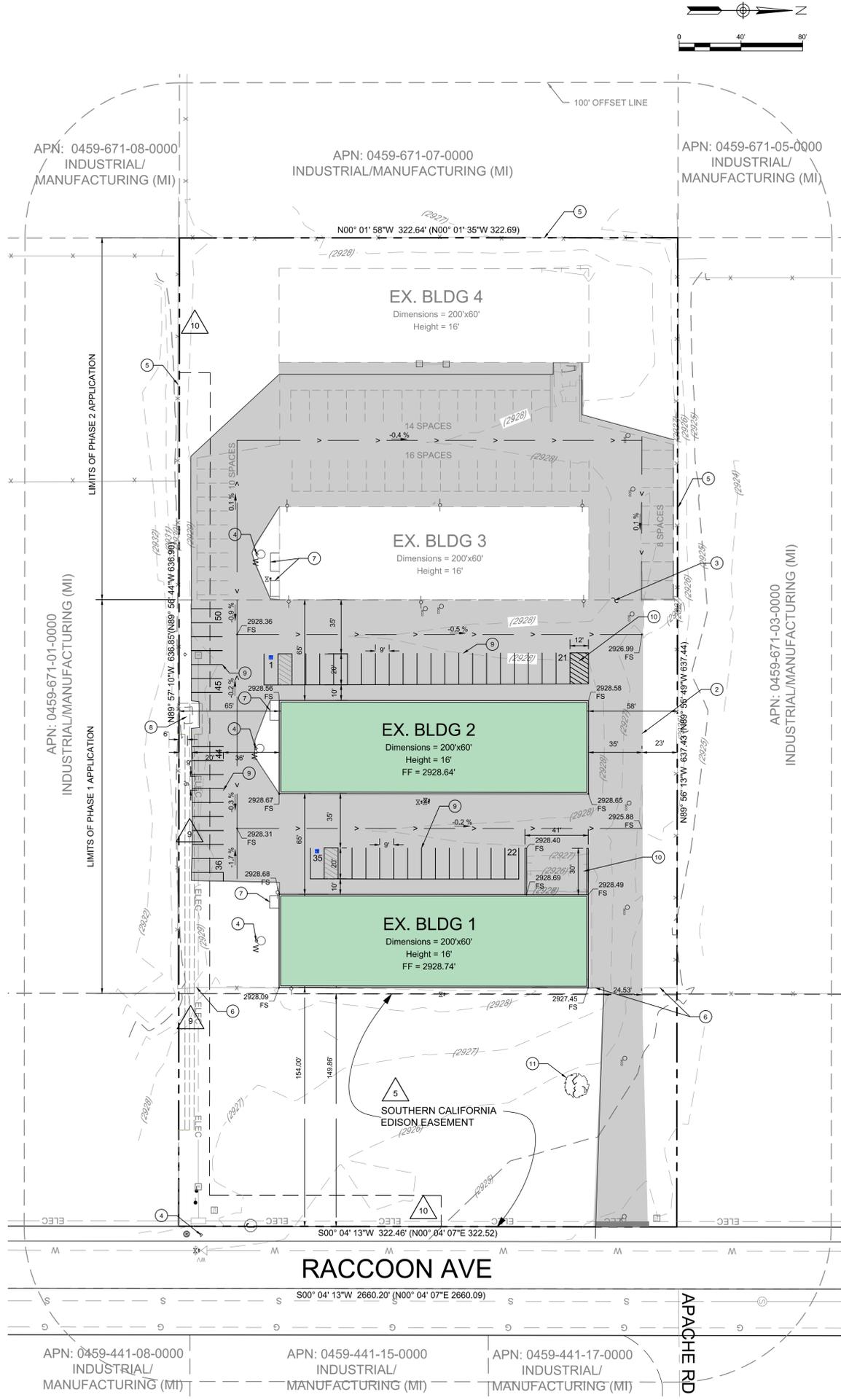


CUP 16-11
APN: 0459-671-02



1 in = 300 feet

PLOT STYLE: MGS-US Standard.ctb PROJECT LOCATION & NAME: V:\plans\hobart - Adelanto\CAD\SitePlan.dwg PLOT TIME: Monday, June 6, 2016 1:30:50 PM LAYOUT: 24 X 36



GENERAL NOTES

1. THERE ARE NO BUILDINGS WITHIN 100' OF PROPERTY
2. TRASH CONTAINERS TO BE STORED INSIDE BUILDINGS

EXISTING FEATURE NOTES

1. COMMERCIAL DRIVEWAY PER CITY STD 129a
2. 6" CONC CURB
3. 4" CONC
4. FIRE HYDRANT
5. 8' CHAIN LINK FENCE
6. 8' IRON FENCE
7. ELEC. PANEL ENCLOSURE
8. TRANSFORMER

CONSTRUCTION NOTES

9. 4" PARKING STRIPING (TYPICAL)
10. LOADING AREA
11. JOSHUA TREE

LEGEND

- (720) EXIST CONTOURS
- (723.36) EXIST ELEVATIONS
- 724.88 PROPOSED ELEVATIONS
- TC TOP OF CURB
- FL FLOWLINE
- FS FINISHED SURFACE
- TE TRASH ENCLOSURE
- LA LOADING AREA
- HC HANDICAPPED PARKING
- FF FINISHED FLOOR
- GB GRADE BREAK
- HP HIGH POINT
- LP LOW POINT

EASEMENT NOTES

- 5 EASEMENT PURPOSE: UTILITIES AND INCIDENTAL PURPOSES. RECORDING DATE: DECEMBER 30, 1965 RECORDING NO.: BOOK 6542, PAGE 73, OFFICIAL RECORDS
- 7 EASEMENT(S) GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY PURPOSE: PUBLIC UTILITIES RECORDING DATE: FEBRUARY 2, 1989 RECORDING NO.: 89-039337, OFFICIAL RECORDS
- 9 EASEMENT(S) GRANTED TO SOUTHERN CALIFORNIA EDISON COMPANY PURPOSE: PUBLIC UTILITIES RECORDING DATE: DECEMBER 10, 1996 RECORDING NO.: 1996-0452434, OFFICIAL RECORDS
- 10 EASEMENT(S) GRANTED TO SOUTHWEST GAS CORPORATION PURPOSE: GAS PIPELINES AND MAINTENANCE PURPOSES. RECORDING DATE: DECEMBER 16, 1996 RECORDING NO.: 1996-0459740, OFFICIAL RECORDS
- XX INDICATES PLOTTED EASEMENT PER TITLE REPORT NO. 7101602265-DD



VICINITY MAP
SCALE: N.T.S.

APPLICANT:

TIEN HOANG
5608 PERSIMMON AVE
TEMPLE CITY, CA 91780
PHONE : (626) 532-0901

PROPERTY OWNER:

RONNIE R. AND LINDA J. HERNDON
PO BOX 605
NEEDLES, CA 92363-0605

ENGINEER:

LUDWIG ENGINEERING ASSOCIATES, INC.
109 E. 3RD ST
SAN BERNARDINO, CA 92410
PHONE: (909) 884-8217

ASSESSOR'S PARCEL NUMBER:

0459-671-02-0000

SITE ADDRESS:

17178 RACCOON AVE, ADELANTO, CA 92301-2470

LEGAL DESCRIPTION:

PARCEL MAP 11744 PARCEL 8

GENERAL PLAN/ZONING:

EXISTING GENERAL PLAN/ZONING: MANUFACTURING/INDUSTRIAL (MI)
PROPOSED GENERAL PLAN/ZONING: MANUFACTURING/INDUSTRIAL (MI)

SITE ANALYSIS:

TOTAL SITE ACREAGE: 4.72
TOTAL SITE SQUARE FOOTAGE: 205,554
OPEN SPACE SQUARE FOOTAGE: 48,372

PHASE 1 DEVELOPMENT SQUARE FOOTAGE: 81,874
PARKING/PAVE SURFACE SQUARE FOOTAGE: 44,368 (54%)
BUILDING SQUARE FOOTAGE: 24,000 (30%)
LANDSCAPE SQUARE FOOTAGE: 12,742 (16%)

PHASE 2 DEVELOPMENT SQUARE FOOTAGE: 75,275
PARKING/PAVE SURFACE SQUARE FOOTAGE: 31,070 (41%)
BUILDING SQUARE FOOTAGE: 24,000 (32%)
LANDSCAPE SQUARE FOOTAGE: 20,012 (27%)

PARKING LOT ANALYSIS:

CURRENT DEVELOPMENT BUILDING SQUARE FOOTAGE: 24,764
TYPE OF USE: INDUSTRIAL
PARKING RATIO: 1 PER 500 SF
PARKING REQUIRED: 12,000 SF/500 = 24 SPACES/BUILDING (48 TOTAL REQ.)
PARKING STANDARD SPACES PROVIDED: 48
PARKING HANDICAPPED SPACES PROVIDED: 2
TOTAL PARKING SPACES PROVIDED: 50
LOADING SPACES PROVIDED: 2

BUILDING ANALYSIS:

BUILDING SQUARE FOOTAGE: 24,764
BUILDING HEIGHT: 16'
BUILDING CONSTRUCTION: STEEL/HEAVY

UTILITY COMPANIES:

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

WATER/SEWER/REFUSE:
ADELANTO PUBLIC UTILITIES AUTHORITY
11600 AIR EXPY
ADELANTO, CA 92301
(760) 246-2300

TELEPHONE:
FRONTIER COMMUNICATIONS
3218 E WILLOW ST
LONG BEACH, CA 90806
(800) 921-8101

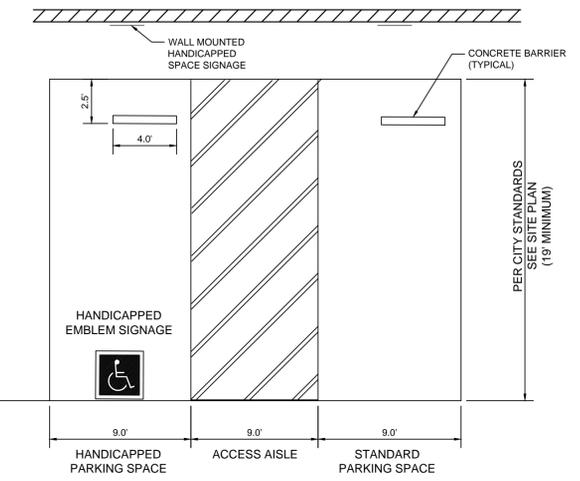
NATURAL GAS:
SOUTHERN CALIFORNIA GAS COMPANY
13471 MARIPOSA ROAD
VICTORVILLE, CA 92392
(760) 241-9321

TV:
CHARTER COMMUNICATIONS
12180 RIDGECREST RD #102
VICTORVILLE, CA 92395
(888) 438-2427

FIRE PROTECTION:
ADELANTO FIRE DEPARTMENT
11600 AIR BASE ROAD
ADELANTO, CA 92301
(760) 246-8007

TITLE REPORT NUMBER AND DATE:

CHICAGO TITLE COMPANY ORDER NO. 7101602265-DD
FEBRUARY 9, 2016



DETAIL: HANDICAPPED PARKING STALLS
SCALE: N.T.S.

- EACH HANDICAPPED PARKING SPACE SHALL BE IDENTIFIED BY A REFLECTOR SIGN PERMANENTLY POSTED IMMEDIATELY ADJACENT TO AND VISIBLE FROM EACH STALL OR SPACE, CONSISTING OF A PROFILE VIEW OF A WHEELCHAIR WITH OCCUPANT IN WITH ON DARK BLUE BACKGROUND. SIGNAGE SHALL CONFORM WITH THE CALIFORNIA TITLE 24 ACCESSIBILITY GUIDELINES.
- HANDICAPPED SIGNAGE AREA IS NOT SMALLER THAN 70 SQUARE INCHES. THE SIGNAGE SHALL CONFORM TO THE CALIFORNIA TITLE 24 ACCESSIBILITY GUIDELINES.
- WHEN POSTED IN A PATH OF TRAVEL THE BOTTOM OF THE SIGN IS 80" MINIMUM FROM THE ADJACENT FINISH GRADE.
- WHEN WALL MOUNTED THE SIGN IS CENTERED ON THE WALL AT THE INTERIOR END OF THE PARKING SPACE 36" MINIMUM FROM THE ADJACENT FINISH GRADE.
- AT THE VAN ACCESSIBILITY PARKING SPACES INSTALL A SIGN MOUNTED BELOW THE SYMBOL OF THE ACCESSIBILITY THAT STATES "VAN ACCESSIBILITY" WITH THE BOTTOM OF THE SIGN CLEARANCE AS NOTED ABOVE.
- INSTALL A 36" x 36" HANDICAPPED EMBLEM SIGNAGE AT THE STALL ENTRANCE. THE OUTLINE PAINTING SHALL BE BLUE ON A WHITE BACKGROUND. THE SIGNAGE SHALL CONFORM TO THE CALIFORNIA TITLE 24 ACCESSIBILITY GUIDELINES.
- INSTALL A SIGN AT THE ENTRANCE 17" x 22" WITH LETTERS NOT LESS THAN 1" IN HEIGHT WHICH CLEARLY STATE THE FOLLOWING:
UNAUTHORIZED VEHICLES NOT DISPLAYING DISTINGUISH PLACARDS OR LICENSE PLATES ISSUED FOR PHYSICALLY HANDICAPPED PERSONS MAY BE TOWED AWAY AT OWNERS EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT _____ OR _____ BY TELEPHONING _____.

PLOT DATE: June 6, 2016

SCALE 1" = 40'

SHEET 1 OF 1
C-1



Ludwig Engineering
ASSOCIATES, INC.
Civil Engineering • Surveying • Planning
109 East Third Street
San Bernardino, CA 92410
Phone: 909-884-8217
Fax: 909-889-0153
15252 Sierra Rd.
Victorville, CA 92392
Phone: 760-951-7676
Fax: 760-241-0273
3880 Hwy. 95, Ste. B
Fort Mohave, AZ 86405
Phone: 928-768-1857
Fax: 928-768-7086
2188 McCulloch Blvd., Ste. 8
Lake Havasu City, AZ 86403
Phone: 928-680-6060
Fax: 928-654-6530

CITY OF ADELANTO
SITE PLAN
CLIENT: TIEN HOANG
5608 PERSIMMON AVE | TEMPLE CITY, CA 91780
DESIGNED BY: SS
DRAWN BY: JEC
CHECKED BY: SS

REV.	DESCRIPTION	DATE	BY

APN: 0459-411-08-0000 INDUSTRIAL/MANUFACTURING (MI)
APN: 0459-411-15-0000 INDUSTRIAL/MANUFACTURING (MI)
APN: 0459-411-17-0000 INDUSTRIAL/MANUFACTURING (MI)

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 16-11

Description of Project: A proposal by Mr. Tien Hoang for the indoor medical marijuana cultivation at two (2) existing 12,000 square foot facilities, within Industrial Park 2.

Project Location: 17178 Raccoon Avenue, Adelanto, County of San Bernardino

Project Proponent: Mr. Tien Hoang
5608 Persimmon
Temple City, CA 91780

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: September 6, 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: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Planning Manager

BY: Becky Reynolds, Project Planner

SUBJECT: **Conditional Use Permit 16-14:** Mr. Rafael Almanzar is requesting a Conditional Use Permit for cultivation of medical marijuana within an existing 10,000 square foot industrial building located at 16545 Beaver Road, on approximately 4.0 acres, in Industrial Park 3, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 3129-261-22.

STAFF RECOMMENDATION:

ADOPT Resolution No. P-16-30, **ADOPT** findings, and **APPROVE** Conditional Use Permit 16-14 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: Mr. Rafael Almanzar
BMG Development
16545 Beaver Rd.
Adelanto, CA 92301

General Location: The project site is located at 16545 Beaver Road in the City of Adelanto, County of San Bernardino.

Assessor's Parcel Number: 3129-261-22

Environmental Determination: Exempt pursuant to section 15162 (Subsequent EIRs and Negative Declarations)

Related Cases: Medical Marijuana Cultivation Permit 16-21

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 four (4) industrial buildings.

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	Developed Manufacturing/Industrial

PROJECT DESCRIPTION:

Mr. Rafael Almanzar, is requesting a Conditional Use Permit for a Medical Marijuana Cultivation Facility at an existing 10,000 square foot warehouse. The project is located at 16545 Beaver Road.

DRAINAGE

The project site 4.0 acres and is developed with the surrounding area consisting of industrial buildings. 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 Beaver Road from Cassia to the south and Industry Way to the north of the site. 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 fourteen (14) striped 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-16-30
2. Conditions of Approval
3. Notice of Exemption
4. Aerial Map
5. Zoning Map
6. Site Plan

RESOLUTION NO. P-16-30

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING CONDITIONAL USE PERMIT 16-14 SUBJECT TO CONDITIONS OF APPROVAL TO ALLOW THE INDOOR CULTIVATION OF MEDICAL MARIJUANA AT AN EXISTING 10,000 SQUARE FOOT FACILITY ON APPROXIMATELY 4.0 ACRES OF LAND LOCATED AT 16545 BEAVER ROAD. ASSESSOR'S PARCEL NUMBER 3129-261-22.

WHEREAS, the applicant, Mr. Rafael Almanzar, has proposed Conditional Use Permit 16-14 to allow for the indoor cultivation of medical marijuana at an existing 10,000 square foot facility located at 16545 Beaver Road, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 6th day of September 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 16-14. 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 4.0 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 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 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 16-14 is hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September 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-16-30 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September 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 6th day of September 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-30
September 6, 2016**

**Conditions of Approval
Conditional Use Permit 16-14**

PROJECT: *A proposal to operate medical marijuana cultivation facilities, on 4.0 acres within an existing 10,000 square foot industrial building within the MI (Manufacturing/Industrial) Zone. The project site is located 16545 Beaver Road. Assessor's Parcel Number 3129-261-22*

Applicant: *Mr. Rafael Almanzar.*

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.
2. This approval shall be used within two (2) years of the approval date of this project; by **September 6, 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.
3. **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.
4. **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.
5. **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 16-14. The City will promptly notify the permittee of any such claim, action, or proceeding against the City and will cooperate fully in the defense.

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 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.
8. **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:
 - a. Minimum Lot Size: 20,000 square feet
 - b. Minimum Lot Width: 100 feet
 - c. Minimum Lot Depth: 100 feet
 - d. Minimum Front Setbacks:
 1. To Building 25 feet
 2. To Parking 10 feet
 - e. Minimum Side Setback:
 1. Street Side 25 feet
 2. All others 0 feet
 - f. Minimum Rear Setback: 25 feet
 - g. Maximum Height 75 feet
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. **Parking.** The project shall provide 14 parking spaces for 10,000 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements.
11. **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.
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, a new copy of the City approval letter shall be signed by the current development parties.
13. **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.
14. Mandatory Organic Recycling in accordance with AB 1826. Contact Burrtec – Robert Rios (robert@burrtec.com) for recycling information.
15. "Saving by Design" Southern California Edison Energy Efficiency – Contact Maya Aubrey maya.aubrey@sce.com for electrical efficiency information.
16. For water conservation, use Hydroponics or other low water use irrigation systems. Water should be recycled as much as possible.

MOJAVE AIR QUALITY MANAGEMENT DISTRICT

17. The District requires permits for any miscellaneous process equipment that may not be exempt under District Rule 219 including, but not limited to: Internal Combustion Engines with a manufacture's maximum continuous rating greater than 50 brake horsepower.

ENGINEERING DEPARTMENT

General Conditions:

18. 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.
19. 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.
20. All monuments (new or replaced) shall be referenced or reset in accordance with the Business and Professions Code.
21. 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.

22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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 (if not previously completed):
 - 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.

28. Permitted water consumption. Maximum water consumption per 1,000 square feet of canopy space shall be limited to 100 gallons per day.
29. Water Utility Feasibility Study. If there is not an active water utility feasibility study for the project, the Developer shall apply for a water feasibility study within 30 calendar days of CUP approval.
30. 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

31. See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

32. See attached Fire Department Conditions.

BUILDING AND SAFETY DIVISION, CUP 16-14

- 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 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 (2016 California Codes after 1/1/2017)
- BC13. Best Managements Practices (BMP's) are required for the site during construction
- BC 14. Plan cover sheet to include code supposition of, construction type, use and material quantities for determination of occupancy as well as deferred submittals.

**SAN BERNARDINO COUNTY
FIRE DEPARTMENT**

**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



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

MARK A. HARTWIG
Fire Chief

DATE: August 1, 2016

EXPIRATION: August 2017

BMG DEVELOPMENT
ATTN: RAFAEL ALMANZAR
16545 BEAVER RD 92301

PERMIT NUMBER: F201600813
PROJECT NUMBER: CUP 16-14
LOCATION: 16545 BEAVER RD
PROJECT TYPE: CUP
OCCUPANCY TYPE: F
APN: 3129-261-22-0000
PROPOSAL: Proposal to operate a medical marijuana cultivation facility within
an existing 10,000 sf industrial building.
PLANNER: Becky Reynolds

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 5

Sincerely,

A handwritten signature in black ink, appearing to read "C. Markloff", is written over a white background.

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

FIRE CONDITIONS ATTACHMENT

DATE: 08-01-2016
PROJECT: CUP 16-14
PERMIT NUMBER: F201600813
LOCATION: 16545 BEAVER RD
PARCEL: 3129-261-22-0000



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: CON0035648

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: CON0035647

Access. The development shall have a minimum of two points of vehicular access. These are for

PERMITS AND CONDITIONS ATTACHMENT

DATE: 08-01-2016
PROJECT: CUP 16-14
PERMIT NUMBER: F201600813
LOCATION: 16545 BEAVER RD
PARCEL: 3129-261-22-0000



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: 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: CON0035649

Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacture's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59]

If building is already equipped with a fire psrinkler system, tenant improvemnt plans will need to be submitted for approval.

PERMITS AND CONDITIONS ATTACHMENT

DATE: 08-01-2016
PROJECT: CUP 16-14
PERMIT NUMBER: F201600813
LOCATION: 16545 BEAVER RD
PARCEL: 3129-261-22-0000



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: CON0035650

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]

If this structure currently has a fire alarm system, tenant improvement plans must be submitted to this office for approval.

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: F85

Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4 [F85]

Cond: F88

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

PERMITS AND CONDITIONS ATTACHMENT

DATE: 08-01-2016
PROJECT: CUP 16-14
PERMIT NUMBER: F201600813
LOCATION: 16545 BEAVER RD
PARCEL: 3129-261-22-0000



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 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
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 16-14

Description of Project: A proposal by Mr. Rafael Almanzar to operate an indoor Medical Marijuana Cultivation facility within an existing 10,000 square foot industrial building, located within the Manufacturing/Industrial (MI) zoning district.

