CITY OF HIGHLAND
REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

REGULAR MEETING

December 7, 2021
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

MEMBERS

Randall Hamerly, Chair
Chandra Thomas, Vice Chair
Edward Amaya, Commissioner
Jarrod Miller, Commissioner
Jessica Sutorus, Commissioner

STAFF

Lawrence A. Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Angela Tafolla, Assistant Planner
Angelica Martinez, Planning Technician II
Camille Goritz, Administrative Assistant III

MISSION STATEMENT

Highland is dedicated to the betterment of the individual, the family, the neighborhood and the community. The City Council and the staff of Highland are dedicated to providing the quality of public facilities and services that its citizens are willing to fund and will do so as efficiently as possible.

Visit the City's Website at: www.cityofhighland.org

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The City of Highland complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office at (909) 864-6861 Ext. 226, at least 48 hours prior to the meeting.

Pursuant to Government Code Section 54957.5, any disclosable public records related to an open session item on a regular meeting agenda and distributed by the City of Highland to all or a majority of the Planning Commission, less than 72 hours prior to that meeting, are available for public inspection at Highland City Hall, 27215 Base Line, Highland, CA 92346, during normal business hours.

Submission of Public Comments: To limit the number of persons in the Council Chambers, the public is encouraged to make public comments by email rather than in person. For those wishing to make public comments by email to be read aloud at the meeting by the Community Development Administrative Assistant. Email comments must be submitted by 5:00 p.m. on December 7, 2021 to publiccomment@cityofhighland.org.

For those wishing to make a public comment regarding a public hearing item, please identify the agenda item in the subject line. Comments can be submitted any time prior to the meeting, as well as during the meeting up until the end of the corresponding item. Please email your comments to publiccomment@cityofhighland.org. Members of the public will be permitted to make public comments in person.

PLANNING COMMISSION
REGULAR MEETING AGENDA
December 7, 2021 - 6:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

To address the Planning Commission, please complete a speaker form located at the entrance and give it to the Administrative Assistant prior to the beginning of the meeting. Your name will be called when it is your turn to speak. Individual speakers are limited to three minutes each. Comments received via email by December 7, 2021, 5:00 p.m., will be read into the record, provided that the reading shall not exceed three (3) minutes.

CONSENT CALENDAR

1. Minutes from the November 16, 2021 Regular Meeting.

   RECOMMENDATION: That the Planning Commission approve the minutes, as submitted.

PUBLIC HEARING

2. Conditional Use Permit (CUP 21-001) for a commercial development consisting of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on approximately 2.04 acres at the northeast corner of Base Line and Buckeye Street. Related entitlements include Lot Line Adjustment (LLA 21-001) to create two (2) equal sized parcels, Design Review Application (DRA 21-001) for the site plan, building elevations, conceptual landscape plan, and grading plan for the two pads, General Plan Amendment (GPA 21-001) to allow drive-thru uses in the General Plan Town Center Area, and Mitigated Negative Declaration (ENV 21-004). (APN No.1200-421-02 & -03) – Marinita Development.

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 21-____, to approve Conditional Use Permit (CUP 21-001), Lot Line Adjustment (LLA 21-001), Design Review Application (DRA 21-001), subject to the Conditions of Approval and Findings of Fact, certify the Mitigated Negative Declaration (ENV 21-004), and recommend the City Council approve General Plan Amendment (GPA 21-002); and

2. Direct staff to file a CEQA Notice of Determination with the County Clerk of the Board of Supervisors.

3. Conditional Use Permit (CUP 21-006) for a Mixed-Use development consisting of five (5) commercial tenant buildings, one (1) 21-unit multi-family residential building, and one (1) single-family residence fronting Villa Avenue on approximately 9.06 acres at the northwest corner of Base Line and Church Avenue. Related entitlements include Tentative Parcel Map (TPM 21-001) to create seven (7) new lots, General Plan Amendment (GPA 21-002) to allow drive-thru uses in the General Plan Town Center Area, and Design Review Application (DRA 21-004) for a site plan, building elevations, conceptual landscape plan, grading plan for a retail use (Tractor Supply Company), and Mitigated Negative Declaration (ENV 21-003). (APN No. 1200-381-05 and -43) – Woodcrest Real Estate Ventures.

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution 21-____, to approve Conditional Use Permit (CUP 21-006), Tentative Parcel Map (TPM 21-001), Design Review Application (DRA 21-004), subject to the Conditions of Approval and Findings of Fact, certify the Mitigated Negative Declaration and recommend the City Council approve General Plan Amendment (GPA 21-002); and

2. Direct staff to file a CEQA Notice of Determination with the County Clerk of the Board of Supervisors.

4. A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property generally located **at 7914 Calle Del Rio, Highland, CA 92346.**

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2021 -___, declaring the existence of a public nuisance on the property located at 7914 Calle Del Rio, Highland, CA 92346 and order the abatement thereof.

ANNOUNCEMENTS

ADJOURN

I, Camille Goritz, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 2nd of December 2021 by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library 7863 Central Avenue	Fire Station No. 1 26974 Base Line	City Hall 27215 Base Line

Date: December 2, 2021

Camille Goritz Administrative Assistant III

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: December 7, 2021

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III

SUBJECT: Minutes from the November 16, 2021 Planning Commission Regular Meeting.

RECOMMENDATION: Staff recommends the Planning Commission approve the Minutes as submitted.

PUBLIC NOTICE: The agenda for this item was posted at the three locations per Resolution No. 2011-047 and on the City's website.

Approved _____ Motion _____ Second _____ Agenda Item No. 1

Denied _____ Ayes _____

Continued _____ Noes _____ File No. _____

Tabled _____ Abstain _____

Absent _____

Recording Secretary

Community Development Director

MINUTES
PLANNING COMMISSION REGULAR MEETING
November 16, 2021 – 6:00 P.M.