Project Location: 16545 Beaver Road, Adelanto, County of San Bernardino

Project Proponent: BMG Development
Rafael Almanzar
16545 Beaver Road
Adelanto, CA 92301

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

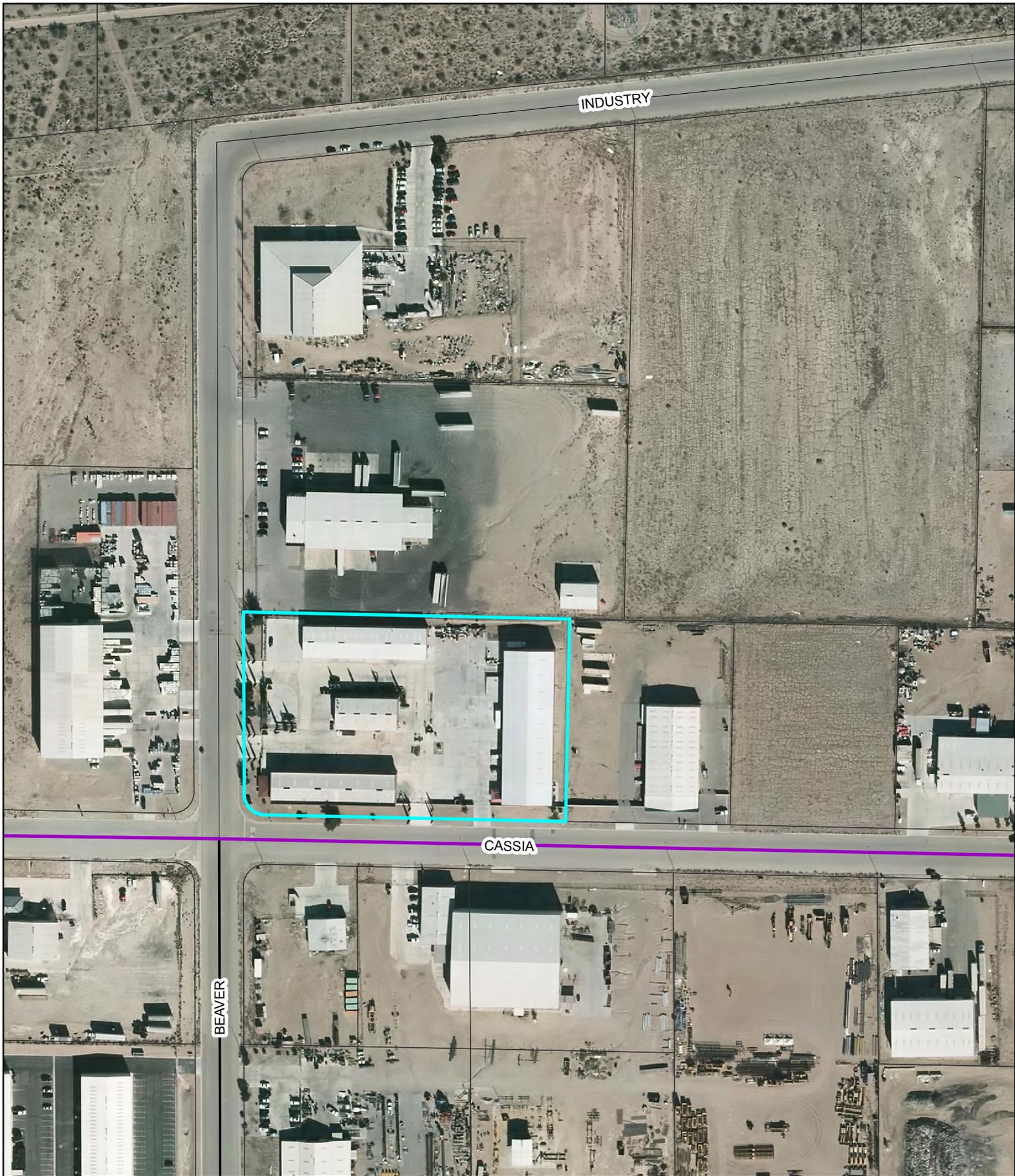
Signature: _____

Date: September 6, 2016

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

DATE

SIGNATURE/TITLE



INDUSTRY

CASSIA

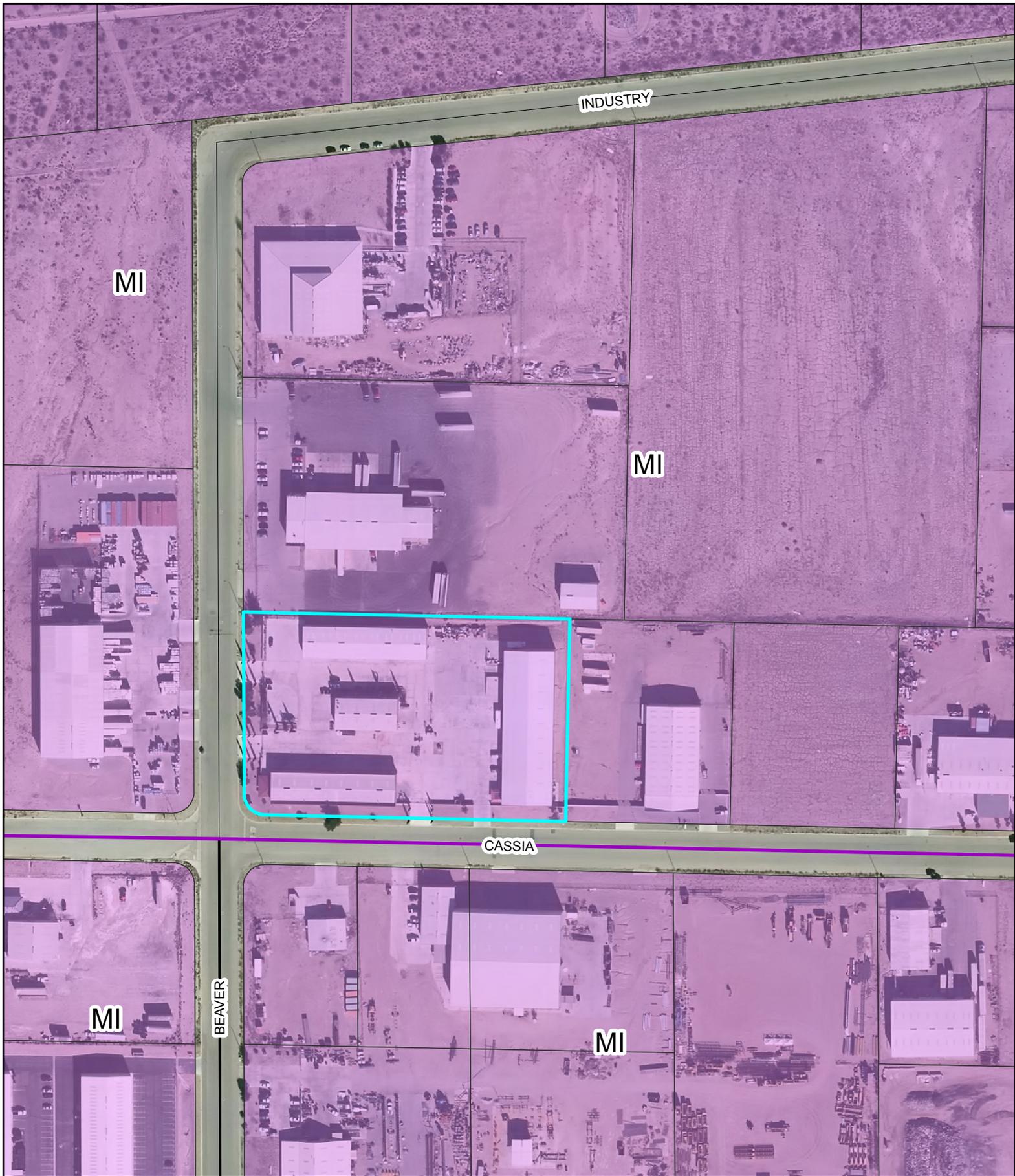
BEAVER



CUP 16-14
APN 3129-261-22



1 in = 200 feet



INDUSTRY

MI

MI

CASSIA

BEAVER

MI

MI



CUP 16-14
APN 3129-261-22



1 in = 200 feet

AN APPROVED SOILS ENGINEER SHALL INSPECT THE FOUNDATION EXCAVATION PRIOR TO THE PLACEMENT OF REINFORCING STEEL. THE INSPECTION REPORT OF THE SOILS ENGINEER SHALL BE PROVIDED TO THE ADELANTO BUILDING DEPARTMENT PRIOR TO FOUNDATION INSPECTION BY THE BUILDING DEPARTMENT.

ELECTRICITY
SOUTHERN CALIFORNIA EDISON
12323 HESPERIA ROAD
VICTORVILLE, CA 92342
(760) 241-3845

SEWER
ADELANTO

VERIZON

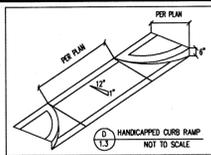
GAS
SOUTHWEST GAS
13471 MARIPOSA ROAD 15776 MAIN STREET
VICTORVILLE, CA 92342 HESPERIA, CA 92345
(760) 241-9321

WATER
ADELANTO WATER DISTRICT
15055 LA PAZ DR. 9536 C AVE
VICTORVILLE, CA 92345 HESPERIA, CA 92345
(760) 243-0200 (866) 499-8080

TELEPHONE
TELEVISION
CHARTER

CITY OF ADELANTO

PRECISE GRADING PLAN FOR LDP 06-04



HANDICAPPED FREESTANDING PARKING SIGN

INTERNATIONAL SYMBOL OF ACCESSIBILITY

NOTE:
EACH PARKING SPACE RESERVED FOR THE HANDICAPPED SHALL BE IDENTIFIED BY: A PERMANENTLY AFFIXED REFLECTORIZED SIGN CONSTRUCTED OF PORCELAIN ON STEEL, BEADED TEXT, OR EQUAL, DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. THIS SIGN SHALL NOT BE SMALLER THAN SEVENTY(70) SQ INCHES IN AREA AND SHALL BE CENTERED AT THE INTERIOR END OF THE PARKING SPACE AT A MINIMUM HEIGHT OF EIGHTY(80) INCHES FROM THE BOTTOM OF THE SIGN TO THE PARKING SPACE FINISHED GRADE OR CENTERED ON THE WALL AT THE INTERIOR END OF THE PARKING SPACE AT A MINIMUM HEIGHT OF THIRTY-SIX (36) INCHES FROM THE PARKING SPACE FINISHED GRADE, GROUND OR SIDEWALK. A SIGN SHALL ALSO BE POSTED, IN A CONSPICUOUS PLACE, AT EACH ENTRANCE TO THE OFF-STREET PARKING FACILITY NOT LESS THAN 17 INCHES BY 22 INCHES IN SIZE WITH LETTERING NOT LESS THAN ONE(1) INCH IN HEIGHT, WHICH CLEARLY AND CONSPICUOUSLY STATES THE FOLLOWING:

"UNAUTHORIZED VEHICLES NOT DISPLAYING DISTINGUISHING PLACARDS OR LICENSE PLATES ISSUED FOR PHYSICALLY HANDICAPPED PERSONS MAY BE TOWED AWAY AT THE OWNERS EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT _____ OR _____ BY TELEPHONING _____"

HANDICAPPED PARKING REQUIREMENTS

A HANDICAP SIGNAGE
N.T.S.

B DRYWELL SYSTEM
N.T.S.

VICINITY MAP

DECLARATION OF ENGINEER OF RECORD

I HEREBY DECLARE THAT IN MY PROFESSIONAL OPINION, THE DESIGN OF THE IMPROVEMENTS AS SHOWN ON THESE PLANS COMPLY WITH THE CURRENT PROFESSIONAL ENGINEERING STANDARDS AND PRACTICES, AS THE ENGINEER IN RESPONSIBLE CHARGE OF THE DESIGN OF THESE IMPROVEMENTS, I ACCEPT FULL RESPONSIBILITY FOR SUCH DESIGN, UNDERSTAND AND ACKNOWLEDGE THAT THE PLAN CHECK OF THESE PLANS BY THE CITY OF ADELANTO IS A REVIEW FOR THE LIMITED PURPOSES OF ENSURING THAT THESE PLANS COMPLY WITH CITY PROCEDURES AND OTHER APPLICABLE CODES AND ORDINANCES. THE PLAN REVIEW PROCESS IS NOT A DETERMINATION OF THE TECHNICAL ADEQUACY OF THE DESIGN OF THE IMPROVEMENTS. SUCH PLAN CHECK DOES NOT THEREFORE RELIEVE ME OF MY DESIGN RESPONSIBILITY.

AS THE ENGINEER OF RECORD, I AGREE TO DEFEND AND INDEMNIFY THE CITY OF ADELANTO, ITS OFFICERS, ITS AGENTS, AND ITS EMPLOYEES FROM ANY AND ALL LIABILITY, CLAIMS, DAMAGES, OR INJURIES TO ANY PERSON OR PROPERTY ARISING FROM NEGLIGENCE, ACTS, ERRORS OR OMISSIONS OF THE ENGINEER OF RECORD, HIS EMPLOYEES, HIS AGENTS OR HIS CONSULTANTS.

SIGNATURE _____ DATE _____

LICENSE NO. _____ EXP. _____

UNDERGROUND SERVICE ALERT

Call: TOLL FREE 1-800-422-4133

APPROVED JAS PACIFIC BUILDING PLAN CHECK DIVISION

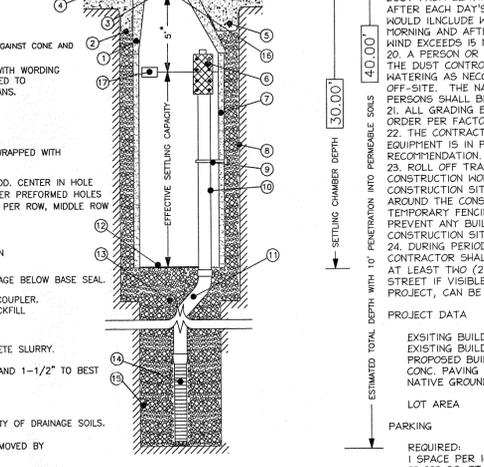
THIS APPROVED DRAWING SHALL NOT BE CHANGED OR ALTERED WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER OF RECORD. THESE PLANS SHALL NOT BE HELD TO BE VALID FOR PERFORMING ANY WORK OR FOR OBTAINING A PERMIT OR STATE LAW.

HIS APPROVED DRAWING SHALL BE KEPT ON THE PROJECT PREMISES AT ALL TIMES DURING CONSTRUCTION. IT SHALL BE OPEN TO INSPECTION BY PUBLIC OFFICIALS.

GENERAL NOTES:

- PROPOSED STARTING DATE: _____
- COMPLETION DATE: _____
- NO FILL TO BE PLACED UNTIL PREPARATION OF THE ORIGINAL GROUND IS APPROVED.
- NO ROCKS GREATER THAN 6 INCHES IN DIA. MAY BE PLACED IN FILL.
- FOUNDATION BEARING VALUE DESIRED - 1500 PSF.
- PERCENT COMPACTION DESIRED - 90% OF MAX. DENSITY.
- THE INSPECTOR IS TO BE CONTACTED TO SCHEDULE A SITE PRE-GRADING MEETING 48 HOURS PRIOR TO START OF GRADING.
- HOLD TOP 7' TOE OF SLOPE 2 FEET MIN. FROM PROPERTY LINE.
- SLOPE OF PROPOSED CUT SLOPE TO BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL.
- DRAINAGE IS NOT PERMITTED TO SHEET FLOW OVER GRADED SLOPES STEEPER THAN 5:1.
- FLATTEN SLOPE OR DIRECT DRAINAGE TO A PAVED DOWNDRAIN OR OTHER APPROVED LOCATION.
- PROVIDE A BERM AND SWALE AT THE TOP OF ALL SLOPES.
- ALL PROTECTED VEGETATION TO BE PROTECTED IN PLACE OR RELOCATED.
- CUT 000 CU. YDS.
- FILL 000 CU. YDS.
- EXPORT 000 CU. YDS.
- IMPORT 000 CU. YDS.
- SHRINKAGE 20%
- PROVISIONS FOR CONTRIBUTORY DRAINAGE WILL BE PROVIDED FOR DURING ALL PHASES OF CONSTRUCTION.
- SOILS TEST TO BE PERFORMED FOR EVERY TWO (2) FEET OF FILL.
- CONTRACTOR SHALL APPLY WATER TO DISTURBED PORTION OF CONSTRUCTION SITE A MINIMUM OF TWO (2) TIMES PER DAY. IN WINDY CONDITIONS CONTRACTOR SHALL INCREASE WATERING TO MAINTAIN 10% MOISTURE CONTENT OR TO A LEVEL THAT FUGITIVE DUST NO LONGER LEAVES THE PROPERTY.
- NOISE-GENERATING CONSTRUCTION ACTIVITY AND EQUIPMENT MAINTENANCE SHALL BE LIMITED TO BETWEEN 7:00 a.m. AND 6:00 p.m. ON WEEKDAYS. NOISE-GENERATING CONSTRUCTION ON WEEKENDS MAY NOT OCCUR WITHOUT WRITTEN CONSENT OF THE BUILDING OFFICIAL.
- STATIONARY CONSTRUCTION EQUIPMENT GENERATING 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.
- CONSTRUCTION ROUTES ARE LIMITED TO CITY OF ADELANTO DESIGNATED TRUCK ROUTES.
- 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 LATE MORNING AND AFTER WORK IS COMPLETED FOR THE DAY AND WIND EXCEEDS 15 MILES PER HOUR.
- 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 PERSONS SHALL BE PROVIDED TO THE CITY.
- ALL GRADING EQUIPMENT SHALL BE KEPT IN GOOD WORKING ORDER PER FACTORY SPECIFICATIONS.
- THE CONTRACTOR SHALL VERIFY THAT ALL CONSTRUCTION EQUIPMENT IS PROPER TUNE PER MANUFACTURER'S RECOMMENDATION.
- 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 LOCATIONS AS TO PREVENT ANY BUILDING MATERIALS FROM BLOWING OFF THE CONSTRUCTION SITE.
- DURING PERIODS WHEN GRADING IS BEING CONDUCTED, THE CONTRACTOR SHALL INSPECT THE ADJACENT PAVED ROADWAYS AT LEAST TWO (2) TIMES PER WEEK, AND SHALL SHEEP THE STREET IF VISIBLE DIRT OR DUST, ATTRIBUTABLE TO THE PROJECT, CAN BE SEEN ON THE ROADWAY.

Drainage System Detail And Specifications



- MANHOLE CONE MODIFIED FLAT BOTTOM.
 - MOISTURE MEMBRANE 6 MIL PLASTIC. PLACE SECURELY AGAINST CONE AND HOLE SIDEWALL.
 - BOLTED RING & GRATE/COVER CLEAN CAST IRON WITH WORDING "STORM WATER ONLY" IN RAISED LETTERS. SECURED TO CONE WITH MORTAR. RIM ELEVATION $\pm 0.02'$ OF FLANS.
 - GRADED BASIN OR PAVING (BY OTHERS).
 - COMPACTED BASE MATERIAL (BY OTHERS).
 - 6" PVC PIPE x 4' LONG, WITH 2" PERFORATIONS WRAPPED WITH 1/8" GALVANIZED MESH.
 - PRECAST LINER 2500 PSI CONCRETE 48" ID. 54" OD. CENTER IN HOLE SECTIONS TO MAXIMIZE BEARING SURFACE 2" CENTER PREFORMED HOLES AT THE BOTTOM 3" OF SHAFT (3 ROWS @ 8 NOS. PER ROW, MIDDLE ROW TO BE STAGGERED).
 - MIN. 6" @ DRILLED SHAFT.
 - SUPPORT BRACKET FORMED 12 GA. STEEL. FUSION BONDED EPOXY COAT.
 - OVERFLOW PIPE SCHED 40 PVC. MATED TO DRAINAGE BELOW BASE SEAL.
 - DRAINAGE PIPE ADS HIGHWAY GRADE WITH MD-A COUPLER. (OR APPROVED EQUAL) SUSPEND PIPE DURING BACKFILL OPERATIONS TO PREVENT BUCKLING OR BREAKAGE. MINIMUM PIPE SIZE TO BE 6" DIAMETER.
 - BASE SEAL - GEOTEXTILE, POLY LINER OR CONCRETE SLURRY.
 - ROCK CLEAN AND WASHED, SIZED BETWEEN 3/8" AND 1-1/2" TO BEST COMPLEMENT SOIL CONDITIONS.
 - 6-INCH CORRUGATED PERFORATED POLYETHYLENE (ADS OR APPROVED EQUAL).
 - MIN. 4" @ SHAFT DRILLED TO MAINTAIN PERMEABILITY OF DRAINAGE SOILS.
 - FABRIC SEAL UV RESISTANT GEOTEXTILE TO BE REMOVED BY CUSTOMER AT PROJECT COMPLETION.
 - ABSORBENT HYDROPHOBIC PETRO CHEMICAL SPONGE MIN. 100 OZ. CAPACITY.
- * FREEBOARD DEPTH VARIES WITH INLET PIPE ELEVATION. INCREASE INTERCEPTOR/ SETTLING CHAMBER DEPTH AS NEEDED TO MAINTAIN ALL INLET PIPE ELEVATIONS ABOVE CONNECTOR PIPE OVERFLOW.

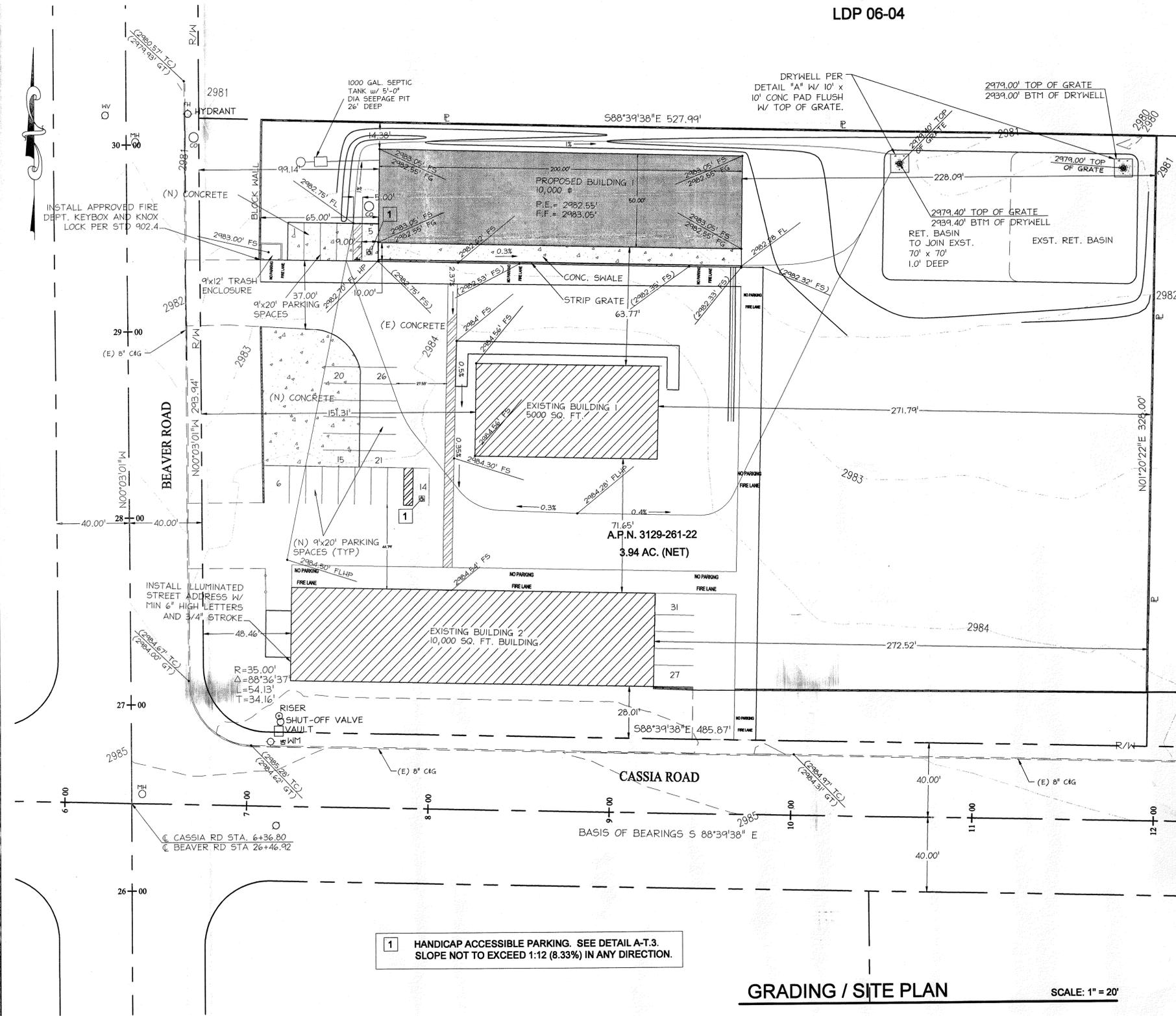
ESTIMATED TOTAL DEPTH WITH 10' PENETRATION INTO PERMEABLE SOILS

ITEM	QUANTITY	UNIT PRICE	TOTAL
EXISTING BUILDING 1	5000	2.91%	
EXISTING BUILDING 2	10,000	5.83%	
PROPOSED BUILDING 1	10,000	5.83%	
CONC. PAVING	47,674	27.79%	
NATIVE GROUND	98,436	57.65%	
LOT AREA	171,627	100%	

PARKING

REQUIRED:
1 SPACE PER 1000 SQ. FT. WAREHOUSE AREA.
23,000 SQ. FT. / 1000 = 23 SPACES
1 SPACE PER 300 SQ. FT. OFFICE
2,000 SQ. FT. / 300 = 7 SPACES
TOTAL REQUIRED: 30

PROVIDED:
29 9'x20' PARKING SPACES
2 14'x20' H.C. PARKING SPACES



GRADING / SITE PLAN SCALE: 1" = 20'

JOSHUA TREE	POWER POLE	FENCE	SWALE	T.C. = TOP OF CURB	G.T. = GUTTER
CHOLLA CACTUS	FIRE HYDRANT	MANHOLE	F.L. = FLOWLINE	F.F. = FIN. FLOOR	SDW = SIDEWALK
YUCCA TREE	WATER METER	MAILBOX	F.S. FIN. SURFACE	T.P. = TOP OF PAVEMENT	E.P. = EDGE OF PAVEMENT
PRICKLY PEAR CACTUS	ELECTRICAL BOX	SIGN	F.G. = FIN. GRADE	N.G. = NATURAL GRADE	() = EXISTING
CLEAN OUT	WATER VALVE	FIRE RISER			

CITY OF ADELANTO

APPROVED BY: _____ DATE _____

CITY ENGINEER WILSON F. SO C. 21651 EXP. 9/30/07

BENCHMARK INFORMATION
B.M. NUMBER 561, BEING A BRASS DISK AT SE COR RICHARDSON RD & RANCHO RD. EL=2971.060'

BASIS OF BEARINGS
TAKEN FROM THE CENTERLINE OF CASSIA ROAD BEING S 88°39'38" E

OWNER INFORMATION
CHUCK BOYD
7259 SVL BOX
VICTORVILLE, CA. 92395
760.245.6259

LEGAL DESCRIPTION
16537 BEAVER ROAD
APN: 3219-261-22
TR LOT
M.B./PG
ADELANTO, CA.