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:00 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:	Chair	Randall Hamerly
	Vice Chair	Chandra Thomas
	Commissioner	Edward Amaya
	Commissioner	Jarrod Miller
	Commissioner	Jessica Sutorus

Staff Present: Lawrence Mainez, Community Development Director
Kim Stater, Assistant Community Development Director
Ash Syed, Associate Planner
Angela Tafolla, Assistant Planner
Angelica Martinez, Planning Technician II
Matt Wirz, Building Official
Scott Rice, City Landscape Architect
Camille Goritz, Administrative Assistant III

The Pledge of Allegiance was led by Chair Hamerly.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None

CONSENT CALENDAR

1. Minutes from the November 2, 2021 Regular Meeting.

   A MOTION was made by Commissioner Sutorus seconded by Vice Chair Thomas, to approve the minutes, as amended. Motion carried, 5-0.

PUBLIC HEARING

2. An Appeal of Staff's Approval of the keeping of two (2) miniature Nigerian dwarf goats for a residence in a Single-family (R-1 10,000) Zoning District; Appeal No. APP-21-003 for Staff Review Permit No. SRP-21-005 (30018 Frontera Del Sur)

   Assistant Planner Tafolla presented the staff report.

   Chair Hamerly stated regarding how the ordinance is written, what triggers the staff level approval versus keeping domestic animals in a rear yard?

   Assistant Planner Tafolla stated there is two places in our Highland Municipal Code (HMC) that have animal provisions. The residential zoning portion in our HMC under 16.16.030

Special Use Regulations, the area allows animals to be kept in residential zones. Under our HMC section 16.44.040 is where it regulates how certain animals are permitted. That area calls out for a staff review approval.

Chair Hamerly stated certain types of animals have been domesticated, and if they are not being used for agricultural use, how do we differentiate what is a domestic pet and what is considered an agricultural use? Is it the level of intensity or go back again to the type of animal?

Assistant Planner Tafolla stated HMC section 16.44.040 calls out domestic pets such as cats, dogs, and then it goes on to list specific animals.

Chair Hamerly stated ok, because I know that in various neighborhoods, maybe not necessarily in Highland, but people have llamas, alpacas, ostriches, variety of animals, and they are more domesticated as opposed to being used for a commercial purpose. I was wondering if the numbers are entitled by right of zone if it still triggers the staff review or approval just based on the type of animal if they are not a traditional cat or dog.

Assistant Planner Tafolla stated right, so it doesn't call it out as whether the goat is domesticated or not. It just lists goats and sheep's specifically in that section for staff review.

Chair Hamerly stated ok, I guess the end of that would be is the lot large enough that you could keep a full-size horse, which you would say it is an intense use, but certain types of horses such as the miniature horse are kept as domestic pets. Obviously, nobody is going to be riding a miniature horse that doesn't have a cleft growth, so would that also trigger a staff level review?

Assistant Planner Tafolla stated yes, for horses, the code does not specify size. It has age listed, so if they're younger than six months, we don't include them on the count of animals. Once they are past six months, they're included on the the count that can be kept.

Chair Hamerly stated ok, so the sole trigger is the type of animal if they're not specifically listed as an accepted domestic animal a staff level review would be required.

Assistant Planner Tafolla stated correct. Same thing with pigs and potbellied pigs, but our code just states pigs not related to which type.

Chair Hamerly stated based on the chronology, it looks like the complaint triggered the application for the permit. During that review process, did the positive responses come in at that time or was the complaint the sole feedback that staff received during that process?

Assistant Planner Tafolla stated we didn't get any positive responses during that time. Initially the application had included chickens, and we received a comment back about not wanting them to have chickens, however the chickens were removed from the application. It was possibly added by mistake, that was the only comment we see negatively from other neighbors.

Chair Hamerly opened the public hearing.

Christina Puraci, Appellant, stated I am here to request that you overturn the staff approval of staff review permit SRP-21-005. I have been a City of Highland resident for 18 years. Highland is where I choose to live because it is secluded. It's an excellent place to raise a family, it's a quiet hidden town. Sometime in April or May 2021 my neighbors decided to do something that might be good for their family, but it is impacting my family negatively. If you looked at the attachment in the original document as Mr. Avila included a comment in attachment #8, he stated that he can hear the goats, but it does not bother him. If Mr. Avila can hear the goats and he lived across Alta Vista, which is the main street in our neighborhood at the corner of Frontera Del Sur, you can imagine how much I can hear the goats since they are directly adjacent to my backyard. The only thing that is between my yard and the goats is the wrought iron fence and it is 20 feet from my bedroom. Some of the videos that you saw was from my bedroom with the window closed. I have no luxury to have a private moment in my bedroom anymore. I provided evidence and it is not that I don't like the goats, it is not that I don't like the neighbors, I just don't like that noise. I don't think there is anything else to say, you have the videos and yes, Mr. Payne did put some videos and we had some pool parties. In July we were away in vacation, and somebody was housesitting and sometimes we do have parties, we have kids. I heard the videos and I'm cringing already just by hearing everything you just heard because that's what I hear. We don't have the luxury to open our windows anymore to get fresh air. We are using our air conditioning day and night since there is no way to open our windows without hearing that cringing and annoying noise. I do not have the luxury to spend a relaxing time on my patio. The goats are roaming freely, and they are so close to my house. We do not have the privilege to open the patio door when we have dinner now that it's cooler outside or to have quality private time in our bedroom, that privilege has been taken away from my family. As you can hear they sound like someone is hurting them. The bleeding of the goats are tiresome at all times, day and night. As I provided the video at 11:00 PM is the constant stress in the expectation of them starting to cry and the anticipation that God awful noise will start again. We are tense about the next bleeding crying session. This is not just in the back of my house, like Mr. Avila mentioned he can hear the goats from his house, which is three houses down across Alta Vista. I can hear them from the furthest room in my house. The noise is real and is a nuisance. To sum it up, our quality of life has been diminished. I cannot imagine living like this for the next 15-17 years, since that is how long a goat lives. I did a lot of research on goats, I have a lot of folders in my computer, on my phone with videos. We bought this house with the idea to retire in it. The constant stress of when the goat makes the cringing sound is not healthy and the ability to open a window for fresh air is unhealthy and expensive since we still have to use air conditioning while the temperatures are lower. I am pleading with you to deny the approval as you can simply see that the goats are a nuisance for my family. At least if no one else is bothered in the neighborhood, if you look at the location of the house the three houses in the front are lower then it's higher, a little bit like on a terrace and the neighbors at top barely see the top roof of my house. Honestly, I'm the only one that is directly impacted, so I am pleading with you to deny the approval so we can get our life back.