DESIGNED BY: RJM
CHECKED BY: RJM

SHEET: 1 OF 3

FRED SHEU ENGINEERING
15434 WEST SAGE STREET
SUITE A
VICTORVILLE, CA 92392
(760) 955-7522

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15434 WEST SAGE STREET
 SUITE B
 VICTORVILLE, CA 92392
 (760) 955-8842
 FAX (760) 955-7632



SITE INFORMATION
 APN 3129-261-22-0000
 P.M. 12345 PAR 12
 16537 BEAVER ST.
 ADELANTO, CA 92301

OWNER
 CHUCK BOYD
 (760) 955-7048

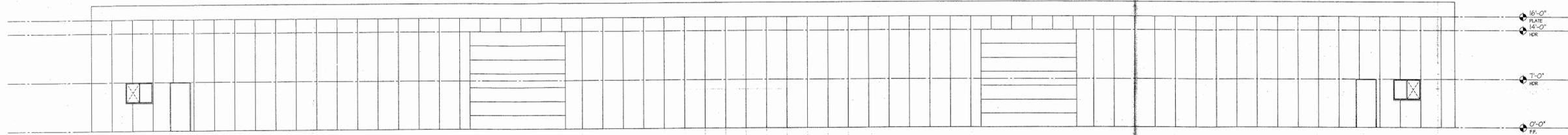
DRAWN BY RJM
CHECKED BY RJM
APPROVED BY RJM

ELEVATION

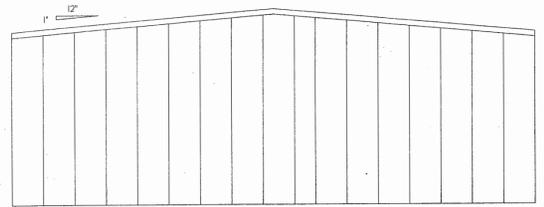
SCALE: 1/8" = 1'-0"

PAGE

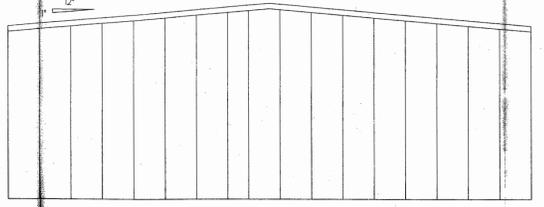
A.2



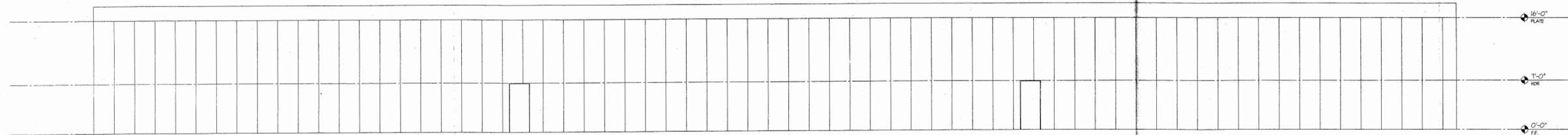
FRONT ELEVATION
 SCALE: 1/8" = 1'



LEFT ELEVATION
 SCALE: 1/8" = 1'



RIGHT ELEVATION
 SCALE: 1/8" = 1'



REAR ELEVATION
 SCALE: 1/8" = 1'

APPROVED JAS PACIFIC BUILDING PLAN CHECK DIVISION
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 THIS APPROVED DRAWING SHALL BE KEPT ON THE CONSTRUCTION PREMISES AT ALL TIMES DURING WHICH THE WORK AUTHORIZED IS IN PROGRESS AND SHALL BE OPEN TO INSPECTION BY PUBLIC OFFICIALS.



10-9-06

CONSTRUCTION LEGEND	
	EXISTING WALLS
	NEW WALLS (5-1/2" Ray-core System)

DOOR SCHEDULE				
DOORS	WIDTH	HEIGHT	TYPE	REMARKS
1	3'-0"	6'-8"	Metal	1-3/4" 8' PRE-HUNG METAL DOOR

REVISIONS

FIVE TON & DEC
 P.O. Box 176
 Los Alamitos, CA 92544
 1designengc@gmail.com
DESIGN CONSULTANTS

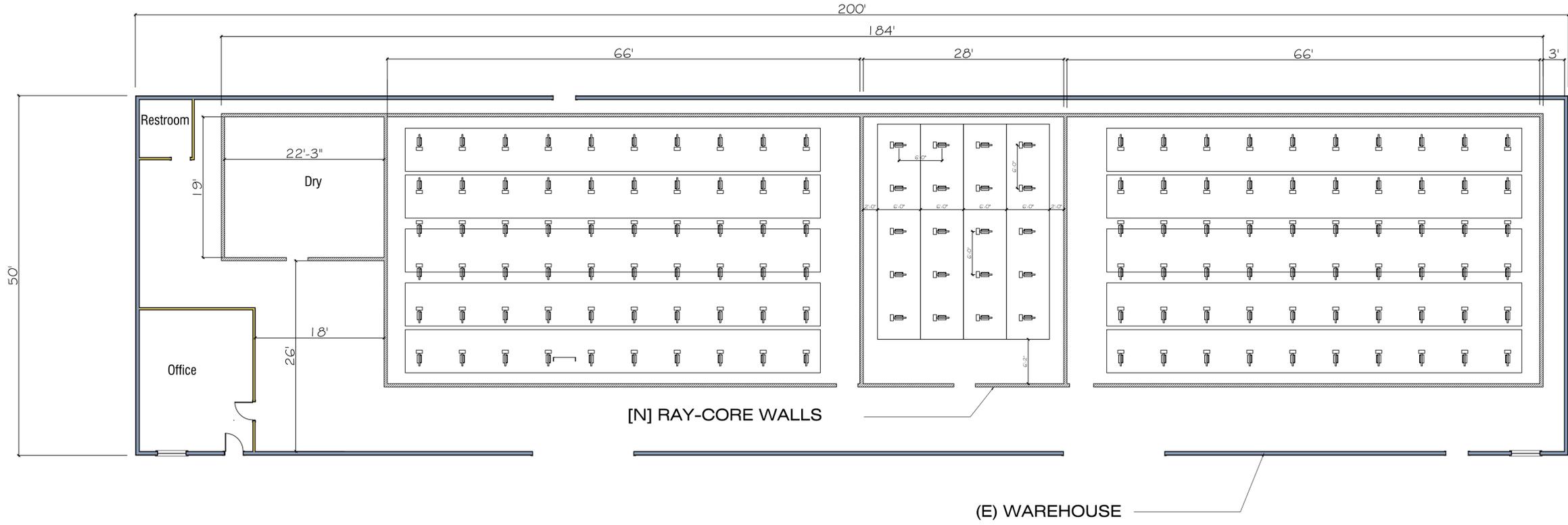
PROJECT:
 DATE: 06-24-2016
 PROJECT NO: 06.02-010
PRINTING
 P1- 06-27-2016
 P2- 07-17-2016
 P3- 08-01-2016

TENANT BMG Ventures Inc.
 16545 Beaver Road
 Adelanto, CA 92310-2235
 Phone 909.380.2416

ANDREW WILLIAMS
 GENERAL CONTRACTOR

Lic. # 620539
 511 E. San Ysidro Blvd
 SAN YSIDRO CA 92137
 Phone 760.556.3803

SHEET NAME
PROPOSED FLOOR PLAN
 SHEET NO:
A-1.0
 1 of 1
 BMG Ventures Inc.
 16545 Beaver Road
 Adelanto CA 92301



PROPOSED FLOOR PLAN

10,000 Sqft

SCALE 1/16" = 1'-0"



PLANNING COMMISSION AGENDA REPORT

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

DATE: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

SUBJECT: **Location and Development Plan 15-01 Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598, Mitigated Negative Declaration 16-01:** The applicant, Steeno Design Studio for M/M Paulicano requests a Location and Development Plan to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land, Conditional Use Permit to allow the use of a Gas Station, 60 Room 3-Story Motel, Drive Thru Restaurants and Car Wash, General Plan Amendment/ Zone Change to change the zoning from Business Park (BP) to General Commercial (C), General Plan Amendment vacating a portion of Violet Road and a Tentative Parcel Map to subdivide four parcels into ten parcels. The project site is located on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino. Assessor's Parcel Numbers 0459-342-15, 16, 17, 18.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-23 **ADOPT** findings and **RECOMMEND APPROVAL** to the City Council, Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598 and Mitigated Negative Declaration 16-01, subject to the recommended conditions of approval and mitigation measure listed in the Initial Study.

BACKGROUND:

Applicant: Steeno Design Studio for M/M Paulicano
11774 Hesperia Road, Unit B-1
Hesperia, CA 92345

General Location: The project site is located on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino. The project site is within Section 33, Township 6 North, Range 5 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 0459-342-15, 16, 17, and 18

Environmental Determination: Mitigated Negative Declaration 16-01

Related Cases: None.

Existing General Plan &
Current Zoning Designation: Business Park (BP)

Proposed General Plan &
Zoning Designation: General Commercial (C)

Surrounding General Plan and Zoning:

<i>Direction</i>	<i>General Plan</i>	<i>Zoning</i>
North	Business Park	BP
South	Mixed Use	MU
West	Single-Family Residential	R-S5
East	Business Park	BP

Existing Land Use: Undeveloped.

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

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

PROJECT DESCRIPTION

The applicant, Steeno Design Studio for M/M Paulicano requests a Location and Development Plan to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land, Conditional Use Permit to allow the use of a Gas Station, 60 Room 3-Story Motel, Drive Thru Restaurants and Car Wash, General Plan Amendment/ Zone Change to change the zoning from Business Park (BP) to General Commercial (C), General Plan Amendment vacating a portion of Violet Road and a Tentative Parcel Map to subdivide four parcels into ten parcels.

GENERAL COMMERCIAL DEVELOPMENT STANDARDS

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Minimum Lot Size	10,000 sf	17.57-acres
Minimum Lot Width	100 feet	1313 feet
Minimum Lot Depth	100 feet	550 feet
Minimum Front Setback		

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
<ul style="list-style-type: none"> • To Building • To Parking Area 	<p style="text-align: center;">25 feet</p> <p style="text-align: center;">10 feet</p>	<p style="text-align: center;">46 feet</p> <p style="text-align: center;">10 feet</p>
Minimum Side Yard Setback <ul style="list-style-type: none"> • Street Side • All others 	<p style="text-align: center;">25 feet</p> <p style="text-align: center;">10 feet</p>	<p style="text-align: center;">NA</p> <p style="text-align: center;">62 and 31 feet</p>
Maximum Building Height	45 feet	23 feet
Minimum Rear Yard Setback	20 feet	46 feet
Landscaping Required	5% of the project area	15%

PARKING

The proposed project is for a 199,050 square foot multi-tenant retail facility. The multi-tenant facility has different parking standards for the different uses; Hotel, Restaurants, Retail and offices. The total parking requirement is 710 spaces and the applicant is providing 928 which includes 34 accessible spaces and 8 motorcycle spaces.

DRAINAGE

A drainage study was performed by J.E. Miller & Associates, May 27, 2014 and revised, April 10, 2016, which demonstrated that the off-site flows can be mitigated by the extension of the double wide 4 foot x 10 foot culvert through the site and on-site flows will be mitigated by detention basins throughout the site. These detention basins are located throughout the property in the landscape areas. No further mitigation is required.

TRAFFIC & CIRCULATION

A Traffic Impact Analysis was prepared by Kunzman Associates, Inc., which demonstrate the traffic impacts of the development and recommended mitigation measures. Intersection improvements are recommended for the intersection of Highway 395 and Rancho Road which has an estimated costs of over \$1,000,000. The developer will be required to pay a fair share of the costs which is estimated to be around \$312,110. Additionally, the developer will be required to pay Circulation Impact Fees to the City to mitigate additional impact to the City's infrastructure.

The site fronts and is adjacent to, Highway 395 to the west, Rancho Road, which is a major street, to the south, Adelanto Road, which is a major boulevard, to the east and Violet Road, which is a local street, to the north. Highway 395, Rancho Road and Adelanto Road are currently paved which allows emergency access to all areas of the site. The applicant is proposing ingress and egress to the site via multiple driveways along, Violet Road, Adelanto Road and Rancho Road. Access from Highway 395 is being considered by the California Department of Transportation which may allow for a right-in and right-out only driveway.

NOISE

The project sites proposed zoning is General Commercial (C) and is located adjacent to Highway 395. This road will not impact residences as this portion of Highway 395 is located within a Business Park and Mixed Use area.

ENVIRONMENTAL CONSIDERATIONS:

A Mitigated Negative Declaration was prepared by the City with a Notice of Intent which was sent to the State Clearinghouse and posted on June 16, 2016 with a closing date of July 15, 2016.

The Mitigated Negative Declaration discusses the proposed project's impacts associated with air quality, biological resources, cultural resources, geology, soils and seismicity, hazards and hazardous materials, hydrology, drainage and water quality, land use, noise, public services and utilities, and transportation and circulation. All project impacts identified in the Mitigated Negative Declaration have been mitigated to a less than significant level. Therefore, the Mitigated Negative Declaration is available for adoption.

No Comment letters were received in time as part of the circulation of the Initial Study; Although the California Department of Fish and Wildlife did submit a letter late that request the applicant consult with them prior to any land disturbance which is included with the Conditions of Approval for this project.

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.

ATTACHMENTS:

Resolution P-16-23
Conditions of Approval
Initial Study/Mitigated Negative Declaration 16-01
Mitigation and Monitoring Report
Aerial Exhibit
Site Plan
Parcel Map 19598
Rendering

RESOLUTION NO. P-16-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND RECOMMENDING APPROVAL TO THE CITY COUNCIL, LOCATION AND DEVELOPMENT PLAN 15-01, CONDITIONAL USE PERMIT 15-01, GENERAL PLAN AMENDMENT 15-01 A & B, ZONE CHANGE 15-01, TENTATIVE PARCEL MAP 19598 AND MITIGATED NEGATIVE DECLARATION 16-01, SUBJECT TO CONDITIONS OF APPROVAL TO CONSTRUCT A MULTI-TENANT RETAIL CENTER WITH GAS STATION, CONVENIENCE STORE, CAR WASH, SUPERMARKET, HOTEL, RESTAURANTS, OFFICE AND RETAIL FACILITIES, ALL TOTALING 199,050 SQUARE FEET OF FLOOR AREA ON 18 ACRES OF LAND, ALLOWING THE USE OF A GAS STATION, DRIVE THRU RESTAURANTS, 60 ROOM 3-STORY HOTEL AND CAR WASH, CHANGING THE ZONING FROM BUSINESS PARK TO GENERAL COMMERCIAL, VACATING A PORTION OF VIOLET AVENUE AND SUBDIVIDING FOUR PARCELS INTO TEN PARCELS LOCATED ON THE NORTHEAST CORNER OF RANCHO ROAD AND HIGHWAY 395. ASSESSOR'S PARCEL NUMBERS 0459-342-15, 16, 17 AND 18.

WHEREAS, the applicant, Steeno Design Studios for M/M Paulicano, has proposed Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598 and Mitigated Negative Declaration 16-01, to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land, allowing the use of a Gas Station with Car Wash, Drive Thru Restaurants and Hotel, Change the Zoning from Business Park to General Commercial, Vacate a portion of Violet Avenue and subdividing four parcels into ten parcels located on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino; and

WHEREAS, a duly noticed public hearing was held on the 6th day of September, 2016 to hear and consider testimony for or against the issue; and

WHEREAS, a Notice of Availability/Intent to adopt a Mitigated Negative Declaration and Initial Study identifying the scope of environmental issues were distributed to numerous State, federal, and local agencies and organizations on June 17, 2016 through July 17, 2016 for a period of 30 days, pursuant to State CEQA Guidelines and no comments were received; and

WHEREAS, Mitigated Negative Declaration 16-01 reflects the independent judgment of the Planning Commission of the City of Adelanto and is deemed adequate for purposes of making decisions in the merits of the Project; 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 information included in the staff report prior to taking action on the proposed Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598 and Mitigated Negative Declaration 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:

LOCATION AND DEVELOPMENT PLAN 15-01

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

The proposed Land Use/Zoning designation is General Commercial, which allows for this type of development;

- (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 General Commercial 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 site is approximately 18 acres in size, which exceeds the minimum 10,000 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 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 Multi-Tenant Retail Center is an appropriate use in the General Commercial Zone.

CONDITIONAL USE PERMIT 15-01

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

The project is consistent with the General Plan as the proposed Zoning is General Commercial, which is consistent with Appendix A of Title 17 of the Zoning Code which allows Multi-Tenant Retail Centers 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 are vacant 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 18 acres in size, which exceeds the minimum 10,000 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.

GENERAL PLAN AMENDMENT 15-01 A / ZONE CHANGE 15-01

- (k) That the proposed amendment is in the public interest, and that there will be a community benefit resulting from the amendment;

The principle purpose of the proposed amendment is to allow for the development of a Multi-Tenant Retail Center by changing the zoning from Business Park to General Commercial. The project site is currently vacant. The General Plan Amendment will allow the development of Retail facilities which will benefit the citizens of the City.

- (l) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;

The subject property is north of current developed Commercial properties. The land use modification of the subject property will also be compatible with existing and planned commercial development in the area.

- (m) That the proposed amendment will not conflict with provisions of the Zoning Code, subdivision regulations, or any applicable specific plan; and

The City of Adelanto has a combined General Plan Land Use and Zoning Map. This type of map ensures the City will have zoning consistent with the General Plan by requiring Land Use amendments to the General Plan to include concurrent zone changes. A concurrent zone change is proposed from Business Park to General Commercial. No specific plans encompass the property.

- (n) In the event that the proposed amendment is a change to the land use policy map that the amendment will not adversely affect surrounding properties.

The proposed amendment is a change to the land use policy map. The proposed change will allow for additional commercial development consistent with the adjacent development to the south.

GENERAL PLAN AMENDMENT 15-01 B

- (o) That the proposed amendment is in the public interest and that there will be a community benefit resulting from the amendment;

Violet Avenue is to be vacated eliminating the connection with Highway 395. This will benefit the community as it is not permitted in accordance with an access agreement between the City of Adelanto and The California Department of Transportation.
- (p) That the proposed amendment is consistent with the goals, policies, and objectives of the General Plan;

The proposed amendment is consistent with the goals, policies, and objectives of the General Plan.
- (q) That the proposed amendment will not conflict with provisions of the Zoning Code, subdivision regulations, or any applicable specific plan;

The proposed amendment will not conflict with provision of the zoning code, subdivision regulations, or any applicable specific plan.
- (r) In the event that the proposed amendment is a change to the land use policy map, that the amendment will not adversely affect surrounding properties;

The proposed project is a vacation of a portion of Violet Avenue and will not adversely affect surrounding properties.

TENTATIVE PARCEL MAP 19598

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

The applicant proposes to subdivide the site into ten lots by filing Tentative Parcel Map 19598. The proposed lot sizes are consistent with the City's Zoning Code and the General Plan. As such, the proposed Tentative Parcel Map will be consistent with the General Plan.
- (t) That the design or improvement of the proposed subdivision is consistent with applicable general plan.

The Tentative Parcel Map has been conditioned to dedicate necessary rights of way/easements. Tentative Parcel Map 19598 is also required to install all improvements consistent with City standards at the time of development.
- (u) 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, and has public services, such as fire prevention and law enforcement, to meet the needs of the proposed project.
- (v) That the site is physically suitable for the proposed density of development.

The City's adopted development standards for the General Commercial Zone are designed to allow for the proposed density predicated upon the adopted General Plan land uses.

- (w) 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 Mitigated Negative Declaration is proposed for the project which demonstrates that impacts to the environment can be mitigated to less than significant..

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

Improvements have been conditioned to be provided concurrent with development to ensure adequate improvements are available to protect future tenants and provide basic service needs. Drainage improvements will be installed consistent with the conditions of approval and a drainage report as required by the City's Public Works Engineering Department.

- (y) 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.

SECTION 5. The requested Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598 and Mitigated Negative Declaration 16-01 are hereby approved subject to the following conditions of approval, attached as Attachment A.

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September 2016.

Chris Waggener
Chairman for the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

Attachments: Conditions of Approval

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-23 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September 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 6th day of September 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-23
September 6, 2016**

**Conditions of Approval
Location and Development Plan 15-01, Conditional Use Permit 15-01, General Plan
Amendment 15-01 A & B, Zone Change 15-01, Tentative Parcel Map 19598**

PROJECT: *A proposal to construct a Multi-Tenant Retail Center with Gas Station, Convenience Store, Car Wash, Supermarket, Hotel, Restaurants, Office and Retail Facilities all totaling 199,050 square feet of floor area on 18 acres of land within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number's 0459-342-15, 16, 17 and 18.*

Applicant: *Steen Design Studio for M/M Paulicano*

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; 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 is for a Multi-Tenant Retail Center, Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 18-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 15-01, CUP 15-01, GPA 15-01 A & B, ZC 15-01, TPM 19598. 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 \$2,260.25 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 \$2,260.25 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 Development Code and General Plan. Elements of the architectural design and features shall be consistent throughout the commercial center.
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 C (Commercial) zoning district regulations:
 - Minimum Lot Size: 10,000 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 10 feet
 - Minimum Rear Setback: 20 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 commercial center 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 project's initial study and Mitigation Monitoring Report.
14. **Trash Enclosures.** Trash receptacles proposed on the site shall be compliant with the current City adopted standard. 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:
 - 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.

Prior to Recordation of the Final Map:

17. **Assessment Districts.** Prior to the approval of the Final 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.

18. **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.
19. **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.
20. **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.
21. **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 Permits:

22. **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.
23. Applicant/Developer shall consult with the California Department of Fish and Wildlife prior to and clearing, grubbing or grading of the site.
24. **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.
25. **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 Game.
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 Building Permits:

27. **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.
28. **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.

29. **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.
30. **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.
31. **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.
32. **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.
33. **Utility Lines.** All utility lines shall be placed underground.
34. **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.
 - a. 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.
 - b. 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.
 - c. 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.

35. **Parking.** The project shall provide 710 parking spaces for 199,050 square feet of building area, as specified on the submitted plans. All parking spaces and access areas shall meet the City's requirements.
- a. All future commercial uses within the center shall be uses with a similar parking standard as general retail uses prescribed in the Municipal Code to require 1 space per 250 square feet of floor area. Any uses with more intensive parking requirements as determined in the Municipal Code shall not be permitted unless a Variance, with a parking analysis, is reviewed and approved subject to the stipulations contained in Sections 17.133 and 17.140 of the Zoning Code.
36. **Design Guidelines.** The City of Adelanto adopted standard design guidelines for all new development. These guidelines are in place and this project is subject to design review.
37. **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:

38. **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.
39. **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.
40. **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. 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.
- 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.

41. **Construction Activity.**

- a. The contractor shall provide verification that all construction equipment is in proper tune per the manufacturer's recommendation.
- b. 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.
- c. 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.

42. **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.

43. **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.

44. **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.

45. **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:

46. **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.
47. **Perimeter Wall.** All walls and fences shall be constructed as shown on approved wall and fence plans.
48. **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.

ENGINEERING DEPARTMENT

General Recordation Conditions:

49. 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.
50. 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.
51. 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.

52. 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.
53. 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.
54. 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.
55. 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.
56. 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.
57. 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. 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'.
- f. Electrical and Street Lighting Plan 1" = 100'.
- g. 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.
- h. 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 competent California licensed geotechnical engineer or civil 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.
58. 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.
59. 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.

60. 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:

- c. 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.
- d. 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:

61. 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.
62. 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:

63. 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.
64. All monuments shall be referenced or reset in accordance with the Business and Professions Code.
65. 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.
66. 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.
67. 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.
68. 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.

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 (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.
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 than or less than 90° (+/- 10°) degrees unless otherwise approved by the Engineering Department staff.

78. 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.
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 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 Engineering 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 Engineering Department staff.
85. 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.
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 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:

87. 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 are as follows:

- i. Dedication for street and utility purposes to provide for a Highway half width of Ninety Seven (97) feet for Highway 395 located along the Western boundary of this project
- ii. Dedication for street and utility purposes to provide for a Major Boulevard sixty four (64) feet for Adelanto Road located along the Eastern boundary of this project
- iii. Dedication for street and utility purposes to provide for a Major Street half width of sixty four (64) feet for Rancho Road located along the Southern boundary of this project
- iv. Dedication for street and utility purposes to provide for a Local Collector half width of thirty (30) feet for Violet Road located along the Northern boundary of this project

b. Offsite street improvements are as follows:

- i. Highways shall be constructed to half-width of 44 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 10.5, whichever is greater, 8" concrete curb and gutters, a twenty-foot parkway, twelve-foot sidewalks, and a fifteen-foot parkway. This requirement shall apply to the East half of Highway 395 located along the Western boundary of this project.
 1. The design of all improvements to the Highway shall be approved by CALTRANS.
 2. All Access approaches shown on the site plan are contingent upon Caltrans approval.
- ii. Major Boulevard 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 7.5, whichever is greater, 8" concrete curb and gutters, an eight foot bio-swale, and six-foot sidewalks and a 12 parkway, per City Standard 109 Type C. This requirement shall apply to the West half of Adelanto Road located along the Western boundary of this project.

1. The design of this improvement may be modified by the City Engineer at his digression, example: 8 foot swale.
 - iii. Major Streets 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 7.5, whichever is greater, 8" concrete curb and gutters, an eight foot bio-swale, and six-foot sidewalks and a 12 parkway, per City Standard 109 Type C. This requirement shall apply to the North half of Rancho Road located along the Southern boundary of this project.
 1. The design of this improvement may be modified by the City Engineer at his digression, example: 8 foot swale.
 - iv. Local Collectors shall be constructed to half-width of 34 feet of paving, (22 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 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 Violet Ave. 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.
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

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.

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 perform a Traffic Impact Analysis for the project in compliance with CALTRANS requirements, and submit the study for review to both CALTRANS 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.

90. 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 is required as follows:

Type of Street	Spacing (feet)	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 Activity Street Loop Street Major Boulevard Major Street Collectors Local Collectors	150ft staggered to each side	LED equivalent of 9,500 HPSV	31 ft Concrete Pole with 6 ft 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 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:

92. 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.
93. 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.
94. 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" with PVC pipe and fittings unless otherwise approved by the Engineering 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 Engineering 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:

95. 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.
96. The Developer shall comply with all requirements of the Adelanto Public Utility Authority (APUA).
97. 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.
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 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 Engineering Department.
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 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.
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 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.

106. 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 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.
 1. 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 24-hour 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.
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.
109. 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.

110. 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 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 Engineering and Planning Department staff.
- b. 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.

111. 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 thereafter 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 the Engineering Department and Title 17.

FIRE DEPARTMENT

112. See attached Fire Department Conditions.

**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 6, 2015

EXPIRATION: March 2016

**STEENO DESIGN STUDIO
11774 HESPERIA ROAD, SUITE B
HESPERIA, CA 92345**

**PERMIT NUMBER: F201500264
PROJECT NUMBER: 15-01
LOCATION: NORTHEAST CORNER OF RANCHO RD & HWY 395
PROJECT TYPE: TPM
OCCUPANCY TYPE:
APN: 0459-342-15-0000
PROPOSAL:
PLANNER: MARK de MANICOR**

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 2

Sincerely

A handwritten signature in black ink, appearing to read "C. Markloff", with the date "3/10/15" 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: 03-06-2015
PROJECT: 15-01
PERMIT NUMBER: F201500264
LOCATION: NORTHEAST CORNER OF
RANCHO RD & HWY 395
PARCEL: 0459-342-15-0000



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: CON0031404

Fire Requirements. Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of:

- " Individual fire protection water systems (e.g. fire flow) for each lot.
- " Automatic fire sprinklers for all structures.
- " Surfacing of access roads and driveways. [F32]

CITY OF ADELANTO
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

PROJECT LABEL:

APN: 0459-342-15, 16, 17, 18
Applicant: Steeno Design Studio for M/M Paulicano
Community: City of Adelanto
Location: Northeast corner of Rancho Road and Highway 395
Project No: LDP 15-01, CUP 15-01, GPA 15-01 A & B, ZC 15-01, TPM 19598
Staff: Mark de Manincor, Senior Planner
Rep: Thomas Steeno Steeno Design Studio, Inc.
Proposal: A Location and Development Plan to develop a multi-tenant retail facility; a Conditional Use Permit allow a Gas Station and Drive-Thru Restaurants; General Plan Amendments A and B to change the zoning from Business Park to Commercial and the Vacation of Violet Road; Zone Change to change the zoning from Business Park to Commercial and Tentative Parcel Map to subdivide four parcels into ten, on 18 acres

Current

General Plan: BP (Business Park)

Zoning: BP (Business Park)

Overlays: None

Proposed

General Plan: C (General Commercial)

Zoning: C (General Commercial)

Overlays: None

PROJECT CONTACT INFORMATION:

Lead agency: City of Adelanto, Planning Division
11600 Air Expressway/PO Box 10
Adelanto, CA 92301

Contact person: Mark de Manincor, Senior Planner
Phone No: (760) 246-2300
E-mail: mdemanincor@ci.adelanto.ca.us

Project Sponsor: Steeno Design Studio for M/M Paulicano
Attn: Tomas Steeno
11774 Hesperia Road, Unit B-1
Hesperia, CA 92345

PROJECT DESCRIPTION:

The proposed project is located in the County of San Bernardino, in the State of California, on the east side of Highway 395 between Violet Road and Rancho Road (see map, page 2). The four parcels combined encompass 18 acres of land. This project proposes to construct a commercial development that will include a hotel, office buildings, retail buildings, gas station, convenience store, restaurants and associated parking lots (see site plan, page 3). The project site is vacant, relatively flat, heavily disturbed land. Native desert shrub species cover the site and paved roads surround the site on the east, south and west. Evidence of disturbance from off-highway vehicle (OHV) use is prevalent throughout the site.



LDP 15-01 Paulicano
Aerial



1 in = 300 feet

Other public agencies whose approval is required, e.g., permits, financing approval, or participation agreement:

- California Regional Water Quality Control Board, Lahontan Region
- California Department of Fish and Game
- Native American Heritage Commission
- California Department of Transportation

The above mentioned agencies are not meant to be an all-inclusive list and other agencies may have responsibility over some aspect of the project.

EVALUATION FORMAT

This initial study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on 18 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor.

The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The potential effect of the project is categorized into one of the following four categories of possible determinations:

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

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

At the end of the analysis the required mitigation measures are restated.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION: (To be completed by the Lead Agency)

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

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

 Signature (prepared by Mark de Manincor, Senior Planner) _____
 Date

 Reviewed by _____
 Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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I. AESTHETICS - Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the General Plan):

- a) **Less than Significant Impact.** The Old Spanish National Historic Trail (OST) follows along the Mojave River northeast of the Project area and a southwest-northeast trending cut-off of this trail is located 2 to 2.3 miles east of the Project site. The OST near the Project area is not marked and there are no designated trailheads identified. Impacts are not anticipated for any potential viewers along the trail because the trail near the Project area is situated at a lower elevation than the Project site and views of the Project site from along this trail would be completely screened by a northeast-southwest trending ridge located immediately west of the trail alignment.

The closest elevated location to the Project area is Quartzite Mountain located approximately 4.5 miles northeast of the Project site. The western and northern portion of the mountain is actively mined. There appear to be roads and/or trails located throughout the central and southern portion of the mountain range. Low impacts are anticipated for potential recreational viewers at higher elevations because the Project site would be seen in the context of existing commercial and industrial development adjacent to the Project site. It is anticipated that the proposed Project will not significantly degrade views from nearby scenic vistas.

- b) **Less than Significant Impact.** The proposed Project is not located along or in proximity to a state designated scenic highway. The proposed Project will not substantially damage or impact scenic resources such as rock outcropping, unique geologic features or historic buildings, since these resources do not occur on the Project site.

- c) **Less than Significant Impact.** The existing site is currently undeveloped open land typical of the surrounding landscape. The visual quality of the Project site is low. The Project site itself does not have unique or rare features, or hold special significance. The topography is relatively flat to slightly undulating. Vegetation is dominated by creosote bush and other small shrubs and grasses, which are uniformly distributed across the site. Only one Joshua tree exists on the site and the surrounding area. Some vegetation has been cleared for roadways that traverse the Project site and a distribution line crosses east and west, south

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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of the site. There is a natural drainage course that flows from south to north that will be mitigated by the installation of two box culverts through the project site explained later in this analysis.

Because the Project site is not characterized by high visual quality, the visual impact of the Project on the existing visual character of the proposed Project site and its surroundings will be less than significant.

- d) **Less than Significant Impact.** Impacts from new sources of light or glare are expected to be less than significant. The Project will not create a significant source of light. Light sources associated with the Project will be minimal, and will be restricted to that required for nighttime safety and security according to county requirements. Lighting will be installed and directed downward and shielded to avoid light trespass. The amount of light generated by lights will be consistent with existing sources produced by man-made structures in close proximity to the proposed Project site, including the Stadium, Bravo Burger, Gas Station and roadway lights.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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II. AGRICULTURE AND FOREST RESOURCES - *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*

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

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

a, c-e) **No Impact.** The California Department of Conservation does not designate the project site as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance¹. The California Department of Conservation identifies the site as "Grazing"². Grazing Land (G) is defined as "Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities." The minimum mapping unit for Grazing Land is 40 acres. Additionally,

¹ County of San Bernardino, Conservation Background Report; February 1, 2006; Figure 6-9C: Prime Farmland, Desert Region
² [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/sbd08_no.pdf](http://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/sbd08_no.pdf) California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program website, San Bernardino County Important Farmland 2008, Sheet 1 of 2

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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Grazing Land does not include land previously designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. It also does not include heavily brushed, timbered, excessively steep, or rocky lands that restrict the access and movement of livestock, rural residential land, or publicly owned lands for which there is an adopted policy preventing agricultural use.³ As the proposed project would not convert Farmland (as designated by the California Department of Conservation), no impact would occur. Furthermore, the site is in a high desert area and would have no impact on forest resources.

- b) **No Impact.** The project site is currently vacant and zoned BP (Business Park) and the proposed zoning is C (General Commercial). The project site is not zoned for agricultural use, and is not designated as Williamson Act land⁴. No impact to existing agricultural resources or Williamson Act lands would occur.
- c, d) **No Impact.** The project site is currently vacant and zoned BP and the proposed zoning is C. The project site is not forest land and will not result in the conversion of forest land to other uses.

³ California Department of Conservation, Division of Land Resource Protection, *A Guide to the Farmland Mapping and Monitoring Program, 2004 Edition*

⁴ County of San Bernardino, Conservation Background Report; February 1, 2006; Figure 6-9C: Prime Farmland, Desert Region

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

a) **No Impact.** The City of Adelanto works with the Mojave Desert Air Quality Management District (MDAQMD) and the County of San Bernardino in order to enforce and implement regional air quality plans. Pursuant to the CAA, the MDAQMD is required to reduce emissions of criteria pollutants for which the MDAB is in non-attainment. The Project would be subject to the MDAQMD’s Air Quality Attainment Plans: Mojave Desert Planning Area Federal Particulate Matter Attainment Plan and the Federal 8-Hour Ozone Attainment Plan (Western Mojave Desert Non-attainment Area).⁵ The attainment plans contain a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards.

The County of San Bernardino also conforms to an Air Quality Management Plan (AQMP). These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG). SCAG is the regional planning agency for San Bernardino County and addresses regional issues relating to transportation, the economy, community development and the environment. SCAG prepares the Regional Transportation Plan (RTP), which forms the basis of the land use and transportation control portions of the AQMP. SCAG’s RTP is used in preparing the air quality forecasts and the air quality consistency analysis that is included in the AQMP.

⁵ Mojave Desert Air Quality Management District CEQA and Federal Conformity Guidelines, August 2011.

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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A project is consistent with the AQMP if it is consistent with the population, housing, and employment assumptions that were used in developing the AQMP. The 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) was adopted by the Regional Council on April 4, 2012. This recent AQMP incorporates SCAG's RTP socioeconomic forecast projections of regional population and employment growth. The Project could result in a small regional increase in jobs and it is estimated that a majority of the construction workforce would be sourced locally, and therefore is not expected to exceed AQMP projections. Because it would not affect population and minimally, employment, the Project is consistent with the population forecasts for the sub-region as adopted by SCAG. Because the Project is consistent with the MDAQMD's projections incorporated into the AQMP, we can conclude that the Project would be consistent with the projections in the AQMP.

Based on the above discussion, implementing the Project would cause no impact related to implementing the applicable air quality plans. Further analysis of this issue is not necessary.

b/c) **Less than Significant Impact.**

Construction Impacts. The MDAQMD has established daily significance thresholds that address pollution sources associated with general construction activities, such as the operation of on-site construction equipment, fugitive dust from site grading activities, and travel by construction workers. Project construction emissions were calculated using the CalEEMod emissions inventory model, originally developed by the CARB. The analysis assumed that construction activities would comply with applicable portions of MDAQMD Rule 403 regarding the control of fugitive dust. Short-term air quality impacts would occur during the construction of the project site. Three major sources of emissions during constructions include the following:

- Fugitive dust emissions - Dust is generally associated with excavation, windblown unpaved areas, vehicle and equipment travel on unpaved roads, and dirt/debris pushing. Dust generated during construction activities would vary substantially depending on the level of activity, the specific operations, and weather conditions;
- Construction Equipment - Construction requires using heavy-duty equipment, such as bulldozers, excavators, loaders, etc. Exhaust emissions from this equipment during construction activities would vary daily as activity levels change; and
- Vehicles – Transport vehicles travelling to and from the site, including delivery trucks hauling materials and automobiles carrying workers, generate exhaust emission.

The CalEEMod model runs, which estimate the construction emissions, are presented below. As shown, the short-term emissions during the construction phase will not exceed

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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MDAQMD significant thresholds. As such, the project will not conflict with or obstruct implementation of the air quality plan or result in violating air quality standards or contribute substantially to an existing or projected air quality violation.

Construction Emissions Summary (Pounds Per Day)

Source/Phase	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Site Preparation	5.1	54.7	42.1	0.0	21.1	12.6
Grading	6.5	74.9	50.2	0.0	17.2	7.4
Building Construction	4.1	31.4	28.2	0.0	2.8	2.0
Paving	2.0	20.2	15.4	0.0	1.2	1.1
Architectural Coating	63.4	2.2	2.6	0.0	0.3	0.2
Highest Value (lbs/day)	63.4	74.9	50.2	0.0	21.1	12.6
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

As shown in the Table above, construction emissions would not exceed MDAQMD thresholds. Impacts would be less than significant. However, the Applicant would be required to comply with MDAQMD rules and regulations 402 and 403 (i.e watering exposed areas 2x daily).

Compliance with MDAQMD Rules 402 and 403

The Applicant is required to comply with all applicable MDAQMD rules and regulations. Therefore, per MDAQMD Rules 402 and 403, the mitigation requiring that exposed surfaces during construction be watered twice per day was “turned on’ within the CalEEMod analysis. The developer and its contractor will be required to comply with mandated MDAQMD rules and regulations, including but not limited to, Rules 402 and 403. Therefore, the following dust control conditions applicable to the site activities as recommended by Rules 402 and 403 shall be implemented:

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. The following mitigation measures shall be implemented to reduce impacts.

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
3. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLP) spray method, or manual coatings application such as paint brush, hand roller, trowel, dauber, rag, or sponge.
4. The contractor shall utilize water-based or low VOC coating per MDAQMD Rule 113. The following measures shall also be implemented:
 - a. Use Super-Compliant VOC paints whenever possible.
 - b. If feasible, avoid painting during peak smog season: July, August and September.
 - c. Recycle leftover paint. Take any left-over paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
 - d. Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
 - e. For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center (www.cleanup.org).
 - f. Recycle the empty paint can.
 - g. Look for non-solvent containing stripping products.
 - h. Use compliant Low-VOC cleaning solvents to clean paint application equipment.
 - i. Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
5. The project proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation.
6. The project proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
7. All buildings on the project site shall conform to energy use guidelines in Title 24 of the California Administrative Code as updated to reduce energy consumption and reduce GTHG emissions.
8. The operator shall maintain and effectively utilize and schedule on site equipment and delivery trucks in order to minimize exhaust emissions from truck idling.

Operational Impacts. Operational source emissions associated with the operation of the Retail Center are from energy usage and mobile sources (e.g. vehicles). It is anticipated

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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that the proposed project would generate approximately, 7,610 daily vehicle trips (Traffic Impact Analysis prepared by Kunzman Associates, Inc., February 2016). Operational emissions associated with the proposed project are listed below.

**Operations Emissions Summary
 (Pounds Per day)**

Source	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Area	5.1	0.0	0.0	0.0	0.0	0.0
Energy	0.2	1.7	1.4	0.0	0.1	0.1
Mobile	5.2	15.2	64.8	0.1	7.0	2.0
Total Value (lbs/day)	10.5	16.9	66.2	0.1	7.1	2.1
MDAQMD Threshold	137	137	548	137	82	82
Significant	No	No	No	No	No	No

- d) **Less than Significant Impact.** The project sites proposed zoning is for Commercial uses which has been previously assessed and approved per the City's General Plan and has been included in the AQMP. An increase in air quality emissions produced as a result of construction activities would be short-term, below MDAQMD significance thresholds, and would cease once construction is complete. Dust suppression (i.e., water application) as required by the City's Development Code, would reduce 50 to 75 percent of fugitive dust emissions during construction. Operational emissions were also modeled and determined to not exceed MDAQMD thresholds. Therefore, impacts to sensitive receptors from pollutants are anticipated to be less than significant.
- e) **Less than Significant Impact.** The proposed end uses are not anticipated to generate emissions that could generate objectionable odors. A less than significant impact is anticipated.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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IV. BIOLOGICAL RESOURCES - *Would the project:*

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc...) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

Biological surveys were conducted on October 28, 2014 on an 18 acre parcel located on the northeast corner of US Highway 395 and Rancho Road in the City of Adelanto, California. As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site during which the biological resources on the property and in the surrounding areas were documented by biologist from RCA Associates, LLC (Randy Arnold and Parker Smith). As part of the surveys, the property site and the adjoining lands were evaluated for the presence of native habitats which could potentially support populations of sensitive wildlife species. A focused survey was also conducted for the desert tortoise and burrowing owl and a habitat assessment was performed for the Mohave ground squirrel. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas.

Based on data from USFWS, CDFW, and a search of the California Natural Diversity Database (CNDDDB), 2014), there are four sensitive wildlife species that have been

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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documented in the region within approximately five miles of the project site. These sensitive species include desert tortoise, burrowing owl, Mohave ground squirrel, and Le Conte's Thrasher.

The existing condition of the site supports a heavily disturbed creosote bush community with numerous signs of past human disturbance. The dominant perennial on the site was creosote bush. Other species observed included yellow-green matchweed, saltbush, Russian thistle, and jimson weed. A single Joshua tree exists near the southwest boundary of the site. Vacant undisturbed land borders the site to the north and west, with an industrial development to the east and a power line corridor to the south. According to the USGS Adelanto, California Quadrangle (1956) a blueline channel does bisect the middle of the site in a south to north direction. No other sensitive habitats were observed on the site, nor have any been documented in the area (CNDDDB, 2014).

Biological surveys were conducted on October 28, 2014. Additionally, a Literature Search of the California Natural Diversity Database (CNDDDB, 2014) was performed.

- a) **Less than Significant Impact with Mitigation Incorporated.** A number of sensitive species are known to inhabit the area in which the project site is located.

The site does not support suitable habitat for the Mohave ground squirrel based on the highly disturbed conditions as depicted in Figure 4 of the attached General Biological Resources Assessment. Although the species has been documented in the surrounding area, the property is not expected to support populations of the Mohave ground squirrel.

Mitigation IV a. The California Department of Fish and Wildlife (CDFW) should be contacted prior to any future grading/clearing activities for Mohave ground squirrel

Regarding the Borrowing Owl; no occupiable owl burrows were observed directly on the property; however, a few occupiable burrows do exist in the zone of influence. No owls or owl sign were observed on the property during the October 2014 surveys; however, as per CDFW protocol, the survey results are valid for only 30 days.

Mitigation IV b. CDFW will require a 30-day pre-construction survey be performed prior to any future clearing/grading activities to determine if Burrowing Owls have moved on to the site since the October 2014 surveys.

- b, c) **Less than Significant Impact.** No riparian vegetation were observed on the site or along the blueline channel located in the middle of the site. Based on a review of aerial photos and a preliminary review of the surrounding area during the field investigations, the channel appears to extend south and north of the site. No jurisdictional analysis was performed on the channel; although, the channel may not be considered jurisdictional based on the existing disturbed conditions.
- d) **Less than Significant Impact.** Future development activities may result in the removal of about 18 acres of desert scrub vegetation; however, any future development is not

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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expected to have a significant overall impact on the general biological resources.

e) **Less than Significant Impact with Mitigation.**

The project site contains a single dominant vegetation community: creosote bush-white burr sage with only one Joshua tree. This community is dominated by white burr sage, creosote bush, and one Joshua tree. Implementation of the proposed project would likely result in direct effects to a sensitive plant community, Joshua tree woodland, and locally protected specimen Joshua trees. Therefore, measure IV c. is recommended to ensure potential project effects to Joshua trees are avoided and/or minimized.