Steven Payne, Applicant, stated first thing I wanted to address, the appellant acts like the goats do this all day and night. In the very beginning I bought these two goats as they were bred for pets. They're not regular random goats that eat weeds, they came from a farm in Corona and were around lots of kids. In the very beginning, I do admit they were a little loud. Even the lady who gave him to me said these goats are very territorial and they need to adapt to their area, so, in the first few months they were loud. Then they settled down and occasionally, if they get fed a little late, sometimes they make a noise,

but nothing nearly as much as she said. We closed escrow on our house and about a month after that, we received an anonymous letter stating that we had loud noise. It was from one of our painters that was working in the backyard. We didn't move in for three months after, this was the start of this endless texts. She would text at 2:00 AM, 4:00 AM you name it, stating the dog is barking and we did not have the goats back then. We live next to an orange grove, and we would get possums and rats and it would cause the dog to bark. My dog would bark, her dog would bark and after talking to all the neighbors about the goats it's nothing like what she says on the loud noises and how the property is situated. The sound travels up faster, and it travels down, Wendy, who is here tonight her house is in direct sight of the goats, and I have a few pictures of that as well. Christina's house foundation is 10 feet lower than our property line. I went around to all the neighbors, and I talked to every one of them. I asked them if there is a problem with the goats or are if they were loud. Every neighbor I went to said no, the goats are very quiet, at night, not a peep. At night they shelter in and do not make the noises like she said. My daughter was out there one night, and she heard Christina back there mocking the goats. I'll let the letters and emails speak for themselves; I am sure you read them. In the video you heard her dog back barking in the background, I've never once made a complaint. The whole time I've been there, her dog barks, she has pool parties, and I don't mind. When I heard she was filming videos when I was up at the top and I just happened to grab my phone and film it just to show it. In the whole nine years I've been there, I've had zero complaints, and I mean I got my complaint a month after and walking the neighborhood other neighbors have received anonymous notes and letters about their dogs as well. Thank you.

Wendy Viola Neighbor stated I live where you see that white roof at the end of their property. At the beginning Steven Payne said the goats were trying to get acclimated. When they put the goats in the pen they would cry because they wanted to get out and play with the kids. So, the kids would go out there and play with them and they were fine. Now that they've acclimated their time and space, you hardly ever hear those goats. I sleep with my windows open every single night. My husband is sick, he just got diagnosed with cancer so he goes out and sits in the back yard, if they were a nuisance, he wouldn't go out there. I go out there for emotional support believe it or not, with those goats. I call them up, they might make noise just a little bit as they ramp the hill because they're excited. I feed them apples, my basil and anything from my garden and I sit out there for emotional support and pet them just to make me feel better. If they were loud every single night, I swear I would tell you my husband is a Police Officer, he'd probably be the first one to complain and say it. The kids walk them around, they have them on leashes, they wear collars, and they play with everybody there. They are no nuisance at all. Once in a great while, they do make a noise here and there and they'll whinny when the kids are playing and chasing them or even when their dogs chasing them. The dogs and cats in my neighborhood are way more nuisance than the goats are, because once those goats go to bed at night and unless there are animals in their backyard around their cage, they don't make a noise after they're put in there. It's just sad, I mean it is the kid's pets. I'm sorry she feels like she's nuisance by it, but I've talked to the neighbors and the only complaint that they had had was they were worried they were going to get a rooster and some chickens. Not one person has complained about the goats whatsoever and for smell wise, the dogs smell way worse than what a goat does. I don't smell them and I'm out there all the time so that is my input on the situation.

Chair Hamerly stated HMC section 16.44.040, states the property owner is required to keep the animals a minimum distance of 50 feet from a street and 20 feet from any

property line. I noted that the goats seem to have free reign of the rear yard and knowing the eating habits of goats, they'll eat anything that's edible and some that's not. I was wondering if there is any additional enclosure or barrier that needs to be put up within the rear yard specifically, on the eastern property line. It would keep them 20 feet away from the appellants property. That might mitigate some of the sound, the goat's propensity to eat the plant materials that are growing on the property line and would give a little more screening.

Assistant Community Development Director Stater stated that is a condition that you can impose on the application at this point under your purview.

Chair Hamerly stated it doesn't seem like it would be a condition, It looks like it's a requirement.

Assistant Community Development Director Stater stated it's a requirement for the animal to be kept that distance hence the enclosure. It does seem that the animal needs to be out, get exercise, and roam around. We would hope that the owner would maintain that distance without the additional barrier, but it doesn't seem to be the case so we could ask the property owner if they're opposed to that, otherwise the animal should perhaps be kept in the enclosure.