Mitigation IV c. Prepare a Joshua Tree Impact and Mitigation Plan that details the numbers of individual Joshua trees and acreage of Joshua tree woodlands to be removed and mitigation measures to compensate for impacts.

f) **No Impact.** The project site is located within the boundaries of the draft West Mojave Plan portion of the California Desert Conservation Area (CDCA). The Habitat Conservation Plan portion of the CDCA has not been adopted. The proposed project is not subject to federal agency approvals and is therefore not subject to compliance with the West Mojave CDCA; nonetheless, the proposed project is not anticipated to impede implementation of the plan.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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V. CULTURAL RESOURCES - *Would the project*

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

- a) **No Impact.** The project site is vacant and no historic resources would be affected by development of the site.
- b) **Less than Significant Impact.** According to the City’s General Plan the Victor Valley region has a long history of human habitation, in part, based upon the existence of the Mojave Indian tribes that formerly inhabited the area. The General Plan noted that the Mojave River was probably the focal point of the Indian habitation so archaeological resources could occur in the region. During recent times the area was used for cattle grazing. An archaeological records search was conducted in 2011 for the Adelanto General Planning Area to determine the existence of prehistoric and historic resources. This record search was conducted by the San Bernardino County Museum, Archaeological Information Center. The document search included a review of all recorded historic and prehistoric archaeological sites in the vicinity, as well as, a review of all known cultural resource survey and excavation reports. In addition, historic maps regarding the region were also reviewed.

The results of the document search revealed those 62 prehistoric sites, 148 historical sites, 11 multi-component sites, 44 prehistoric isolates, and 23 historical isolates have been identified within the Adelanto Planning Area of the City.

The General Plan provides that “precise archaeological information is very limited from the study area, since little of the area has been archaeologically surveyed.” (p.VII-17, Adelanto General Plan). As noted above, most archaeological resources are most likely to exist along the Mojave River. The proposed project site is several miles to the Mojave River and, as such, is unlikely to contain archaeological resources. However, General Plan Policy CUL 1.2.2 provides that the City may require the preparation of an archaeological survey by a licensed archaeologist, should it be determined that potentially significant archaeological resources could exist at the affected site.

Although it is unlikely that development of the project site would uncover archaeological

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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resources the City recognizes the possibility does exist and has identified a standard condition of approval that applies to all development projects in the City. If archeological resources are encountered during grading, ground disturbance activities must cease so a qualified archeological monitor can evaluate the resources. If discovered resources merit long-term consideration, adequate funding must be provided to collect, curate and report their resources in accordance with standard archaeological management requirements.

In addition, if the City finds that a developer encounters cultural or paleontological resources and fails to notify the Planning Department, the City will place those responsible for the destruction of significant resources on file with the County of San Bernardino and the State of California, Office of Historic Preservation. Implementation of these conditions would ensure that no impacts to these resources would occur and no additional mitigation would be required.

- c) **No Impact.** Although there are no known significant fossil locations documented within the City of Adelanto, locations in the region that are within the same geological setting have yielded significant Pleistocene age fossil assemblages, according to the San Bernardino County Museum Division of Geological Sciences. It is therefore reasonable to assume that the potential exists for similar fossil assemblages to exist in the same formations in other areas of the region. Since fossils are generally very fragile, they must be studied in context, on-site, for maximum scientific benefit. Disturbance of any fossil discoveries could significantly degrade their value to science and lessen the potential to learn more of the region’s history.

The City has a standard condition of approval that must be followed by the applicant to ensure that any paleontological resources uncovered are handled appropriately. 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 must be provided by the applicant to collect, curate and report on resources to ensure the values inherent in the resources are adequately characterized and preserved. Collected specimens are to be sent to the Earth Sciences Division of the San Bernardino County Museum.

- d) **Less than Significant Impact.** The project site has no past history of use according to the cultural resources survey completed in 2011, the survey indicated that most known resources in the region are located in proximity to the Mojave River area. Therefore it is unlikely that any human remains would be found on-site. However, there is a remote possibility excavation of human remains could inadvertently occur. The City has a standard condition of approval that must be followed by the applicant to ensure that any human remains uncovered are handled appropriately. If human remains are encountered on the property, the San Bernardino County Coroner’s Office must be contacted within 24 hours of the find, and all work should be halted until a clearance is given by that office and any other involved agencies. No additional mitigation is required.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a) **i) No Impact.** The City of Adelanto is located in a seismically active portion of southern California. The Helendale and San Andreas faults are located within 8 and 15 miles of the City, respectively (Figure IX-1, City of Adelanto General Plan) and may generate earthquakes of an intensity that could result in property damage, injury and/or loss of life. However, no known faults traverse the site. As a result, rupture of a known earthquake fault would not occur on the project site. Therefore, there would be no impact on the proposed project.

ii) Less than Significant Impact. Due to the proximity to known active faults in the region, the project site is susceptible to disturbances from seismic activity; most commonly groundshaking. In addition, locally active faults have been identified in the vicinity of Adelanto but there are no known faults within the City. The San Andreas Fault, located

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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south and west of the City, and the Helendale Fault, located north and east of the City, may pose a potential threat to the project. Protection against damage by major regional seismic events is addressed through local building code requirements. Adherence to grading and building construction standards would ensure that impacts associated with groundshaking during a seismic event would be less than significant.

The City has standard conditions of approval for projects to ensure proper grading and compaction to minimize impacts associated with groundshaking:

- (1) A preliminary soils report must be prepared by a California licensed geotechnical engineer or civil engineer skilled in soils/foundation investigations and 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.
- (2) Any grading and/or utility excavations and backfilling, both on and off site, must be done under the continuous direction of a licensed geotechnical engineer who must 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. All soils within street improvements must be compacted to 90 percent and 95 percent within twelve inches of surface.

iii) and iv) Less than Significant Impact. The City of Adelanto General Plan provides that “the Planning Area may be susceptible to surface liquefaction”. Detailed studies have not been prepared to indicate the location of liquefaction prone soils in Adelanto, therefore the extent of potential impact cannot be stated definitely at this time. Liquefaction conditions are most likely to exist along the Mojave River, or in sandy areas with high water tables. If liquefaction is found to be a problem, standard engineering techniques can reduce the level of potential impact to less than significant levels. Reduction of groundwater levels has probably reduced the potential for liquefaction in most of the Planning Area (p. IX-5, City of Adelanto General Plan). Depth to existing groundwater, based upon that encountered at existing City wells, is approximately 150 feet. The Uniform Building Code (UBC) recognizes ground water levels at 50 feet of depth as a threshold for potentially requiring a geotechnical evaluation. As such, liquefaction is not a potential concern.

Due to the relatively mild slope within the City (one or two percent) landslides and erosion are not considered to be significant. Soil types within the southerly portion of the city include Bryman, Cajon, and Helendale. The proposed project is located within an area that has Cajon series soils. Development of the project site will require grading and compliance with standard compaction criteria as identified in the soils report required for each project (see Conditions of Approval for groundshaking).

- b) **Less than Significant Impact.** During grading and project construction, the site may be susceptible to wind and water erosion. Measures for wind erosion are identified in Section

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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III: Air Quality.

- c) **Less than Significant Impact.** The site is situated in a location where no free faces or bodies of water exist. Therefore, the potential for lateral spreading is likely to be very low. Impacts would be less than significant.
 - d) **Less than Significant Impact.** The *Soil Survey of San Bernardino County, California, Mojave River Area*, prepared by the U.S. Department of Agriculture, identifies the shrink-swell potential as low for the Cajon series. Therefore, the project site's soil conditions would not be expansive or cause substantial risk to life or property. Impacts would be less than significant.
 - e) **No Impact.** The proposed project does not include any septic tanks or other alternative wastewater disposal systems. Thus, there would be no impact associated with soil capability for supporting septic tanks.
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Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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VII GREENHOUSE GAS EMISSIONS - *Would the project:*

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

Construction Impacts

- a) **Less Than Significant Impact.** Construction of the Project would increase GHG generation, which can contribute to global climate change. This analysis is provided in response to recent heightened interest in the subject of global climate change and, specifically, in the California legislature’s passage and the Governor’s signing of AB 32, which is intended to control and reduce the emission of global warming gases in California; and SB 97, which directs the Office of Planning and Research (OPR) and the California Resources Agency to develop CEQA Guidelines on how local agencies should analyze and, if necessary, mitigate for GHG emissions.

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, vendor trips, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term. As shown in section III *Construction Emissions*, short-term construction CO₂e emissions will not exceed the daily GHG threshold.

Operational Impacts

Less Than Significant Impact. Operation of the project is expected to result in minor increases in GHG emissions. The Project’s GHG emissions were calculated for the project, consistent with CEQA requirements. Activities during the Project’s operation contribute to area, mobile, and water source emissions.

Because construction-related emissions will be temporary and finite, below those levels being considered and/or discussed by other government agencies and associations and consistent with the AB 32 Scoping Plan, the Project’s construction-related GHG emissions cumulatively are not a considerable contribution to climate change and, therefore, are less than significant. The Project’s operation-related GHG emissions will be negligible and cumulatively are not a considerable contribution to climate change and, therefore, are less than significant.

Due to the complex physical, chemical and atmospheric mechanisms involved in global climate change, there is no basis for concluding that the Project’s theoretically small emissions increase could actually cause a measurable increase in global GHG emissions necessary to influence global climate change. The GHG emissions of the Project alone will likely not cause a direct physical change in the environment. Global emissions in their

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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aggregate contribute to climate change, not any one source of emissions alone. Therefore, due to the incremental amount of GHG emissions estimated for this Project, the lack of any evidence for concluding that the project's GHG emissions could cause any measurable increase in global GHG emissions necessary to force global climate change and that the project incorporates design features to reduce potential GHG emissions, the Project is considered not hindering the goals of AB32. Thus, because the Project would result in total GHG emissions less than the MDAQMD 100,000 tons CO₂e annual threshold, it is not considered to have a significant impact on a cumulative level.

- b) **No Impact.** As discussed above, the Project is not expected to produce an increase in GHG above the MDAQMD threshold and the City supports local and state agencies' goals and objectives. The Project would not conflict with any applicable plan, policy, or regulation to reduce GHG emissions.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VIII HAZARDS AND HAZARDOUS MATERIALS - <i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a,b) **Less than Significant Impact.** The proposed use has the potential to use some, although limited hazardous materials, principally related to fuel storage. San Bernardino County Fire Hazardous Materials Division has standard conditions of approval that would mitigate any potential impacts.
- c) **No Impact.** The project site is not located within ¼ mile of a school site, no impact.
- d) **No Impact.** The project site is not located on a site which is included on a list of hazardous materials sites, no impact.
- e, f) **Less than Significant Impact.** The project is located within the airport land use plan for the Southern California Logistics Airport which is one mile north of the project, but would not

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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have a significant impact as the project is outside safety areas 1, 2 and 3. There will be less than significant impacts to the site from noise. There is a private airport park 5.5 miles east of the project site. The Apple Valley County Airport is 7 miles east of the project site. Aircraft landing and taking off from these facilities would create a less than significant impact with respect to safety hazards for people residing or working in the project area.

- g) **No Impact.** State Route 395 and Rancho Road have been designated as evacuation routes for evacuation of residents in the event of wildland fires and other natural disasters; therefore, it is important to keep these routes free flowing. No roadway closures to through traffic would occur during project construction. Emergency vehicles, residents, and employees in the area would be able to pass through the area without obstruction.
- h) **Less than Significant Impact.** Essentially providing a fuel break, most vegetation within a ten-foot clear brush area around the site would be removed during grading to streamline facility operations; therefore, no fire fuel would be available for a significant risk of loss, injury, or death involving wildland fires (also known as brush or forest fires). With no fuel for wildfires, impacts would be less than significant.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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IX. HYDROLOGY AND WATER QUALITY - *Would the project:*

- | | | | | | |
|----|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) | Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) | Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) | Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) | Place within a 100-year flood hazard area structure which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) | Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) | Inundation by seiche, tsunamis, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a,f) **Less than Significant with Mitigation.** Grading activities associated with the construction period could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. According to the Preliminary Drainage Statement, on-site runoff will impact the site. These on-site runoff flows will be intercepted and mitigated as part of the engineering and design of the proposed on-site improvements during site development. The project site is larger than one acre and, therefore, is required to comply with the National Pollutant Discharge

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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Elimination System (NPDES) to minimize water pollution. Development in the City of Adelanto is subject to the State of California’s General Construction Permit under the federal NPDES. The Permit requires that any development proposal that would disturb more than one acre is required to file a Notice of Intent (NOI) and prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to implementation of grading or other soil disturbing activities.

In addition, the project will result in changes to absorption rates and the rate and amount of surface runoff from the project site due to the development of Buildings, Parking Lots and Roadways. A Water Quality Management Plan (WQMP) that identifies how urban pollutants will be handled must also be developed for the proposed project.

The following mitigation measures shall be implemented:

Mitigation IX a. Prior to issuance of grading permits, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger’s Identification Number) shall be submitted to the City for coverage under the NPDES General Construction Permit.

Mitigation IX b. Prior to issuance of building permits, 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 WQMP shall identify the structural and non-structural measures consistent with the City’s adopted requirements.

- b) **Less than Significant Impact.** In 2010 the City adopted an *Urban Water Management Plan* (UWMP). The Plan describes the current and projected water use, along with water shortage contingency plans, and the use of recycled water from the City’s wastewater treatment plant. The purpose of the Plan, a requirement under the State Water Code, is to identify conservation programs and a water shortage contingency plan to ensure efficient use of the water supply. Currently, the Adelanto Water Authority (AWA), the City’s water purveyor, receives all of its water supply from wells. AWA has a total of 15 wells, which are either identified as operating (seven wells), inactive (one well), or test wells (six wells) and is in the process of establishing additional wells. Existing groundwater resources are in overdraft, which is a regional condition. The UWMP includes both a water shortage contingency plan and a list of water conservation measures that apply to new development projects.

The AWA is entitled to purchase water from the State Water Project (California Aqueduct) from the Mojave Water Agency (MWA) who manages groundwater resources with a service area of 4,900 square miles within western San Bernardino County. At the present time the

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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area under the jurisdiction of the MWA is entitled to 75,800 acre-feet per year. The City of Adelanto Planning Department has received comments both from the MWA and the Victor Valley Water District that do not reflect the need to curtail development at this time. In response to the use of low flow plumbing fixtures, which are already required region-wide by the State Appliance Efficiency Standards in Title 20, this project and all others within the Mojave River Basin, will be required to comply with this criteria, which will reduce the water demand of new developments.

The MWA has completed its Regional Water Management Plan (RWMP) in 2010. According to the report, the MWA has developed several strategies for managing the groundwater basin in order to provide a consistent long-term water supply in the region. These include proposed groundwater recharge projects that would allow MWA to store water in wet years, increased recharge efficiency using stormwater detention basins, and water reclamation/recycling. In summary, the AWA has the ability to serve the proposed project under existing conditions. Future water supplies and water storage projects are in the MWA's RWMP to meet the 2035 water demand. Therefore, the proposed project would have a less than significant impact on groundwater and water supply.

- c) **Less than Significant Impact with Mitigation.** The proposed retail project would disturb approximately 18-acres by grading and excavation, and placing buildings, walls, and other hardscape structures resulting in changes to the existing drainage pattern of the site, and would create a storm water runoff situation greater than any that may currently exist. With the development of the project, an increase in impervious surfaces including parking lots, roads and buildings will result in the generation of increased runoff.

Mitigation IX c. In order to mitigate drainage impacts, the site will be designed to meter flow so that post development condition does not exceed 90% of the predevelopment flows.

- d) **Less than Significant Impact.** As a result of increased impervious surface along the alignment, the flow rate or the amount of surface runoff may increase substantially. Implementation of the site's drainage system will reduce the impact to less than significant.
- e) **Less than Significant Impact with Mitigation.** See discussion in VIII.c above.
- g) **Less than Significant Impact with Mitigation.** The project site is located in an area designated as Zone X on FEMA's Flood Plain Map, Community Panel Number 5785 H, August 28, 2008. This Zone is defined as areas where flood hazards are undetermined, but possible. Therefore, the project site may place housing or persons in an area of possible flood hazard, but not the 100-year flood hazard area. However, a standard condition of approval of all location and development plans within the City of Adelanto requires the developer to design a local drainage system to direct drainage to the city's Regional Flood Control Channels (see mitigation measure VIII.c.). Therefore this impact would be less than significant impact with mitigation.
- h) **No Impact.** The project is not within a 100-year flood zone. Therefore there would be no

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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impact.

- i) **No Impact.** The project site is not adjacent or down-stream from any existing levees or dams. Therefore there would be no impact.
- j) **No Impact.** No water bodies, such as a lake or ocean traverse the subject property or exist within the Planning Area which could cause a seiche, tsunami, or mudflows that would adversely affect the property. Therefore, there would be no impact.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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X. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

- a) **No Impact.** The project site is a vacant parcel adjacent to developed parcels. Although the development proposal is a retail facility, it will not adversely affect or divide a community, therefore no impact.
- b) **No Impact.** The project site's proposed zoning is General Commercial (C), on the combined Adelanto General Plan Land Use and Zoning Map. The City of Adelanto utilizes a combined General Plan and Zoning Map that ensures consistency between the adopted General Plan land uses and implementing zoning standards. The proposed land use is consistent with the General Plan which allows the use in that area.
- c) **No Impact.** No habitat conservation plan (HCP) or natural community conservation plan (NCCP) cover the project area, so there is no impact.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XI. MINERAL RESOURCES - Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

a) **No Impact.** The City of Adelanto General Plan provides that Many portions of the General Plan Planning Area may have the potential for mineral and resource extraction. Sand and gravel is being extracted in proximity to the Planning Area, although minimal extraction has occurred within Adelanto. In addition to sand and gravel, there is a slight chance of oil and gas reserves within the Planning Area, as there are some known occurrences of these resources in the Victor Valley.

Although this area may have the potential for mineral extraction activities, it is similar in nature to other portions of the Planning area. As such, future development throughout the Planning Area could have the potential for such activities to occur, in areas of the City designated for industrial uses.

b) **No Impact.** No known mineral resource recovery site would be lost due to the project; therefore, there would be no impact.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XII. NOISE - Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- a,d) **Less than Significant Impact.** Information contained in the City of Adelanto General Plan identified 65 or 60 dBA noise level contours as being located a relatively short distance from major roadways. A minimal increase in noise on perimeter streets may result from an increase in traffic on the adjacent roadways. Therefore the project will not expose persons to noise levels in excess of standards established in the General Plan.
- b) **Less than Significant Impact.** The City of Adelanto incorporates design standards for its roadways which will reduce the exposure of persons to the harmful effects of ground borne vibration and ground borne noise levels. Therefore, this impact would be less than significant.
- c) **Less than Significant Impact.** There will be an increase in the ambient noise levels during the hours of operation in the project vicinity due to the presence of customers and transportation of materials, products, etc. However, the increase is not significant.
- e) **Less than Significant Impact.** The project site is 5.5 miles east of a private airport park. The project site is about 1 mile south of the Southern California Logistics Airport. According to the Comprehensive Airport Land Use Plan (CALUP) for the airport adopted in 1996 and revised in 1999, this project is within Safety Review Area 3. According to Table 7 of (CALUP) the project site would not result in a safety hazard in the project area. No

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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mitigation required.

- f) **No Impact.** The project site is not within the vicinity of a private air strip, therefore no impact.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XIII. POPULATION AND HOUSING - *Would the project:*

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

- a) **No Impact.** The project site is currently vacant. The proposed retail facility will create a commercial-like use and will not induce population growth in the area. This development will be consistent with the General Plan and surrounding land uses. The city has a large amount of undeveloped land which can accommodate substantial population growth. There will be no impact.
- b) **No Impact.** There are no existing residential uses on site. The proposed project would not result in the displacement of any housing and thus, would not require the construction of any replacement housing. No impact would occur.
- c) **No Impact.** As discussed previously, no residential uses are present on site, and there are no other types of structures present on the site. The proposed project would not result in the displacement of any people; consequently, no impact would occur.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XIV. PUBLIC SERVICES

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

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a) **Less than Significant Impact.** Fire and emergency medical services for the City are provided by the San Bernardino County Fire Department under contract. Currently the Adelanto Fire Department has one station. Station #1 and Fire Headquarters is located at 10370 Rancho Road, near the Industrial Park District of the City. There are 9 full time firefighters over three shifts and 15 paid-call firefighters. The station has a crew of three each day, including a paramedic. Equipment consists of one 3,500 gallon water tender unit, and two 1,500 gallon per minute pumpers. In addition, manpower and equipment from San Bernardino County Fire Station 37 in Mountain View Acres (Victorville) and from the City of Victorville (through an automatic/mutual aid agreement) also respond.

The project intends to provide vehicular access to the site utilizing Rancho Road, which connects to Highway 395. Rancho Road is a Major Arterial that provides access to the site.

In addition, the City has a number of standard conditions of approval that would apply to the project. For example, the project is under the jurisdiction of the San Bernardino County Fire Department ("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.

Also, 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 fire conditions of approval would apply.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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- b) **Less than Significant Impact.** Law Enforcement Services for the residents of the City of Adelanto are provided through a contract with the San Bernardino County Sheriff's Department. The staff of the San Bernardino County Sheriff's Department's Adelanto Station is dedicated exclusively to providing law enforcement within the City of Adelanto and performs all the duties of a municipal law enforcement agency. The current staffing at the Adelanto Station is 15 full time sworn peace officers, 4 full-time clerical and support staff members, one reserve peace officer, and 16 citizen volunteers. The Adelanto Station has 13 law enforcement vehicles seven marked patrol vehicles, three unmarked vehicles, one non-code-3 van, and two citizen patrol vehicles).

Since the Sheriff's Station is centrally located within the City of Adelanto, at 11613 Bartlett Avenue, officers are able to respond very quickly to calls for service. Response times to emergency calls average less than five minutes and less than 8 minutes to priority one calls. The Sheriff's Department has adequate deputies to serve the increased need for service generated by the proposed project and can adequately respond to emergency calls for service.

- c) **No Impact.** The Adelanto School District provides educational opportunities for students from kindergarten through the eighth grades. The proposed retail facility would not generate the need for any school facilities. However, the Adelanto School District does charge School Fees of \$0.34 per square foot when development occurs
- d) **No Impact.** The proposed project will not increase the demand upon park facilities and recreational services.
- e) **No Impact.** The Governmental Center for the City of Adelanto is located at 11600 Air Expressway, Adelanto, CA 92301, (760) 246-2300. The Adelanto Branch of the San Bernardino County Library provides limited resources for books, periodicals, and newspapers. The library is opened limited hours and located at 11744 Bartlett Avenue, Adelanto, CA 92301, (760) 246-5661. The proposed project will not increase the demands upon the library or government center.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XV. RECREATION

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

a,b) **No Impact.** The site is zoned C; the proposed project is a retail facility and will not increase the demand for recreational facilities or regional parks, therefore no impact.

Since this project will not result in an increase in population, the project will not be required to construct or expand recreational facilities. Therefore, the proposed project will result in no impact to existing recreational facilities.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
XVI. TRANSPORTATION/TRAFFIC - <i>Would the project:</i>				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a) **Less than Significant Impact.** The City of Adelanto is both bordered and bisected by Highway 395, generally along the easterly portion of the City and Highway 18/Palmdale Road, along the southerly city boundary. Interstate 15 is located approximately five (5) miles east of the city limits and provides regional access north to Las Vegas and south to San Diego. All three roadways are maintained by the California Department of Transportation (Caltrans). Palmdale Road provides a route for both regional truck transportation and local vehicular needs.