Chair Hamerly stated I notice that there was a mesh screen that was put up on the lower level of the tube steel fence on the subject property line. I'm assuming that was done so they wouldn't put their heads through the fence.

Christina Puraci stated the mesh fence was put in because as Mr. Payne was stating, complaining about dogs, and at some point, they had three dogs. One of their little dogs ended up in our house because he would squeeze into the fence, and we would come home, and find his dog in the house. One of them was digging and we found his dog in our backyard, so the mesh fence was put by us previously years ago.

Chair Hamerly stated ok, thank you. In terms of mitigation, I would suggest that we may want to add the condition so that they are in compliance with the ordinance as written since it was a staff review that entitled the animal.

Community Development Director Mainez stated I had a brief conversation with staff about that, if it was the preference of the Planning Commission tonight to uphold staff's approval, we would certainly look more in depth at the code requirement, because it did catch my eye. We will need to go back and look at how we can mitigate that. For example, put a small fence or chicken wire, 20 feet to keep the goats centralized and away from the properties. The animal must be 20 feet away from every property lines clear.

Chair Hamerly stated it looks like the enclosure is within 20 feet of the western property line.

Steven Payne stated it's about 5 feet. I was going to move it to the middle and my neighbor insisted to keep it over on my side.

Community Development Director Mainez stated that doesn't comply with the code they will have to move it over.

Chair Hamerly stated that's my point staff must comply with the code, so it's not an arbitrary interpretation.

Commissioner Amaya asked are the homeowners complying with the conditions for approval as written?

Community Development Director Mainez stated except the one regarding being 20 feet away from property lines.

Wendy Viola stated I don't want the goats not to be able to come up to my house, those goats are an emotional support animal for me. I don't want mesh to keep the goats from coming up to my house.

Community Development Director Mainez stated I want to add there are two conditions. Condition number 5 states animal keeping shelter shall comply with the site plan approved by planning staff on file. We will have to make sure that this meets the setback requirements. Condition number 7 states all ordinances, policy resolutions and standards of the city in effect at the time this project is approved shall be complied with as a condition of this approval. The code does require 20 feet from all property lines.

Chair Hamerly asked so no additional condition of approval would be necessary because of item 7?

Community Development Director Mainez stated that's correct.

Commissioner Sutorus stated moving that enclosure 20 feet the other direction is only going to upset the issue. If you do have permission from that property owner that they wanted it on that site, that's better for our issue.

Vice Chair Thomas stated I agree.

Commissioner Sutorus stated I caution if you do make that statement and make it a requirement, I don't think that's going to be helping the issue today.

Community Development Director Mainez stated this meeting is not an amendment to the code. They're (goats) not your typical domestic animals and falls into that little subcategory, and the code clearly state 20 feet from property lines.

Chair Hamerly stated to rectify the situation, we would almost have to direct staff that we would support a variance to certain provisions, and it would be written as a variance and would require a separate hearing. Is that correct?

Community Development Director Mainez stated that would be a separate application, fee, and a process. That is not on the agenda tonight.

Chair Hamerly stated we don't have the ability or the jurisdiction to deviate from an ordinance. We can only say is this is in compliance with the ordinance, or is it not? The fact that it has been the use has been approved, that triggers you can do it, but it must comply with the ordinance as written. If there are adjacent neighbors that would prefer the enclosure to be right on their property lines so they could feed the animals, that would

require a variance in order to enable the goat owners to have the goats immediately on the property line.

Community Development Director Mainez stated I would agree with that. There would be a variance. I would like to talk about another code, and it talks about animals within residential districts and at the end of that first paragraph, I'm not going to read it all, but just for your consideration that there is confirmation that a nuisance condition will not be created. What the Appellant is trying to demonstrate tonight is that there is a nuisance, and so even though staff approved the project, assuming that there wasn't any nuisance, the Appellant tonight is trying her best to demonstrate that there is a nuisance in that should be the reason why the Planning Commission deny staff's approval for the goats. Rather than trying to do a variance of the code. I think you just need to determine is a nuisance. That would be enough for us to come back with a resolution of denial of staff's approval or just move forward and allow the goats to stay on that property as is.

Chair Hamerly stated so the threshold for the findings of a nuisance at least in my experience with past applications where we're trying to find findings of convenience and necessity or for whatever. The findings of a nuisance typically could not be based on a single complaint because I am hard pressed to find a convenience store, gas station or similar business that has filed for a Conditional Use Permit in the city where there hasn't been at least one competitor that is complained and not supported the application. That wouldn't be the findings necessary to deny the application because somebody does not support it. The nuisance would have to be everybody acknowledges that there are smells, flies, and noise, it would just impact everybody, and everybody would be more or less in agreement that there is a nuisance. That's where I'm questioning, if one complaint triggers defining that there is a nuisance, or if it's a preponderance of property owners within the impacted area. Call it immediately contiguous, whatever threshold we need to determine that there is a nuisance.

Community Development Director Mainez stated the test for being a competitor of an application is a little bit different than declaring a nuisance.

Chair Hamerly stated it wasn't a good illustration, it was just an illustration.

Community Development Director Mainez stated I understand. There isn't any written example in terms of quantity of complaints, I think we must treat even one complaint is enough as long as there's enough substantiation that it's overwhelming for the Appellant. It is new information we didn't know about before, and with all facts given and weigh evenly you can base your decision on one person speaking up because of their location relative to the topography, the wind, or their slope. This is a nuisance for the Appellant, I think the complainant is doing their very best to demonstrate that there is a nuisance here and we need to recognize that. We can certainly go the other direction or ask what we can do to mitigate the use of the two goats. We spoke about the setbacks, about putting up some small barrier to keep the goats away from the fence.

Vice Chair Thomas stated it is unfortunate that the neighbors can't come to some resolution, especially when there's so many in favor of the goats. I think it's always good for people to work together, and maybe there's a solution where it's not coming to an Appeals Board to make the decision for you guys. It is tough to say that we're going to rely on one, 10% of the population for the neighbors to say that it's a nuisance, but at the same time I understand you have that wrought iron right behind you.

Commissioner Amaya stated I would support that too.

Commissioner Miller asked if the city had any language that specifically defines what the nuisance is?

Community Development Director Mainez stated the way the Appellant is presenting the issue is it sounds like it's the bleeding sound of the goats. There are provisions in our code that look at that type of nuisance (animal noise) and we do take those seriously.

Commissioner Miller stated when we get down to the bare bones of what we need to decide about tonight is there a nuisance or not, correct?

Community Development Director Mainez stated that's correct.

Chair Hamerly stated it is either finding for the Appellant or supporting staff granting of the permit for the use.

Commissioner Sutorus stated I support staff's granting of the permit for the use. I don't feel there is substantial evidence to show that there was a nuisance of the goats.

Chair Hamerly stated it doesn't look like the section of code that the permit was granted, or the use was granted was under an agricultural use. It was a specific type of cloven hoof domesticated animal, if they were keeping cows and sheep for commercial purposes that would be a separate level of review. Is that correct?

Community Development Director Mainez stated that's correct. There is a list different types of animals and different reviews for each.

Chair Hamerly stated so it's noncommercial domestic.

Community Development Director Mainez stated it is an acceptable type of animal for a residential area.

Chair Hamerly closed the public hearing.

Assistant Community Development Director stated the Planning Commission would want to approve the resolution that starts on page 41 and that action is to deny the appeal and uphold staff approval.

A MOTION was made by Vice Chair Thomas seconded by Commissioner Amaya for Resolution 2021- 021 of the City of Highland, California to deny appeal and uphold staff's approval of staff review permit SRP 21-005 to keep two (2) miniature Nigerian dwarf goats at 30018 Frontier Del Sur, Highland, California. Motion carried, 4-0-1, with Commissioner Miller opposed.

ANNOUNCEMENTS

The next Planning Commission meeting is scheduled December 7, 2021.

Community Development Director Mainez discussed with the Planning Commissioners their thoughts on the option of only having one public meeting a month instead of two.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 7:36 p.m.

Submitted by:	Approved by:
Camille Goritz, Administrative Assistant III Community Development Department	Randall Hamerly, Chair Planning Commission

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: December 7, 2021

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director

PREPARED BY: Ash Syed, Associate Planner

SUBJECT: Conditional Use Permit (CUP 21-001) for a commercial development consisting of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on approximately 2.04 acres at the northeast corner of Base Line and Buckeye Street. Related entitlements include Lot Line Adjustment (LLA 21-001) to create two (2) equal sized parcels, Design Review Application (DRA 21-001) for the site plan, building elevations, conceptual landscape plan, and grading plan for the two pads, General Plan Amendment (GPA 21-001) to allow drive-thru uses in the General Plan Town Center Area, and Mitigated Negative Declaration (ENV 21-004).

LOCATION: Northeast corner of Base Line and Buckeye Street
Assessor's Parcel Numbers: 1200-421-02 and -03

APPLICANT: Marinita Development

RECOMMENDATION: Staff recommends the Planning Commission:

1) Adopt Resolution 21-____, to approve Conditional Use Permit (CUP 21-001), Lot Line Adjustment (LLA 21-001), Design Review Application (DRA 21-001), subject to the Conditions of Approval and Findings of Fact, certify the Mitigated Negative Declaration (ENV 21-004), and recommend the City Council approve General Plan Amendment (GPA 21-002); and

Approved _____ Motion _____ Second _____ Agenda Item No. 2

Denied _____ Ayes _____

Noes _____

Continue _____ Abstain _____

Absent _____

Recording Secretary

Community Development Director

2) Direct staff to file a CEQA Notice of Determination with the County Clerk of the Board of Supervisors.

FISCAL IMPACT: The Applicant submitted the required deposit fee for processing a Conditional Use Permit, Lot Line Adjustment, General Plan Amendment, and Design Review Application. Staff time spent working on the applications will be charged to this deposit.

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. The notice was posted on the City's website, mailed to property owners within 300 feet of the project site and to parties requesting notice. The notice was published in the Highland Community News on November 26, 2021. Notices were also mailed to all properties located within the Town Center Area advising them of the potential General Plan Amendment.

DESCRIPTION OF THE SITE: The project site is located at the northeast corner of Base Line and Buckeye Street and comprises of two (2) adjacent parcels comprising 2.04 acres in total (Exhibit A – Area Map). The property is currently vacant, with little to no vegetation and has remained in this state since prior to the City's incorporation in 1987.

Surrounding Land Uses

North: Single Family Homes
South: Starbucks Coffee, Popeyes Chicken, 76 Gas Station
East: 210 Freeway
West: Smart & Final Grocery Store

Location	General Plan	Zoning
Site:	Mixed Use (MU)	Mixed Use (MU)
North:	Low Density (LD)	Single Family Residential (R-1)
South:	Mixed Use (MU)	Mixed Use (MU)
East:	*Not Applicable (N/A)*	*Not Applicable (N/A)*
West:	Mixed Use (MU)	Mixed Use (MU)

The project site is located approximately one (1) mile southwest of the San Andreas Earthquake Fault and does not fall within the Alquist-Priolo Earthquake Fault Zone. Additionally, the project site is not located within a FEMA flood zone.