The Victor Valley Transit Authority (VVTA) provides both local and regional commuter bus service for the high desert communities of Apple Valley, Adelanto, Victorville, and Hesperia. Local bus service through Adelanto includes routes 31 and 32. Both routes traverse Palmdale Road and Air Expressway, adjacent to Adelanto City offices. Commuter service connects high desert residents with the Cities of San Bernardino, Rancho Cucamonga, and Ontario areas to the south.

The project will be consistent with the General Plan Land Use Element. The City's Circulation Element is based upon the growth projected in the land use plan, which provides that "... the road system, including projected rights of way will be designed to accommodate the overall growth of Adelanto in the long term" (p. V-19, Circulation Element, City of Adelanto General Plan). As such, the roadway system is designed to accommodate the

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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projected number of vehicle trips associated with the existing land use.

The proposed project will increase traffic since the project is a proposal for a retail facility on approximately 20-acres of land. Rancho Road, along the southern boundary of the project site is a Major Arterial with a 100 foot right of way. This roadway is improved to its full width. Therefore, there is adequate access to the project site.

Furthermore, the City has recently implemented development impact fees for circulation. As the project will have a cumulative effect on surrounding streets and the overall circulation on the City's roadway system, the development of the project will be required to pay development impact fees in effect at the time of building permit issuance.

- b) **Less than-Significant Impact.** HWY 395 to Rancho Road provides the main access to the site. The level of service (LOS) for morning and afternoon peak hours is LOS A⁶. Peak hours usually occur in the morning and evening commute periods. During project construction, merging of existing traffic and commuting construction workers could result in temporary impacts to LOS. Level of service impacts would be less than significant, however, because of its temporary nature and the relatively low number of project-related commuters when compared to the average daily traffic volume. Once construction activities are complete, the project would have additional impacts on LOS, as operations traffic would be increased. This increase in traffic has been anticipated in accordance with the General Plan and the implementation of Impact Fees will mitigate these anticipated impacts.
- c) **Less than Significant Impact.** Southern California Logistics Airport is approximately one mile north of the project site. The Apple Valley County Airport is 8 miles east of the project site. The project would not include any tall buildings or any operations that would change air traffic patterns, including either an increase in traffic levels or a change in location that could result in substantial safety risks. Air traffic pattern impacts would be less than significant.
- d) **Less than Significant Impact.** The proposed project would not include hazardous design features, such as sharp curves or dangerous intersections. Merging construction traffic could cause safety hazards for motorists in the area; however, when temporarily obstructing traffic on a roadway, standard procedures involving the use of flag persons or signs would control the flow of traffic. Incompatible use impacts would be less than significant.
- e) **Less than Significant Impact.** HWY 395 and Rancho Road have been designated evacuation routes for evacuation of residents in the event of wildland fires and other natural disasters⁷; therefore, it is important to keep these routes free flowing. There will be no roadway closures to through traffic during project construction. Emergency vehicles, residents, and employees in the area would be able to pass through the area without obstruction. Emergency access impacts would be less than significant.

⁶ Trip Generation Analysis, Rancho Road and Adelanto Road Project, Prepared by Kunzman Associates, Inc., February 2, 2016

⁷ City of Adelanto General Plan, IX Safety Element, Figure IX-5.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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- f) **Less than Significant Impact.** The development would include adequate parking based on the development standards provided in the Adelanto Development Code.
- g) **No Impact.** The project would not conflict with adopted policies, plans, or programs supporting alternative transportation, as no bus stops, bike paths, or other means of alternative transportation are available at the project site. There would be no impact on adopted policies, plans, or programs.

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

SUBSTANTIATION:

- a) **No Impact.** The City operates its own sewer system including the wastewater treatment plant and will require this project to hook up to the City's system. The City's wastewater treatment plant has increased its capacity to accommodate continued growth in the City, from 1.5 million gallons per day (mgd) to 4.0 (mgd), no impact.
- b) **Less than Significant Impact.** In 2010 the City adopted an *Urban Water Management Plan* (UWMP). The Plan describes the current and projected water use, along with water shortage contingency plans, and the use of recycled water from the City's wastewater treatment plant. The purpose of the Plan, a requirement under the State Water Code, is to identify conservation programs and a water shortage contingency plan to ensure efficient use of the water supply. Currently, the Adelanto Public Utility Authority (APUA), the City's water purveyor, receives all of its water supply from wells. APUA has a total of 15 wells, which are either identified as operating (fourteen wells), and inactive (one well), and is in the process of establishing additional wells. Existing groundwater resources are in overdraft, which is a regional condition. The UWMP includes both a water shortage contingency plan and a list of water conservation measures that apply to new development projects.

The APUA is entitled to purchase water from the State Water Project (California Aqueduct) from the Mojave Water Agency (MWA) who manages groundwater resources with a service area of 4,900 square miles within western San Bernardino County. At the present time the

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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area under the jurisdiction of the MWA is entitled to 75,800 acre-feet per year. The City of Adelanto Planning Department has received comments both from the MWA and the Victor Valley Water District that do not reflect the need to curtail development at this time. In response to the use of low flow plumbing fixtures, which are already required region-wide by the State Appliance Efficiency Standards in Title 20, this project and all others within the Mojave River Basin, will be required to comply with this criteria, which will reduce the water demand of new developments.

The MWA has completed a Regional Water Management Plan (RWMP) in 2010. According to the report, the MWA has developed several strategies for managing the groundwater basin in order to provide a consistent long-term water supply in the region. These include proposed groundwater recharge projects that would allow MWA to store water in wet years, increased recharge efficiency using stormwater detention basins, and water reclamation/recycling. In summary, the AWA has the ability to serve the proposed project under existing conditions. Future water supplies and water storage projects are under consideration in the MWA's RWMP to meet the 2035 water demand. Therefore, the proposed project would have a less than significant impact on groundwater and water supply.

- c) **Less than Significant Impact.** The proposed retail facility would disturb approximately 20-acres by grading and excavation, and placing a building, walls, and other hardscape structures resulting in changes to the existing drainage pattern of the site, and would create a storm water runoff situation greater than any that may currently exist. With the development of the project, an increase in impervious surfaces including roads, driveways, and rooftops will result in the generation of increased runoff. The increase in on-site runoff flows will be intercepted and mitigated as part of the engineering and design of the proposed on-site improvements during site development.
- d) **Less than Significant Impact.** See discussion under XVII.b above.
- e) **Less than Significant Impact.** See discussion under XVII.a and b above.
- f/g) **No Impact.** The City currently deposits, under franchise with Burtec Waste Industries, Inc. its non-hazardous wastes into existing County landfill facilities. According to the Integrated Waste Management Board's Web site, employees within businesses generate 10.1 pounds per person per day of solid waste. If this is measured against the proposed use the estimated daily and yearly disposal rate from this site is not expected to be significant considering that the Victorville Sanitary Landfill, for example, is allowed to receive 1,600 tons per day, based upon information contained on the Integrated Waste Management Board's Web site. Burrtec and the County of San Bernardino are required to comply with all federal, state, and local statutes and regulations related to solid waste.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE:

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

SUBSTANTIATION:

- a) **Less than Significant Impact with Mitigation Incorporated.** A General Biological Habitat Assessment of the site was completed. Due to the potential for the existence of sensitive species on the property prior to future development, mitigation measures have been included to ensure the level of impact is less than significant.
- b) **Less than Significant Impact.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The *CEQA Guidelines*, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project’s incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

It is presumed that developments near the project site were constructed after completing an environmental review and that all environmental impacts were mitigated to levels that were less than significant.

The 20-acre project site is located in the City of Adelanto, San Bernardino County. As detailed in this Initial Study and the Biological Resources Assessment and Sensitive

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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Species Surveys, the site provides little habitat for various sensitive species. Adherence with mitigation measures will reduce impacts for loss of potential habitat to less than significant. There are no known wildlife corridors and migratory routes associated with the project. Wildlife corridors provide linkages between isolated populations and allow for genetic flow between populations. Typically, these would be associated with a drainage feature, mountain pass, or optimum habitat conditions. Due to the absence of these features within the site, or within close proximity, the project is not expected to impinge upon any migratory corridors.

There are numerous Commercial projects planned within San Bernardino County. The cumulative impact from these projects would be negligible since the projects are not concentrated in one area.

- c) **Less than Significant Impact with Mitigation Incorporated.** The incorporation of design measures, City policies, standards, guidelines, Air Quality mitigation measures to reduce particulate matter during construction, and Biological mitigation measures to reduce impacts to species and habitat would ensure that there would be no substantial adverse effects on human beings, either directly or indirectly. Impacts of the proposed project would be less than significant.

MITIGATION MEASURES

Mitigation IV a. The California Department of Fish and Wildlife (CDFW) should be contacted prior to any future grading/clearing activities for Mohave ground squirrel

Mitigation IV b. CDFW will require a 30-day pre-construction survey be performed prior to any future clearing/grading activities to determine if Burrowing Owls have moved on to the site since the October 2014 surveys.

Mitigation IV c. Prepare a Joshua Tree Impact and Mitigation Plan that details the numbers of individual Joshua trees and acreage of Joshua tree woodlands to be removed and mitigation measures to compensate for impacts.

Mitigation IX a. Prior to issuance of grading permits, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City for coverage under the NPDES General Construction Permit.

Mitigation IX b. Prior to issuance of building permits, 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 WQMP shall identify the structural and non-structural measures consistent with the City's adopted requirements.

Mitigation IX c. In order to mitigate drainage impacts, the site will be designed to meter flow so that post development condition does not exceed 90% of the predevelopment flows.

REFERENCES

California Department of Conservation, Division of Land Resource Protection, *A Guide to the Farmland Mapping and Monitoring Program, 2004 Edition*

California Department of Forestry and Fire Protection: Solar Photovoltaic Installation Guideline, prepared by the Office of the State Fire Marshal, April 22, 2008.

City of Adelanto General Plan, Chapter III Land Use.

City of Adelanto General Plan, IX Safety Element, Figure IX-5.

County of San Bernardino, Conservation Background Report; February 1, 2006; Figure 6-9C: Prime Farmland, Desert Region

Final Environmental Impact Report for the County of San Bernardino General Plan, Table IV-O-2. Existing Lane Configuration, Average Daily Traffic Volumes and Peak Hour Level of Service for State Highways Located in San Bernardino County.

California Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program website,
ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/sbd08_no.pdf . San Bernardino County Important Farmland 2008, Sheet 1 of 2

Adelanto Elementary School District Web Site; www.aesd.net, Business office: 760-246-8691.

California Scenic Highway Mapping System Web site,
http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm

California Integrated Waste Management Board, Web site, www.ciwmb.ca.gov

City of Adelanto Development and Zoning Code, most recent update.

City of Adelanto General Plan, May 1994

City of Adelanto Urban Water Management Plan; prepared by SOMAS, 2010.

San Bernardino County Fire Department, Web Site <http://www.sbcfire.org/>

San Bernardino County Sheriff's Department, Adelanto Station: Personal Communication, Staci Johnson.

Soil Survey of San Bernardino County, California, Mojave River Area, U.S.D.A.

South West San Bernardino County, Natural Hazard Disclosure (Fire) map; prepared by the Stephen P.

Teale Data Center, State of California, January 6, 2000.

U.S.G.S. Adelanto, California Quadrangle Map, 1993.

Victor Valley Transit Authority Web Site; www.vvta.org

Adelanto North 2035 Sustainable by Design Technical Report, prepared by Hogle-Ireland Inc. 2012.

General Biological Resources Assessment, prepared by RCA Associates, LLC November 3, 2014.

Rancho Road and Adelanto Road Project Traffic Impact Analysis, prepared by Kunzman Associates, Inc., February 2, 2016

Hydrology Report, prepared by J.E. Miller & Associates, May 27, 2014 and revised, April 10, 2016

MITIGATION MONITORING CHECKLIST

Project File No.: LDP 15-01, CUP 15-01, GPA 15-01 A & B, ZC 15-01, TPM 19598 Applicant: Steeno Design Studio for M/M Paulicano

Initial Study Prepared by: Mark de Manincor, Senior Planner Date: September 6, 2016

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non-Compliance
Aesthetics						
Agricultural Resources						
Air Quality						
Biological Resources						
BIO – 1: The California Department of Fish and Wildlife (CDFW) should be contacted prior to any future grading/clearing activities for Mohave ground squirrel.	DD/CE/CP	B	Prior to Grading	B/D		2/4/7
BIO – 2: CDFW will require a 30-day pre-construction survey be performed prior to any future clearing/grading activities to determine if Burrowing Owls have moved on to the site since the October 2014 surveys.		During construction		Self monitoring		
BIO – 3: Prepare a Joshua Tree Impact and Mitigation Plan that details the numbers of individual Joshua trees and acreage of Joshua tree woodlands to be removed and mitigation measures to compensate for impacts.	DD/CE/CP	B	Prior to grading	B/D		2/4/7
Cultural Resources						
Geology and Soils						
Hazards and Waste Materials						

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
Hydrology and Water Quality						
HYDRO-1; Prior to issuance of grading permits, the applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and obtain a Notice of Intent (NOI) to comply with obtaining coverage under the National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit from the State Water Resources Control Board. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City for Coverage under the NPDES General Construction Permit.	Self monitoring					
HYDRO-2; Prior t issuance of building permits, 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 WQMP shall identify the structural and non-structural measures consistent with the City's adopted requirements.	Self monitoring					
HYDRO-3; In order to mitigate drainage impacts, the site will be designed to meter flow so that post development conditions does not exceed 90% of the predevelopment flows.	Self monitoring					
Land Use and Planning						
Mineral Resources						
Noise						
Population and Housing						
Public Services						

Mitigation Measures No. / Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified Date /Initials	Sanctions for Non- Compliance
Recreation						
Transportation/Traffic						
Utilities and Service Systems						
Mandatory Findings of Significance						

Key to Checklist Abbreviations

Responsible Person	Monitoring Frequency	Method of Verification	Sanctions
DD - Development Director or designee	A - With Each New Development	A - On-site Inspection	1 - Withhold Recordation of Final Map
CP - City Planner or designee	B - Prior To Construction	B - Other Agency Permit / Approval	2 - Withhold Grading or Building Permit
CE - City Engineer or designee	C - Throughout Construction	C - Plan Check	3 - Withhold Certificate of Occupancy
BO - Building Official or designee	D - On Completion	D - Separate Submittal (Reports/Studies/Plans)	4 - Stop Work Order
PO - Police Captain or designee	E - Operating		5 - Retain Deposit or Bonds
FC - Fire Chief or designee			6 - Revoke CUP
			7 - Citation



City of Adelanto
Development Department
11600 Air Expressway, Adelanto, CA 92301
(760) 246-2300

MITIGATED NEGATIVE DECLARATION 16-01

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project File No.: LDP 15-01, CUP 15-01, GPA 15-01 A & B, ZC 15-01, TPM 19598
Public Review Period Closes: July 15, 2016

Project Name: LDP 15-01, CUP 15-01, GPA 15-01 A & B, ZC 15-01, TPM 19598
Project Applicant: Steeno Design Studio for M/M Paulicano
11774 Hesperia Road, # B-1
Hesperia, CA 92345

Project Location: The proposed project site is on the northeast corner of Rancho Road and Highway 395, within the City of Adelanto, County of San Bernardino, APN's 0459-342-15, 16, 17 and 18

Project Description: A proposal to develop a Multi-Tenant Retail Center totaling 199,050 square feet of floor area within the City of Adelanto, County of San Bernardino.

FINDING

This is to advise that the City of Adelanto, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environment and is proposing this Negative Declaration based upon the following finding:

- The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment.
- The Initial Study identified potentially significant effects but:
- (1) Revisions in the project plans or proposals made or agreed to by the applicant before this proposed Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - (2) There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the City of Adelanto Planning Department at 11600 Air Expressway, Adelanto, CA 92301, (760) 246-2300.

NOTICE

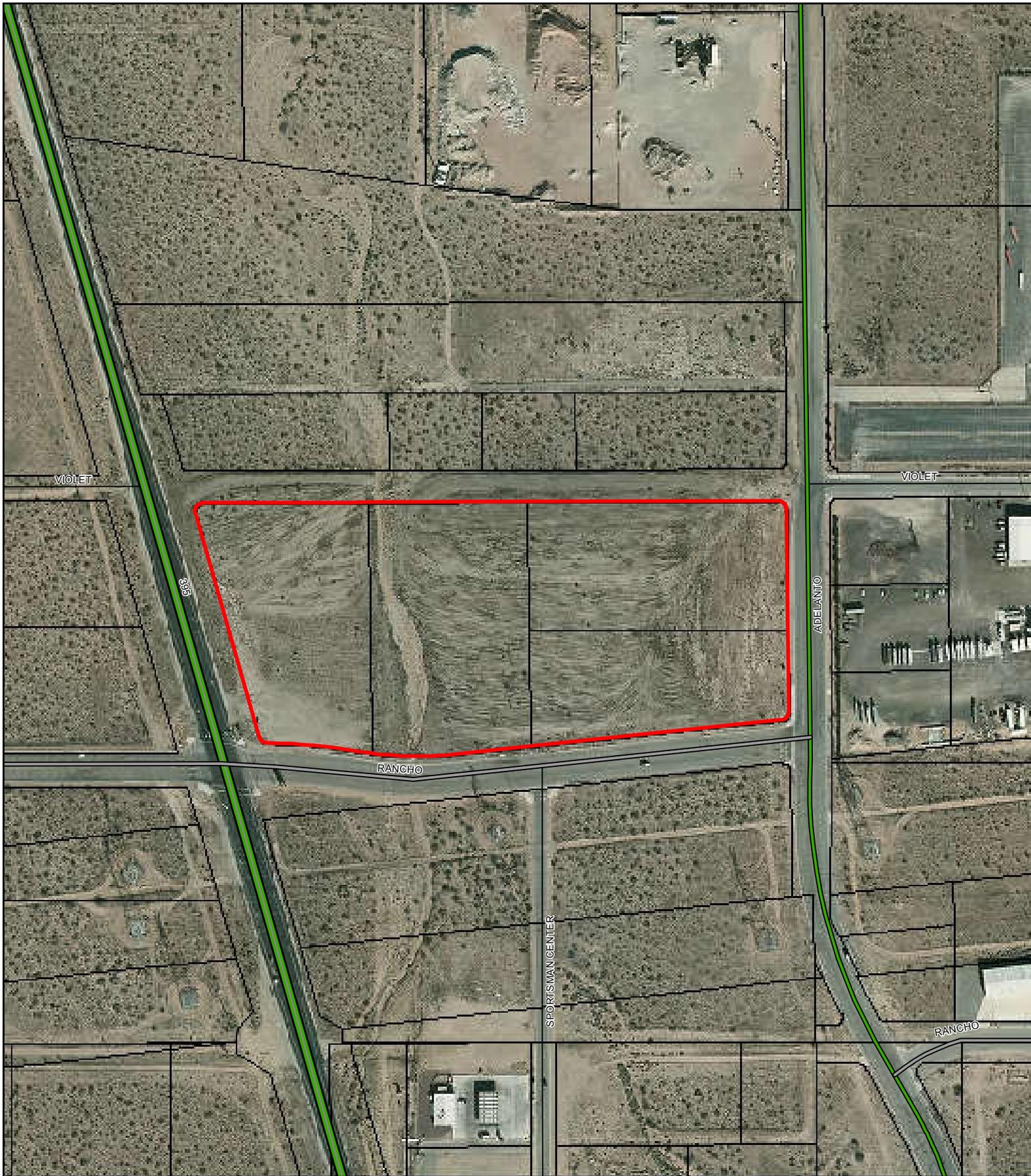
The public is invited to comment on the proposed Negative Declaration during the review period.

June 17, 2016 – July 17, 2016

City of Adelanto, City Council

Date of Determination _____

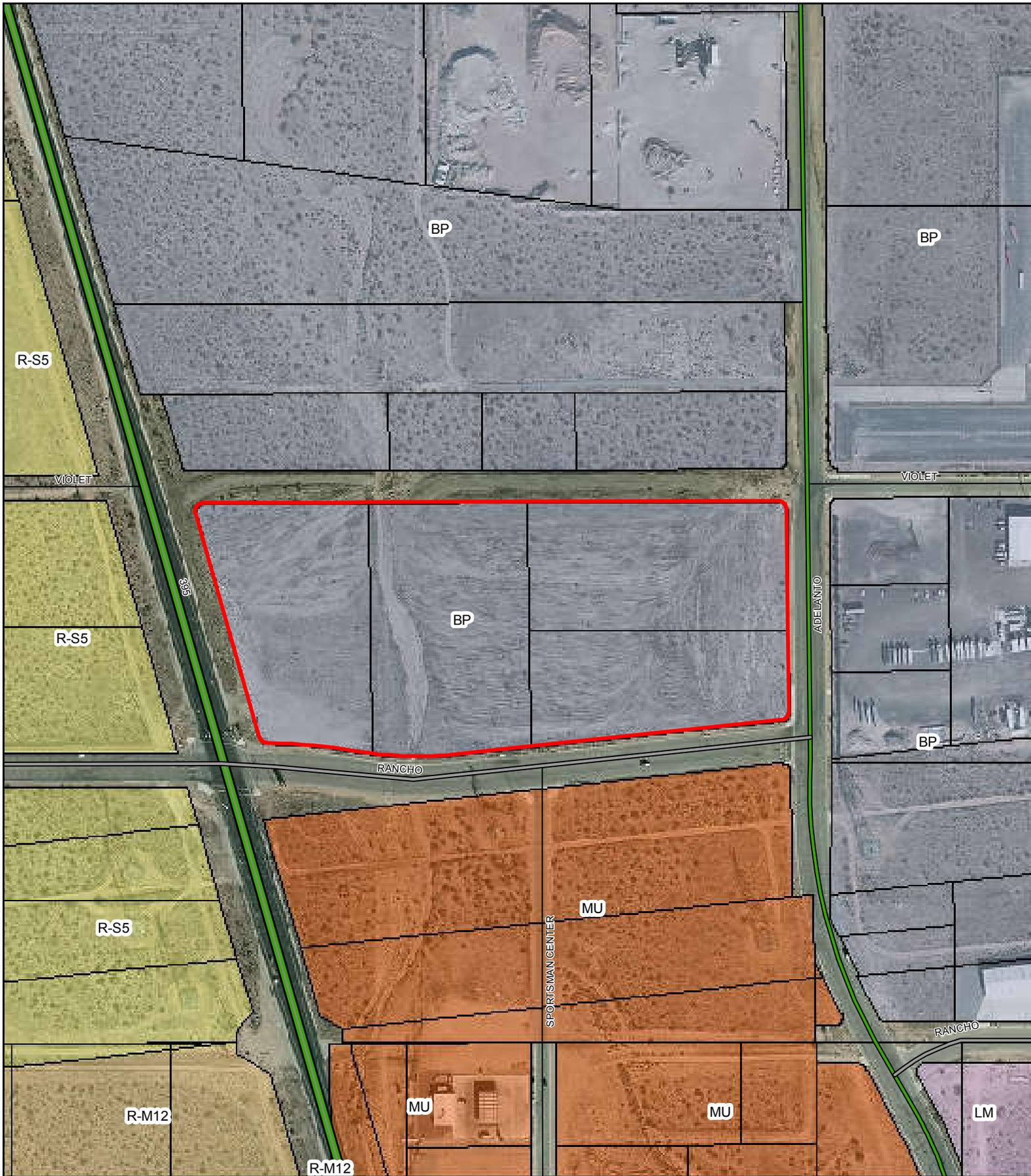
Adopted By _____



LDP 15-01 Paulicano Aerial



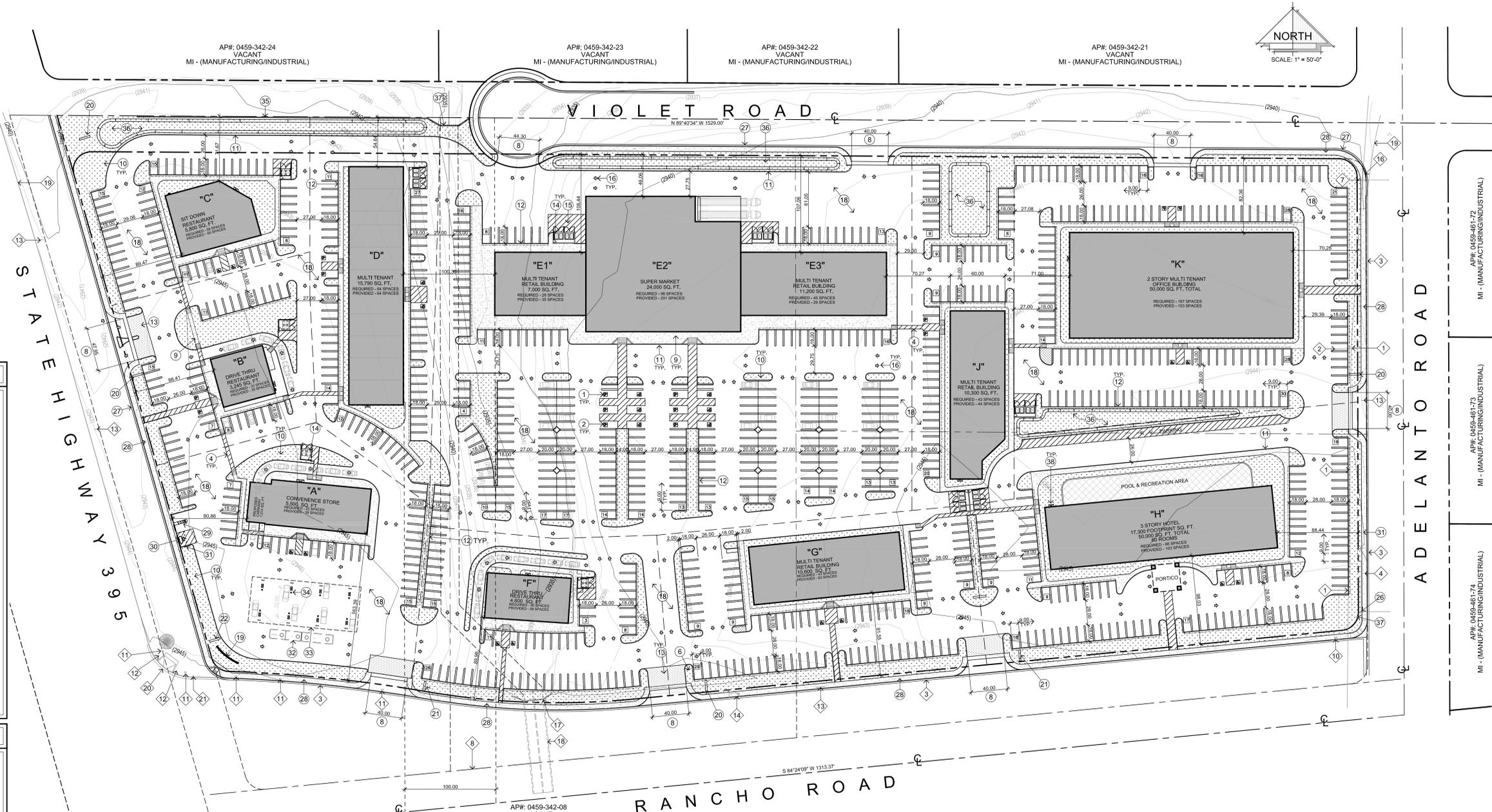
1 in = 300 feet



LDP 15-01 Paulicano Zoning

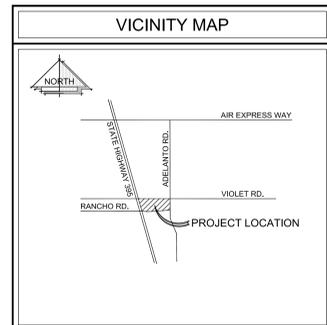
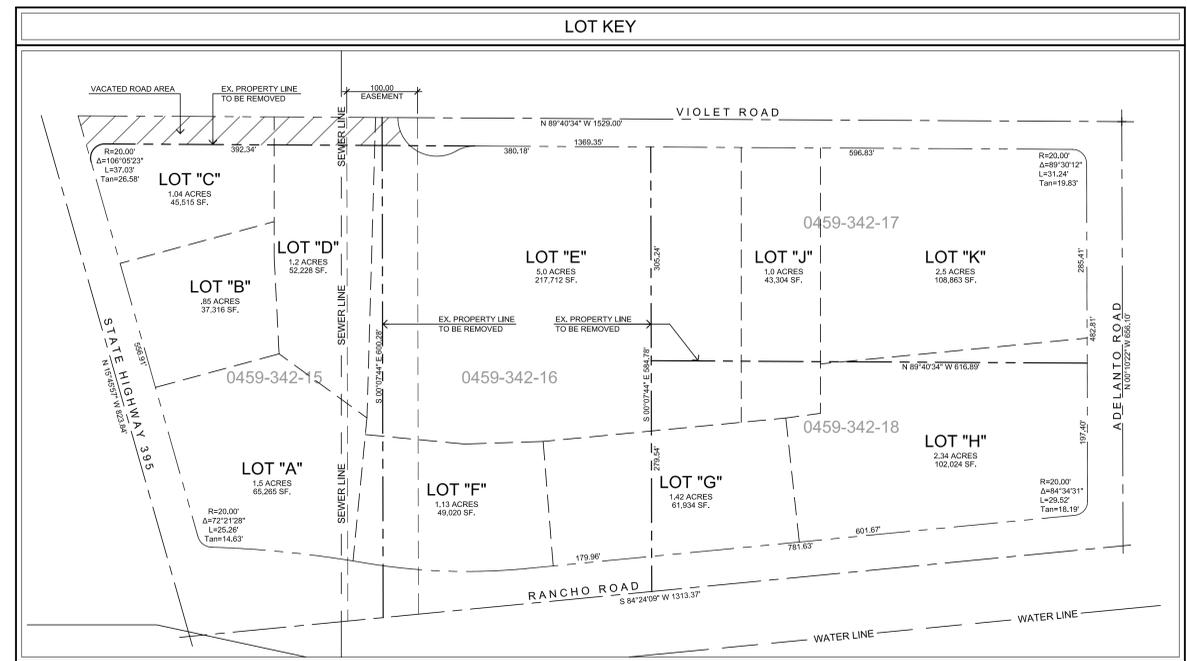


1 in = 300 feet



- ### EXISTING SITE KEYED NOTES
- EX. POWER POLE
 - EX. POWER POLE GUY WIRE
 - EX. CURB & GUTTER
 - EX. CONCRETE SIDE WALK
 - EX. TRAFFIC CONTROL BOX
 - EX. TRAFFIC SIGNAL
 - EX. FIRE HYDRANT
 - EX. RIGHT-OF-WAY
 - EX. CONCRETE CURB & GUTTER TO REMAIN
 - EX. STREET LIGHT
 - EX. SIGNAL BOX
 - EX. TRAFFIC SIGNAL TO BE RELOCATED
 - EX. TRAFFIC SIGN
 - EX. CATCH BASIN
 - EX. S.C.E. BOX
 - EX. GAS PADDEL
 - EX. DRAINAGE HEADWALL
 - EX. DRAINAGE CULVERT
 - EX. EDGE OF PAVEMENT
 - EX. CURB, GUTTER, APRON & SIGNAL TO BE REMOVED AND RELOCATED
 - EX. WATER METER
 - EX. PROPERTY LINE TO BE ADJUSTED

- ### KEYED NOTES
- VAN ACCESSIBLE PARKING SPACE
 - ACCESSIBILITY STALL EMBLEM PAINTED AS SHOWN
 - DISABLED ACCESSIBLE PARKING ONLY SIGN
 - 48" WIDE ACCESSIBILITY ACCESS W/ BLUE STRIPES
 - ACC. RAMP NOT TO EXCEED 5% SLOPE IN DIRECTION OF TRAVEL & 2% MAX. CROSS SLOPE
 - WARNING SIGNAGE REGARDING UNAUTHORIZED USE OF DISABLED PARKING SPACES
 - TRUNCATED DOMES, 30" DEPTH x WIDTH OF RAMP
 - CONCRETE APPROACH PER CITY STANDARDS. SEE PLAN FOR WIDTH
 - CONCRETE HARDCAPE, 4" THICK
 - LANDSCAPED AREA
 - 6" WIDE CONCRETE CURB
 - 6" WIDE CONCRETE CURB W. 2" PARKING NOSE OVER
 - ENTRY ACCENT DECORATIVE PAVERS. SEE LANDSCAPE PLAN
 - TRASH ENCLOSURE PER CITY STANDARDS (IF HL)
 - REINFORCED CONCRETE PAD W/ 2% MAX. SLOPE AWAY FROM TIE
 - TRAFFIC FLOW DIRECTIONAL ARROWS PAINTED ON PAVING AS SHOWN ON PLAN
 - A.C. PAVING
 - CENTER IDENTIFICATION MONUMENT DISPLAY (UNDER SEPARATE PERMIT)
 - MULTI-TENANT PYLON SIGNS (UNDER SEPARATE PERMIT)
 - MULTI-TENANT MONUMENT DISPLAYS (UNDER SEPARATE PERMIT)
 - FUEL TENANT PYLON SIGN (UNDER SEPARATE PERMIT)
 - FIRE SPRINKLER FDC & PIV
 - DOUBLE DETECTOR CHECK VALVE
 - PROPOSED FIRE HYDRANT
 - NEW 100' RIGHT-OF-WAY
 - PROPOSED CONCRETE CURB & GUTTER
 - PROPOSED CONCRETE SIDEWALK PER CITY STANDARDS
 - AIR, WATER & VACUUM STATION FOR CUSTOMER USE
 - 499 GAL. ABOVE GROUND LPG TANK FOR CUSTOMER USE
 - VAPOR RECOVERY SYSTEM (TANKLESS)
 - LINE OF UNDER GROUND FUEL STORAGE TANKS, 87 & 91 OBTANE + DIESEL
 - LINE OF 50"x120" FUEL CANOPY ABOVE. UNDER SEPARATE PERMIT
 - PROPOSED FUEL DISPENSERS, 4 @ (3+0) & 4 @ (3+1)
 - MASONRY RETAINING WALL
 - BIO SWALE RETENTION BASIN (ENGINEER TO SIZE)
 - PROPOSED DRAINAGE HEAD WALL
 - ELECTRICAL SERVICE PANEL @ BUILDING



SITE DATA

SITE AREA INFORMATION:

(E) GROSS AREA (17.57 AC.)	= 766,723 S.F.
VACATED VIOLET RD. (40 AC.)	= +17,459 S.F.
(N) GROSS AREA (17.98 AC.)	= 783,181 S.F. 100%

PROPOSED LAND AREA COVERAGE:

PROP. BUILDING AREA (FOOTPRINT)	= 145,459 S.F. 18.5%
PROP. LANDSCAPED AREA	= 117,325 S.F. 15.1%
PROP. CONC. & A.C. PAVING	= 520,788 S.F. 68.4%
TOTAL	= 783,571 S.F. 100%
LANDSCAPED AREA WITH-IN RW	= 8,863 S.F.

NEW PROPERTY AREAS:

LOT "A" (1.5 AC.)	= 65,265 S.F.
LOT "B" (0.85 AC.)	= 37,316 S.F.
LOT "C" (1.04 AC.)	= 45,615 S.F.
LOT "D" (1.2 AC.)	= 52,228 S.F.
LOT "E" (5.0 AC.)	= 217,712 S.F.
LOT "F" (1.13 AC.)	= 49,020 S.F.
LOT "G" (1.42 AC.)	= 61,934 S.F.
LOT "H" (2.34 AC.)	= 102,024 S.F.
LOT "J" (1.9 AC.)	= 43,304 S.F.
LOT "K" (2.5 AC.)	= 108,863 S.F.

PROJECT DATA

ZONING: C - GENERAL COMMERCIAL

OCCUPANCY'S: A, B, M, R-1

CONSTRUCTION TYPE: V-B, II-B

BUILDING STORIES: 1-3

FIRE SPRINKLERS: YES

AP#s: 0459-342-15, 16, 17, 18

APPLICANT: JOVIV ENTERPRISES INC.
ATTN: C. JOSEPH PAULICANO JR.
1291 NO. HAWTHORNE WAY
AZUSA, CA 91702
P: 626-446-9275
F: 626-334-7540

REPRESENTATIVE: STEENO DESIGN STUDIO INC.
ARCHITECT: THOMAS R. STEENO
11774 HESPERIA ROAD, SUITE B-1
HESPERIA, CA 92345
P: 760-244-0011
F: 760-244-1948

OWNER: C. JOSEPH PAULICANO JR. & VIRGIN PAULICANO
522 SHARON ROAD,
ARCADIA, CA 91006

PARKING DATA

REQUIRED PARKING:

"A" - CONVENIENCE STORE @ 1250 G.F.A.	5,500 / 250	= 22 SPACES
"B" - RESTAURANT (DRIVE THRU) @ 1100 G.F.A.	3,245 / 100	= 33 SPACES
"C" - RESTAURANT (SIT DOWN) @ 1100 G.F.A.	5,800 / 100	= 58 SPACES
"D" - MULTI-TENANT RETAIL BUILDING @ 1250 G.F.A.	15,700 / 250	= 64 SPACES
"E" - MULTI-TENANT RETAIL BUILDING @ 1250 G.F.A.	7,000 / 250	= 28 SPACES
"E2" - MAJOR TENANT RETAIL BUILDING @ 1250 G.F.A.	24,000 / 250	= 96 SPACES
"F" - DRIVE-THRU RESTAURANT @ 1100 G.F.A.	4,600 / 100	= 46 SPACES
"G" - MULTI-TENANT RETAIL BUILDING @ 1250 G.F.A.	10,500 / 250	= 43 SPACES
"H" - 3-STORY HOTEL @ 1 PER ROOM + EMPLOYEES	60 ROOMS X 1.1	= 66 SPACES
"J" - MULTI-TENANT RETAIL BUILDING @ 1250 G.F.A.	10,300 / 250	= 42 SPACES
"K" - MULTI-TENANT 2 STORY OFFICE BUILDING @ 1300 G.F.A.	50,000 / 300	= 167 SPACES
TOTAL REQUIRED PARKING SPACES		= 710 SPACES

PROVIDED PARKING:

58 SQ. FT. MIN. MOTORCYCLE PARKING STALLS	= 8 SPACES
9'X20' ACCESSIBLE PARKING STALLS	= 34 SPACES
9'X20' STANDARD PARKING STALLS	= 886 SPACES
TOTAL PROVIDED PARKING SPACES	= 928 SPACES

BUILDING DATA

BUILDING AREA:

"A" - CONVENIENCE STORE & CAR WASH	= 6,515 S.F.
"B" - RESTAURANT (DRIVE THRU)	= 3,245 S.F.
"C" - RESTAURANT (SIT DOWN)	= 5,800 S.F.
"D" - MULTI-TENANT RETAIL BUILDING	= 15,700 S.F.
"E" - MAJOR TENANT RETAIL BUILDING	= 7,000 S.F.
"E2" - MAJOR TENANT RETAIL BUILDING	= 24,000 S.F.
"F" - DRIVE-THRU RESTAURANT	= 4,600 S.F.
"G" - MULTI-TENANT RETAIL BUILDING	= 10,500 S.F.
"H" - 3-STORY HOTEL	= 60,000 S.F.
"J" - MULTI-TENANT RETAIL BUILDING	= 10,300 S.F.
"K" - MULTI-TENANT 2 STORY OFFICE BUILDING	= 50,000 S.F.
TOTAL BUILDING AREA	= 189,965 S.F.
GROSS FLOOR AREA:	= 25%

SITE UTILITIES

ELECTRIC: SOUTHERN CALIFORNIA EDISON CO. 12353 HESPERIA RD. VICTORVILLE, CA 92382 760-951-3237	GAS: SOUTHWEST GAS CO. 13471 MARIPOSA RD. VICTORVILLE, CA 92382 760-951-4055
WATER / SEWER: CITY OF ADELANTO 11600 AIR EXPRESSWAY, ADELANTO, CA 92301	DISPOSAL: CR & R - WRIGHTWOOD 9528 BUCKWHEAT ROAD PO BOX 200309 PUEBLA, CA 92371 760-868-6353
TELEPHONE: VERIZON 1516 LA PAZ RD, VICTORVILLE, CA 92392 800-772-5153	

LEGAL DISCRPTIONS

AP# 0459-342-15: PARCEL MAP 6506 PARCEL NO. 1 EX ST 42986 306-11079 AND ADDL STS 42986 866-11082 AND 86-11083

AP# 0459-342-16: PARCEL MAP 6506 PARCEL 2

AP# 0459-342-17: PARCEL MAP 6506 PARCEL 3

AP# 0459-342-18: PARCEL MAP 6506 PARCEL 4

PARCEL MAP 6506 PARCEL NO. 1 EX ST 42986 306-11079 AND ADDL STS 42986 866-11082 AND 86-11083

STEENO DESIGN STUDIO INC.
ARCHITECTS & PLANNERS
11774 HESPERIA ROAD, SUITE B-1, HESPERIA, CA 92345
PHONE (760) 244-0011 FAX (760) 244-1948
WWW.STEENO.COM

DATE FINISHED: JANUARY 2015

REVISIONS:

THESE PLANS SHALL COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE WHICH IS THE 2010 CODE WITH THE 2008 ENERGY STANDARDS.

THESE DOCUMENTS AND THE DESIGN AND IDEAS INCORPORATED HEREIN ARE AN INSTRUMENT OF A PROFESSIONAL SERVICE. ANY REVISIONS TO THESE PLANS SHALL BE MADE IN WRITING AND SHALL BE PROVIDED TO THE CLIENT. ANY REVISIONS PROVIDED SHALL BE UNLAWFUL.

LICENSED ARCHITECT
THOMAS R. STEENO
C-26448
EXPIRES 2/28/2018
STATE OF CALIFORNIA

PROJECT: MAJOR W/ PAD TENANTS
JOSEPH PAULICANO JR.

CONTACT: JOSEPH PAULICANO JR.
1291 NO. HAWTHORNE WAY
AZUSA, CA 91702
P: (626) 446-9275
F: (626) 334-7540

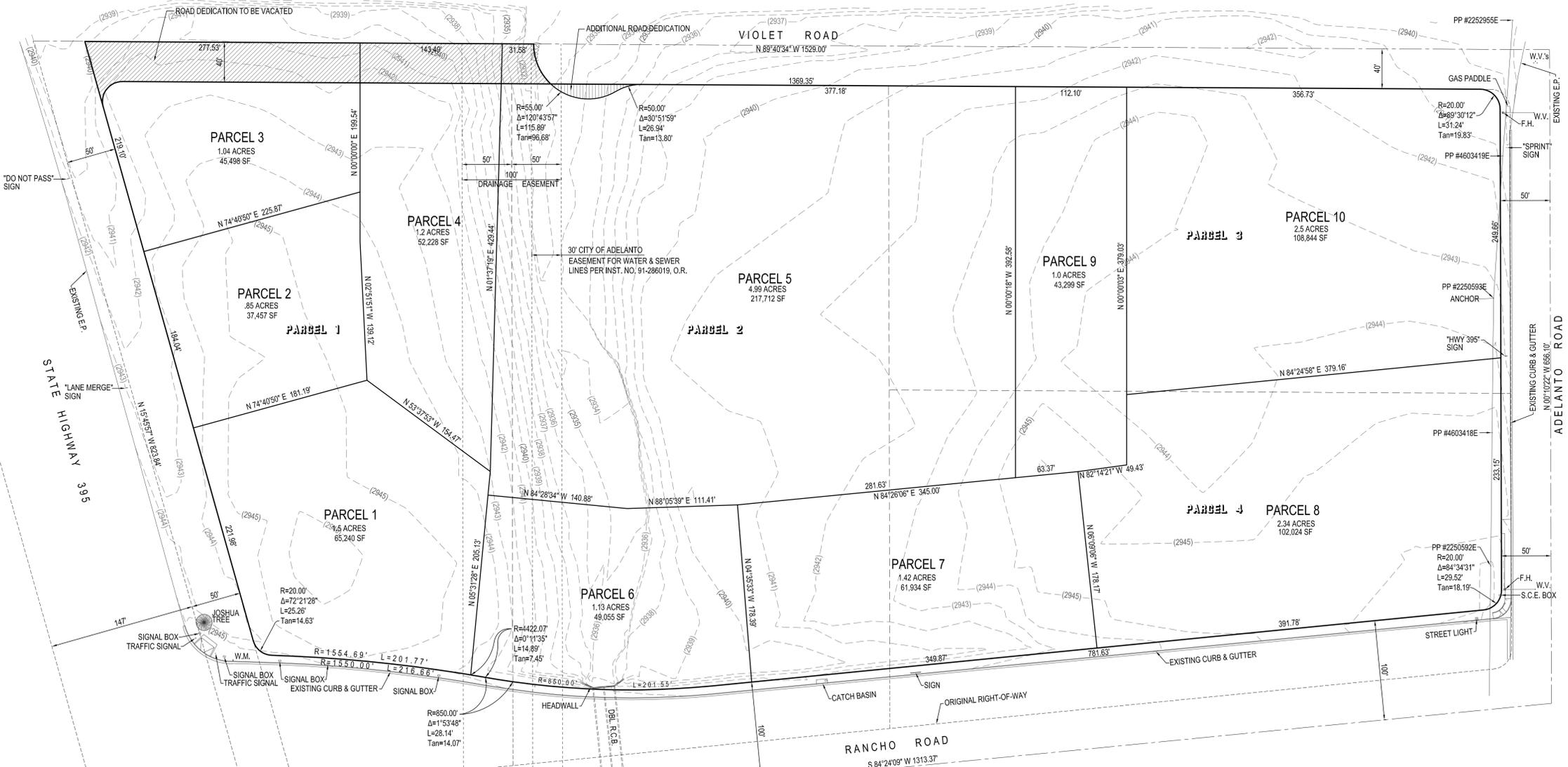
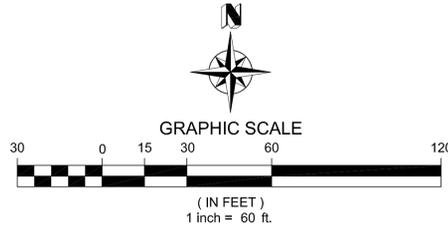
JOB NO.: C14-102

SHEET NAME: SITE PLAN & GENERAL INFO

PAGE NO.: A-0

OF SHTS.