PROJECT REVIEW/ANALYSIS:

The Applicant, Marinita Development, is requesting the approval of Conditional Use Permit, Lot Line Adjustment, General Plan Amendment, and Design Review Application for a development consisting of two (2) drive-thru restaurant buildings on an estimated 2.04 acre property at the northeast corner of Base Line and Buckeye Street. The project site is located the Mixed Use General Plan Town Center Area and within the Mixed Use Zoning designation (HMC Chapter 16.22, Mixed Use District).

Conditional Use Permit (CUP 21-006)

The objective of the project is to create a visually appealing commercial lot just off the 210 freeway that provides mainstream, fast-food options for City residents as well as those traveling along the freeway and up to the mountains. Pad A, located on the eastern part of the site, offers 2,560 square feet of interior space, a drive-thru lane with a double-aisle ordering station, outdoor patio seating, and a plaza along the building frontage. Pad B, located on the western portion of the site, offers 4,050 square feet of interior space along with a single-aisle drive-thru lane and outdoor patio seating as well. While no tenant is confirmed for either of the (2) pads, the developer is currently in discussion with fast-food chains and is looking to finalize tenants prior to construction of the two (2) buildings. As aforementioned, the site has remained vacant since prior to the City's incorporation and offers a prime location for quick-serve restaurants. Additionally, the proposed layout of the site is in compliance with the Highland Municipal Code (Chapter 16.22, Neighborhood Commercial zone), as specified for single-use commercial projects within the Mixed-Use zoning designation.

Site Plan

The layout of the site will feature the 2,560 square foot and 4,050 square foot restaurant building (Pad A and Pad B) on opposite ends of the site with respective drive-thru lanes wrapping around each building. Shared by the two (2) restaurants is a parking field of eighty-four (84) spaces split into double aisle groups at the center of the site with additional spaces located along the northern and southern boundaries as well as the storefronts. The southeast corner of the site will feature a sixty (60) foot tall pylon sign with the nameplates of the two (2) fast-food tenants as well as a single-sided (south-facing) electronic screen for advertisements by the City and adjacent businesses. Each of the two (2) buildings within the proposed development is compliant with the Highland Municipal Code with regard to lot coverage, as well as front, interior side, street side, and rear setback requirements (Exhibit B – Site Plan).

Plaza

One of the primary objectives of the General Plan Town Center Area is to provide a commonplace for visitors and residents to gather for social interaction. This concept has previously been implemented with the development of the commercial businesses west of this site, CVS Pharmacy, Baker's Drive-Thru restaurant, and the Family Dollar store, in the form of covered trellises along the connecting pathways between the businesses.

The Applicant has proposed a Plaza similar to the one constructed as part of the Baker's Drive-Thru restaurant that features a primary gazebo/shade structure embellished with citrus/crate labels as a form of homage to the City's history. A final design will be prepared by the Applicant and reviewed by Staff prior to the issuance of building permits.

Trash Enclosure

Two (2) trash enclosures have been proposed on the site and are located along the north side of the property to provide greater accessibility from Buckeye Street for garbage trucks. Each of the trash enclosures will feature disposal bins for general waste, recycling, and compost, in addition to an ADA compliant path of travel to and from its respective restaurant.

Access

Primary access to the site will be from Base Line on the south, with secondary access from Buckeye Street on the west side. The driveway along Buckeye Street will allow both left and right turns from and onto the roadway while the driveway along Base Line will allow only right turns into and out of the development as the Applicant has proposed to close off the existing break in the median at this portion of Base Line. The driveway on the west side is located 150 feet from the Base Line and Buckeye Street intersection while the driveway on the south is located 60 feet away, satisfying the minimum requirement of 50 feet.

Traffic Signal

On June 19, 2018, the Planning Commission held a Study Session to discuss potential concepts for new traffic control modifications along Base Line, between the 210 freeway and Buckeye Street. Since the primary choice for traffic control was for a traffic signal, the City's preference was to analyze the two (2) options; a signal to be constructed to align with the Starbuck's driveway; and a signal at the intersection of Base Line and Buckeye Street.

The Applicant has since submitted plans (included in the Staff Report) that propose the installation of a traffic signal at the intersection of Base Line and Buckeye Street. In addition, the traffic analysis and trip generation study did not include the driveway alignment with Starbuck's site option. Subsequently, Staff was unable to include appropriate engineering conditions for the placement of a preferred traffic signal for Planning Commission consideration. That being the case, Staff will request the Planning Commission continue this item after completion of its deliberation to allow the City, the Applicant, and Stakeholder on the south side of Base Line (Starbuck's Coffee, Popeye's Chicken, and Shell) to participate in the conceptual signal options.

Parking

As mentioned, the proposed development features two (2) restaurant building, Pad A and Pad B, located on the eastern and western sides of the property respectively. Pad A, at 2,560 square feet, is subject to a parking requirement of 1 spot per 75 square feet of interior dining space and 1 spot per 250 square feet of interior commercial space. With a 1,280 square foot interior dining area and a 1,280 square foot separate commercial kitchen area, there are 17 spaces and 5 spaces required respectively for

each of the uses and 22 parking spaces required in total. Pad B, at 4,050 square feet, is also subject to a parking requirement of 1 spot per 75 square feet of interior dining space and 1 spot per 250 square feet of interior commercial space. With a 2,430 square foot interior dining area and a 1,620 square foot separate kitchen and ordering area, there are 33 spaces and 7 spaces required respectively for each of the uses and 40 parking spaces required in total. With a total of 62 spaces required for this development, the 84 total spaces provided within the shared parking area satisfies the parking standard for the site.

A table defining proposed uses, respective parking spaces required per the Highland Municipal Code Section 16.52.030, and parking spaces proposed for each use has been provided below:

Proposed Use	Parking Spaces Required	Parking Spaces Proposed
1,280 SF Pad A Dining Area	17	23
1,280 SF Pad A Kitchen Area	5	8
2,430 SF Pad B Dining Area	33	42
1,620 SF Pad B Kitchen Area	7	11

Signs

The Applicant has proposed a sign program that includes two (2) ten 10-foot tall monument signs as part of the proposed development. The first will be located approximately 70 feet west of the freeway offramp and will feature signage on both faces for the fast-food tenant at Pad A. The second monument sign will be located approximately 40 feet east of Buckeye Street and will feature signage on both faces for the fast food tenant at Pad B. Also part of the sign program, and located at the southeast corner of the site, is a 60-foot tall freeway oriented pylon sign featuring three (3) separate 180 square foot display areas in a stack formation.

On October 19, 2021, the Planning Commission held a study session to oversee a seventy (70) foot Freeway Oriented Pylon Sign Flag Test conducted by the Applicant to analyze the height and location of a pylon sign. At the conclusion of the test, the Planning Commission expressed to the Applicant that a height of sixty (60) feet appeared sufficient. Additionally, the Commissioners and the Applicant acknowledged that signage on the northern face of the sign was unnecessary as the sign was not visible to traffic heading southbound along State Route 330 nor State Route 210.

The Applicant proceeded to submit plans for a sixty (60) foot Freeway Oriented Pylon Sign with upper and middle portions featuring signage for the tenants at Pad A and Pad B, respectively, with illuminated channel letters and a vinyl overlay. The lower

portion of the sign will be a 10' x 18' full color LED display screen for City and additional tenant advertisements during various times of the year.

With regard to the building-mounted signage, the Applicant has not yet finalized the tenants for the two (2) pads, as previously mentioned. As conditioned, the Applicant will submit elevations for the building-mounted signs along with separate applications for individual Accessory Sign Reviews for each pad once tenants have been confirmed.

Utilities

All access to public utilities, such as water, sewer, electricity, and telecommunications are proposed along the project frontages. There is an existing public utilities easement that extends from Buckeye Street and spans along entire northern property line of the development. Existing utility lines located within this easement are to remain overhead and will be incorporated into the project with new easements granted as required by the service providers. A new easement will also be provided for an onsite private sewer main to serve the project and connect to the existing sewer along Base Line.

Lot Line Adjustment (LLA 21-001)

The project site is approximately 2.04 acres of vacant land and comprises of two (2) contiguous parcels. As part of fast-food restaurant development, the Applicant will relocate the existing lot line, currently toward the eastern end of the site, toward to the center of the property, creating two (2) 1.02 acre size lots.

The proposed Lot Line Adjustment is in compliance with the City's requirement for subdivisions. As proposed and conditioned, lot sizes, lot coverage for each pad, setbacks from respective lot lines, parking spaces, and vehicular and pedestrian access to primary roadways as well as interior drive-aisles satisfy the development standards for Mixed-Use/Neighborhood Commercial projects as listed in the Highland Municipal Code.

Water Quality Management Plan

A stormwater infiltration basin for the project has been proposed at the center of the site, shared between the two parcels. The Conceptual Water Quality Management Plan (WQMP) has been reviewed and approved which addresses the topography and proposed water drainage paths for the site. The Site Aerial photo depicts the current state of the vacant property as well as the surrounding parcels and boundary walls. The East Valley Water District sewer and water plans provide a map of the sewer and water pipelines for the overall area and the location the lines will feed into the project location.

General Plan Amendment (GPA 21-002)

The General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) prohibits the approval of commercial uses with drive-thru facilities and drive-thru style restaurants as the vision for this portion of the City is aimed toward walk-in style stores and sit down restaurants. However, as times evolve and faster pace curbside pick-up services and to-go style eateries have become the norm, the Applicant has proposed a General Plan Amendment to modify this policy. As stated, the Town Center Area shall "*prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line*". The Applicant is proposing to amend this policy to "*prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line and between Buckeye Street and the 210 Freeway*". By modifying this policy to allow drive-thru establishments, the number of potential restaurants chains willing to expand and open a branch at this vacant property along Base Line will greatly increase.

Design Review Application (DRA 21-001)

Design Review Application (DRA 21-001) is regarding the construction of the two (2) restaurants on the property. Pad A, the 2,560 square foot building on the eastern part of the site, features a single-aisle drive-thru lane for twelve (12) stacked vehicles with a double-aisle section at the entrance for the ordering stations. To the south of the building is a patio area featuring chairs and tables for outdoor dining. On the west side of the building is the primary entrance to the restaurant along with an open space area where the Applicant will construct a small gazebo-type plaza area. The east side of the building will feature the drive-thru window while the north side will feature additional non-illuminated tenant signage as to reduce excessive light from the site onto the adjacent residences to the north.

Pad B, the 4,050 square foot building on the western part of the site, features a single-aisle drive-thru lane for eleven (11) stacked vehicles that wraps around the perimeter of the building. To the east of the building, alongside the primary entrance, is a 500 square foot patio area for outdoor dining. Since this pad is located at an intersection and fronts two (2) roadways, the building will feature illuminated tenant signage along the southern, eastern, and western faces, as permitted by the Highland Municipal Code.

As aforementioned, the Applicant has yet to finalize tenants that will occupy each of the two (2) restaurant pads, and thus, hours of operation have not been finalized for the site. However, in compliance with the operating hours for each of the other eateries located within the General Plan Town Center Area, the project has been conditioned to limit the hours of operation for both restaurants to between 4:30am and 12:00am.