IN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
TENTATIVE PARCEL MAP NO. 19598
 BEING A SUBDIVISION OF ALL OF PARCEL MAP NO. 6506, M.B. 65/1-2, IN
 THE SOUTHEAST ONE-QUARTER OF SECTION 33, T6N, R5W, S.B.M.
 HIGH DESERT MAPPING NOVEMBER, 2014



BENCHMARK:
 ELAN 1977
 CAL D.O.T. BRASS CAP IN CONCRETE
 LOCATED APPROXIMATELY 800' NORTH OF
 THE NORTH PROPERTY LINE, ON THE WEST
 SIDE OF STATE HIGHWAY 395.
 ELEVATION = 2933.60

LEGAL DESCRIPTION:
 ALL OF PARCEL MAP NO. 6506, M.B. 65/1-2

- UTILITY SUPPLIERS**
- WATER & SEWER - CITY OF ADELANTO
 JOHN SPONSILER
 P.O. BOX 10
 ADELANTO, CA. 92301
 (760) 246-2300
 - GAS - SW GAS
 CARLOS MANZO
 P.O. BOX 1498
 VICTORVILLE, CA. 92392-1498
 (760) 951-4166
 - ELECTRIC - SOUTHERN CALIFORNIA EDISON
 CHAD PACKARD
 (760) 951-3101
 - CABLE TELEVISION - CHARTER CABLE
 NEIL NEIMAN
 12490 BUSINESS CENTER DR. #1
 VICTORVILLE, CA. 92392
 (760) 843-3076
 - TELEPHONE - VERIZON
 16071 MOJAVE ROAD
 VICTORVILLE, CA. 92392

OWNER/APPLICANT:
 JOSEPH PAULICANO JR.
 1291 NO. HAWTHORN WAY
 AZUSA, CA 91702

REPRESENTATIVE:
 HIGH DESERT MAPPING
 DAVID B. WARREN
 16704 NEENACH ROAD
 APPLE VALLEY, CA 92307
 (760) 508-8555



STATISTICS:
 APN 0459-342-15, 16, 17, 18
 AREA: 17.578 ACRES (GROSS)
 17.979 ACRES (NET)
 THIS PARCEL MAP CONTAINS 10 PARCELS
 EXISTING ZONING: C
 NO ZONE CHANGE IS PROPOSED

SITE LOCATED IN FLOOD ZONE "X" AS SHOWN ON
 FIRM MAP NO. 0671C5795H, DATED AUGUST 28, 2008



VICINITY MAP
 NOT TO SCALE





PLANNING COMMISSION AGENDA REPORT

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

DATE: September 6, 2016

TO: Honorable Chairman and Members of the Planning Commission

FROM: Mark de Manincor, Senior Planner

BY: Becky Reynolds, Project Planner

SUBJECT: **Location and Development Plan 16-09, Conditional Use Permit 16-15**, Steeno Design Studio, for Mr. Manooch Khanbeigi, proposes to construct five (5), 27,950 square foot industrial buildings for Medical Marijuana Cultivation, on 7.2 acres of land, in the cultivation zone in Industrial Park 3.

STAFF RECOMMENDATION:

ADOPT Resolution P-16-28, **ADOPT** findings and **APPROVE** Location and Development Plan 16-09, Conditional Use Permit 16-15, finding the project exempt pursuant to section 15162 (Subsequent EIR's and Negative Declarations) of the California Environmental Quality Act.

BACKGROUND:

Applicant: Manooch Khanbeigi
195 S. Heath Terrace
Anaheim Hills, CA 92807

General Location: The project site is located on the southwest corner of Industry Way and Beaver Road, within the City of Adelanto, County of San Bernardino. The project site is within Section 1, Township 5 North, Range 6 West, San Bernardino Base and Meridian.

Assessor's Parcel No: 3129-251-33

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

Related Cases: Medical Marijuana Cultivation Permit 15-01

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	Greenbelt Corridor Easement	GCE
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:

<i>Direction</i>	<i>Land Use</i>
North	Power line Corridor
South	Developed industrial buildings
East	Developed industrial buildings
West	Vacant

PROJECT DESCRIPTION

Mr. Manooch Khanbeigi proposes Location and Development Plan 16-09 to construct five (5) 27,950 square foot industrial structures; Conditional Use Permit 16-15 to allow the Cultivation of Medical Marijuana; on 7.2-acres of land. The project site is located on the southwest corner of Industry Way and Beaver Road.

DEVELOPMENT STANDARDS

<i>Development Standard</i>	<i>Required</i>	<i>Provided</i>
Minimum Lot Size	20,000 sf	7.2 acres
Minimum Lot Width	100 feet	565 feet
Minimum Lot Depth	100 feet	595 feet
Minimum Front Setback		
• To Building	25 feet	25feet
• To Parking Area	10 feet	40 feet
Minimum Side Yard Setback		
• Street Side Building	25 feet	N/A
• Street Side Parking	10 feet	N/A
• All others	0 feet	0 feet
Maximum Building Height	75 feet	24 feet
Minimum Rear Yard Setback	0 feet	0 feet
Landscaping Required	10% of the project area	11%

PARKING

The proposed project is for a Medical Marijuana Cultivation facilities. The cultivation facilities require a total of 290 spaces. The applicant is providing 298 spaces which include 10 accessible spaces.

DRAINAGE

A drainage study was performed by Thomas Thornton of Thornton Development, which demonstrated that off-site flows will be handled by a 100 foot wide drainage easement that bisects the property in a northeasterly direction. The project is proposing to dedicate a fifty (50) foot wide easement to the City and on-site flows will be mitigated by a retention basin and payment of current drainage fees. The retention basin is located along the northeasterly property boundary.

TRAFFIC & CIRCULATION

Two points of access has been provided from Beaver Road. The access points connect with Beaver Road and north to Industry Way, which connects to Koala Road.

NOISE

The project site is Manufacturing/Industrial zoning and is located adjacent to Beaver Road. This project will not impact surrounding properties as this portion of Beaver Road is located within Industrial Park 3. 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 3.

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-16-28
Conditions of Approval
Notice of Exemption
Aerial Exhibit
Site Plan
Elevations

RESOLUTION NO. P-16- 28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ADELANTO, SAN BERNARDINO COUNTY, CALIFORNIA, MAKING FINDINGS, AND APPROVING LOCATION AND DEVELOPMENT PLAN 16-09, CONDITIONAL USE PERMIT 16-15, TO CONSTRUCT AND OPERATE FIVE (5) 28,000 SQUARE FOOT MEDICAL MARIJUANA CULTIVATION FACILITIES ON 7.2-ACRES OF LAND LOCATED ON THE SOUTHWEST CORNER OF INDUSTRY WAY AND BEAVER ROAD, WITHIN THE CITY OF ADELANTO, COUNTY OF SAN BERNARDINO, CALIFORNIA. ASSESSOR'S PARCEL NUMBER 3129-251-33.

WHEREAS, the applicant Mr. Manooch Khanbeigi, requests to construct and operate five (5) 28,000 square foot medical marijuana cultivation facilities on 7.2-acres of land, located on the southwest corner of Industry Way and Beaver 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 September 6, 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 3; 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 16-09, Conditional Use Permit 16-15. 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 16-09

- (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 16-15:

- (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 7.2-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.

SECTION 5. The Planning Commission hereby approves, Location and Development Plan 16-09, Conditional Use Permit 16-15.

ATTACHMENTS:

1. Conditions of Approval

PASSED, APPROVED AND ADOPTED by the Planning Commission this 6th day of September, 2016.

Chris Waggener
Chairman of the Planning Commission

Virginia Cervantes
Secretary to the Planning Commission

I, Virginia Cervantes, Planning Secretary for the Planning Commission of the City of Adelanto, California, do hereby certify that the foregoing Resolution No. P-16-28 was duly and regularly adopted at a regular meeting of the Planning Commission of the City of Adelanto on the 6th day of September 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 6th day of September, 2016.

Virginia Cervantes
Secretary to the Planning Commission

**Attachment A
RESOLUTION P-16-28
September 6, 2016**

**Conditions of Approval
Location and Development Plan 16-09
Conditional Use Permit 16-15**

PROJECT: *A proposal to construct five (5) 27,950 square foot buildings for the Cultivation of Medical Marijuana on a 7.2-acre property located within the MI (Manufacturing/Industrial) Zone, in Industrial Park 3. The project site is located on the southwest corner of Industry Way and Beaver Road within the City of Adelanto, County of San Bernardino. Assessor's Parcel Number 03129-251-33.*

Applicant: *Steen Design Studio for Manooch Khanbeigi*

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 September 6, 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 are for the construction of five (5) 28,000 square foot buildings for the Cultivation of Medical Marijuana on a 7.2-acre parcel. Phasing is not indicated on this Site Plan. The Conditions of Approval shall apply to the entire development within the 7.2-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 16-09 and Conditional Use Permit 16-15. 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 3.
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:
 - 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.

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.
 - a. 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.
 - b. 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.
 - c. 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 290 parking spaces for a total of 167,700 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:
- a. 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.
 - 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.
35. **Construction Activity.**
- a. The contractor shall provide verification that all construction equipment is in proper tune per the manufacturer's recommendation.
 - b. 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.
 - c. 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 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. _____ Road from _____ to _____, 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; 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 Engineering and 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 City Standards 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 require City Engineer approval):
- 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 (six-foot sidewalks will need to be added and existing road will need to be capped):
 - 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-imburements are subject to the review of the City Engineer and shall be consistent with the Transportation background focus study. Credits and re-imburements 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. 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 Engineering Department staff.

Sewer Improvements:

88. 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.
89. 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.
90. 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 Engineering 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:

91. 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.
92. The Developer shall comply with all requirements of the Adelanto Public Utility Authority (APUA).
93. 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.
94. 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.
95. All water valves and vault covers within paved areas shall be raised to finish surfaces and painted after paving is completed.
96. 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.
97. 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.
98. 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 spaced 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:

99. 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.
100. 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.
101. 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.

102. The Developer shall provide adequate mitigation for storm drainage to avoid concentrating or increasing offsite flows, subject to review and approval by the City Engineer.
- a. In order to mitigate drainage flows that impact a tentative 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.
103. 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.
104. 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"
105. 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.

Park and Landscaping:

106. 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.
107. 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.
108. 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 the Engineering or Planning Departments. Said landscape easement and landscaped area shall be maintained by the developer. The landscaped area will thereafter 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 the Engineering Department and Title 17.

BUILDING AND SAFETY

See attached Building and Safety Department Conditions.

FIRE DEPARTMENT

See attached Fire Department Conditions.

**SAN BERNARDINO COUNTY
FIRE DEPARTMENT**



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

MARK A. HARTWIG
Fire Chief

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

DATE: July 21, 2016

EXPIRATION: July 2017

MANOUCH KHANBEIGI
195 S. HEATH TERRACE
ANAHEIM, CA 92807

PERMIT NUMBER: F201600814
PROJECT NUMBER: CUPN 16-09,LDP 16-09
LOCATION: SW CORNER OF INDUSTRY WAY AND BEAVER RD - ADELANTO
PROJECT TYPE: CUP
OCCUPANCY TYPE: F
APN: 3129-251-33-0000
PROPOSAL: CONSTRUCT 6 - 28,000 SQ. FT INDUSTRIAL BUILDINGS FOR MEDICAL
MARIJUANA CULTIVATION.
PLANNER: BECKY REYNOLDS

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", is written over the word "Sincerely,".

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

FIRE CONDITIONS ATTACHMENT

DATE: 07-21-2016
PROJECT: CUPN 16-09,LDP 16-09
PERMIT NUMBER: F201600814
LOCATION: SW CORNER OF INDUSTRY WAY
AND BEAVER RD
PARCEL: 3129-251-33-0000



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: 07-21-2016
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PERMIT NUMBER: F201600814
LOCATION: SW CORNER OF INDUSTRY WAY
AND BEAVER RD
PARCEL: 3129-251-33-0000



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: CON0035593

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 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 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

FIRE CONDITIONS ATTACHMENT

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PERMIT NUMBER: F201600814
LOCATION: SW CORNER OF INDUSTRY WAY
AND BEAVER RD
PARCEL: 3129-251-33-0000



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: F57

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. [F57]

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 manufacture's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59]

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: 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

FIRE CONDITIONS ATTACHMENT

DATE: 07-21-2016
PROJECT: CUPN 16-09,LDP 16-09
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AND BEAVER RD
PARCEL: 3129-251-33-0000



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: F85

Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4 [F85]

Cond: F86

Override Switch. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required. Standard 902.4 [F86]

Cond: F88

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

FIRE CONDITIONS ATTACHMENT

DATE: 07-21-2016
PROJECT: CUPN 16-09,LDP 16-09
PERMIT NUMBER: F201600814
LOCATION: SW CORNER OF INDUSTRY WAY
AND BEAVER RD
PARCEL: 3129-251-33-0000



Cond: F89

Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all weather surface and shall be installed as specified in the General Requirement conditions (Fire # F-9), including width, vertical clearance and turnouts, if required. [F89]

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 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]

Cond: CON0035594

Access. The development 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

Single Story Road Access Width:

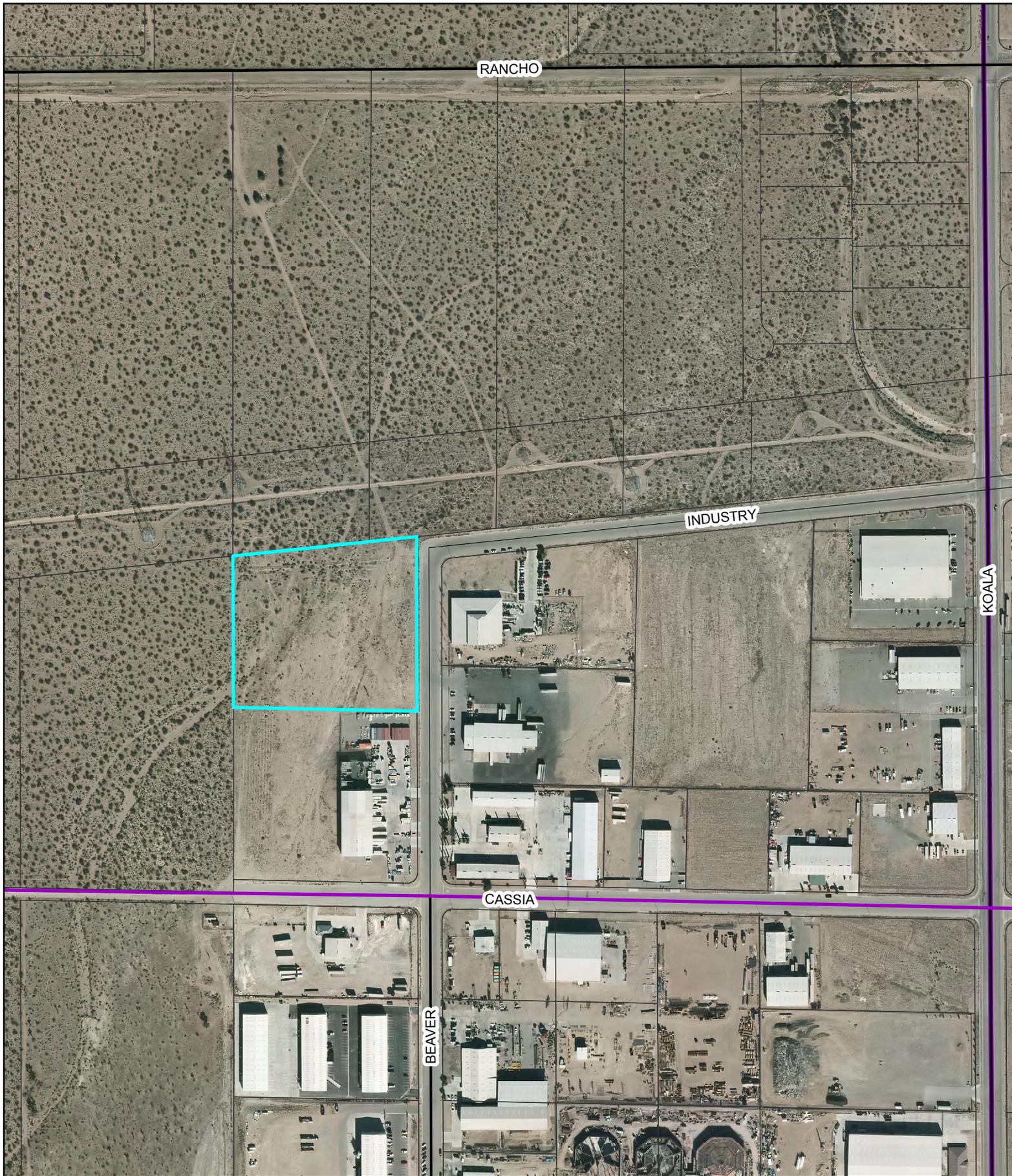
All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.

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]

BUILDING AND SAFETY DIVISION, LDP16-09/CUP16-15

- 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 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 (2016 California Codes after 1/1/2017)
- BC13. Best Managements Practices (BMP's) are required for the site during construction
- BC 14. Plan cover sheet to include code supposition of, construction type, use and material quantities for determination of occupancy as well as deferred submittals.



RANCHO

INDUSTRY

KOALA

CASSIA

BEAVER



LDP 16-09, CUP 16-15
APN 3129-251-33



1 in = 400 feet

DL5

RANCHO

MI

MI

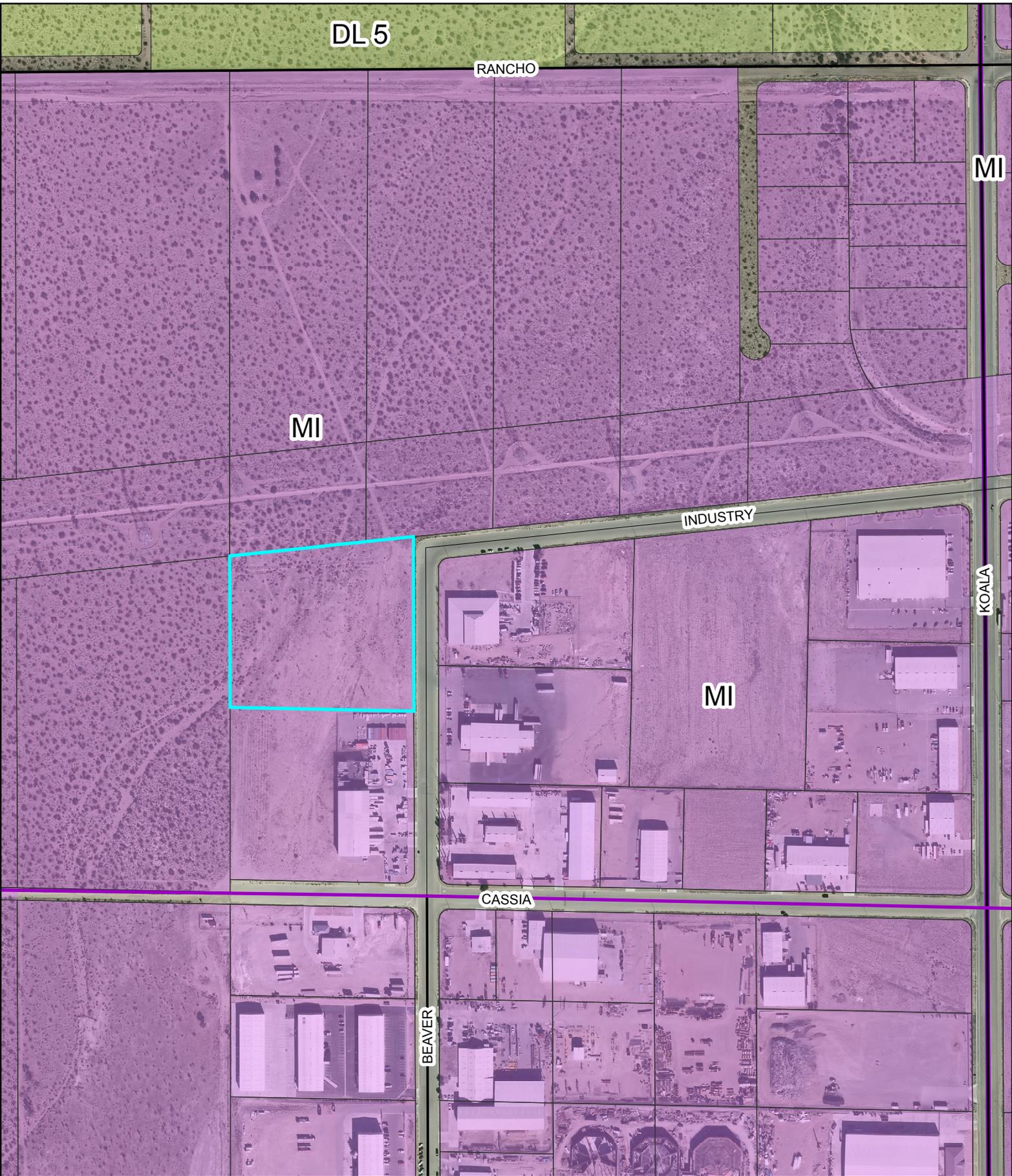
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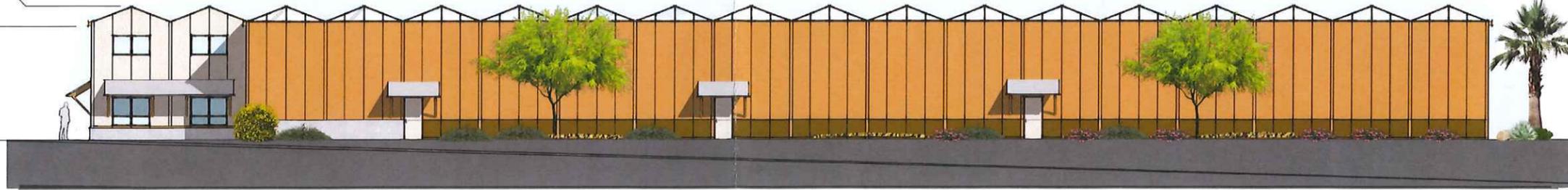
LDP 16-09, CUP 16-15
 APN 3129-251-33



1 in = 400 feet

BUILDING HEIGHTS

- ◆ +24'-0"
ROOF PEAK
- ◆ +19'-7.5"
TOP OF WALL PANEL
- ◆ +0'-0"
FINISHED FLOOR



SOUTH ELEVATION

EXTERIOR MATERIALS KEY

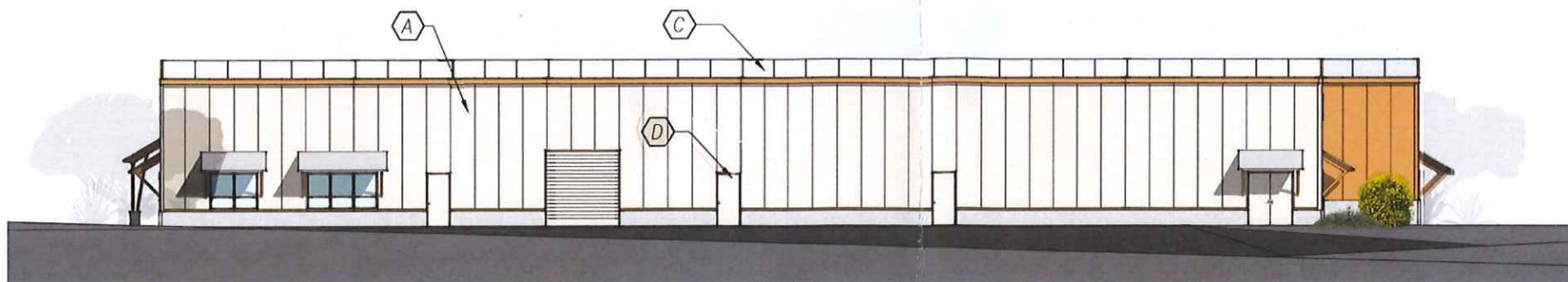
- (A) PRE-FINISHED INSULATED METAL, FLUROPON "COPPER PENNY"
- (B) SKYLIGHT GLAZING
- (C) PRE-FINISHED INSULATED METAL, WHITE
- (D) PRE-FINISHED INSULATED METAL, FLUROPON "SANDSTONE"
- (E) CONCRETE FOUNDATION WALL
- (F) PRE-FINISHED STANDING SEAM ROOFING, GALVALUME COLOR.
- (G) PRE-FINISHED INSULATED METAL PANEL, FLUROPON "MEDIUM BRONZE"



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

JUL 05 2016
 CITY OF ALBUQUERQUE
 COMMUNITY DEVELOPMENT &
 PLANNING DEPARTMENT

5' 10'

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 16-09, Conditional Use Permit 16-15.**

Description of Project: Construct and operate five 28,000 square foot Medical Marijuana Cultivation facility on a 7.2 acre site in the Manufacturing/Industrial Zone in Industrial Park 3.

Project Location: Southwest corner of Industry Way and Beaver Road, City of Adelanto, County of San Bernardino

Project Proponent: Steeno Design Studio for Manooch Khanbeigi.
Attn: Manooch Khnabeigi
195 S Heath Terrace
Anaheim Hills, CA 92807

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: September 6, 2016

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

DATE

SIGNATURE/TITLE