Building Elevations

While the tenant for Pad A has not been finalized, the Applicant has informed Staff that El Pollo Loco has expressed interest in the site and has proposed their most recent corporate design scheme (Exhibit C – Pad A Elevations). The primary siding for the building will be a taupe stucco finish with black metallic trim around the upper roofline. The perimeter of the roofline will feature a raise parapet featuring vinyl slats painted with the corporate color of the future tenant. Designed with modern aesthetics, the drive-thru awning along the eastern side of the building feature sharp lines to match the architecture of the building. The primary entrance along the western front will be embellished with modern design ques and accent trims of the corporate colors scheme.

While the tenant for Pad B has also not been finalized, the Applicant plans to construct the restaurant building to be fully compliant with the architecture envisioned as part of the Town Center Area regardless of the fast food tenant that eventually occupies the building (Exhibit D – Pad B Elevations). The primary color of the building will also be a warm earth tone on all sides. The lower portion around the perimeter of the building will be accented by a rustic brick trim. Fiberglass corbels and shaped cornices tie into the architecture of the surrounding commercial buildings in the Town Center Area. Lastly, double-door customer entrances are proposed at along the eastern and southern frontages with a drive-thru window along the western side.

Conceptual Landscape Plan

The Conceptual Landscape Plan presents a variety of drought-tolerant trees, shrubs and vines, as well as groundcovers that will be planted throughout the perimeter of the site as well as the parking lot area. Proposed along the Base Line and Buckeye Street frontages are a combination of Deseret Museum and California Fan Pam trees accented by Point Sal Low Purple Sage and Furmans Red Autumn Sage shrubs for added screening and floral variety. Meanwhile, the northern boundary of the parking lot will feature primarily Mingenew Gold shrubs and Polyspora flowers with White Crape Myrtle and Fruitless Olive trees spaces accordingly. Lastly, the interior of the parking lot will offer additional Desert Museum trees and groundcover at each of the landscape islands while the drive-thru lanes are adorned with more Point Sal Low Purple Sage and Valentine shrubs (Exhibit E – Landscape Plan). The Conceptual Landscape Plan has been reviewed by the City's Landscape Architect and conditions have been included as part of the Conditions of Approval.

Fencing

The proposed project is adjacent to the existing residential homes to the north and existing roadways to the south, east, and west. As previously mentioned, there is an existing six (6) foot wide utility easement that extends from Buckeye Street and spans along the entire northern property line of the development, The Applicant has thus proposed an six (6) foot tall masonry retaining wall along this portion, leaving the

existing block walls of the residences along Foster Ave and the six (6) foot wide utility easement as-is.

ENVIRONMENTAL REVIEW: This project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources, for the habitat disturbance to state and federally protected nesting birds.

Nesting Birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the CEQA guidelines. In compliance with the MBTA and the California Department of Fish and Wildlife (CDFW) regulations for protecting nesting birds, all clearing, grubbing, tree trimming, and tree removals will be conducted outside of the February 1st to August 31st bird nesting season. Should grading, grubbing, or tree removal need to occur during the nesting bird season, a pre-construction nesting bird survey will be conducted by a qualified avian biologist prior to any site disturbance. If for any reason an active nest is identified outside of the February 1st to August 31st bird nesting season, avoidance of the nest will be required.

PUBLIC COMMENT: At the time of preparing this staff report, Staff had received one (1) email from a neighboring property owner in response to the Project Notice (Attachment 1 – Public Comments). The property owner expressed general concern over the development of this site regarding the presence of nesting birds and the proposed Lot Line Adjustment. Staff clarified the scope of work for the property owner and explained that a thorough analysis of the impacts was completed during the preparation of the Mitigated Negative Declaration for this project. The Applicant has included specific mitigation measures in the Mitigation Monitoring and Reporting Program to address biological resource concerns such as arranging for a qualified avian biologist to conduct a nesting bird survey prior to any ground disturbance during the nesting season, as discussed.

ANALYSIS: This development comprising of two (2) drive-thru fast-food restaurants, while not currently compliant with the General Plan Town Center Area, proposes a logical use and project layout for a vacant site that is adjacent to a freeway offramp and offers prime commercial frontage along Base Line. The exterior elevations of the two (2) restaurant buildings offer contemporary architectural treatments such as stucco, vinyl trims, and painted wood slats while incorporating the accent elements as part of the vision for the Town Center Area. With appropriate building placements, dedicated parking spaces in compliance with the Municipal Code, adequate setbacks and drive aisle dimensions, the site plan presents satisfactory onsite vehicular circulation and pedestrian access. As aforementioned, the Applicant has submitted plans that propose the installation of a traffic signal at the intersection of Base Line and Buckeye Street. In addition, the traffic analysis and trip generation study did not include the driveway alignment with Starbuck's site option. Subsequently, Staff was unable to include

appropriate engineering conditions for the placement of a preferred traffic signal for Planning Commission consideration. Staff requests the Planning Commission provide feedback and directions on other aspects of the project and continue this item to a date specific meeting to allow the City, the Applicant, and Stakeholder on the south side of Base Line (Starbuck's Coffee, Popeye's Chicken, and Shell) to participate in the conceptual signal options.

EXHIBITS:

A) Area Map
B) Site Plan
C) Pad A Elevations
D) Pad B Elevations
E) Conceptual Landscape Plan
F) Preliminary Grading Plan

ATTACHMENTS:

1) Public Comments
2) Initial Study / Mitigated Negative Declaration
3) Planning Commission Resolution No. 2021 - ____
   Exhibit 1: Proposed General Plan Amendment
   Exhibit 2: Lot Line Adjustment (LLA 21-001)
   Exhibit 3: Mitigation Monitoring & Reporting Program (ENV 21-004)
   Exhibit 4: Conditions of Approval (LLA 21-001)
   Exhibit 5: Conditions of Approval (CUP 21-001)
   Exhibit 6: Conditions of Approval (DRA 21-001)

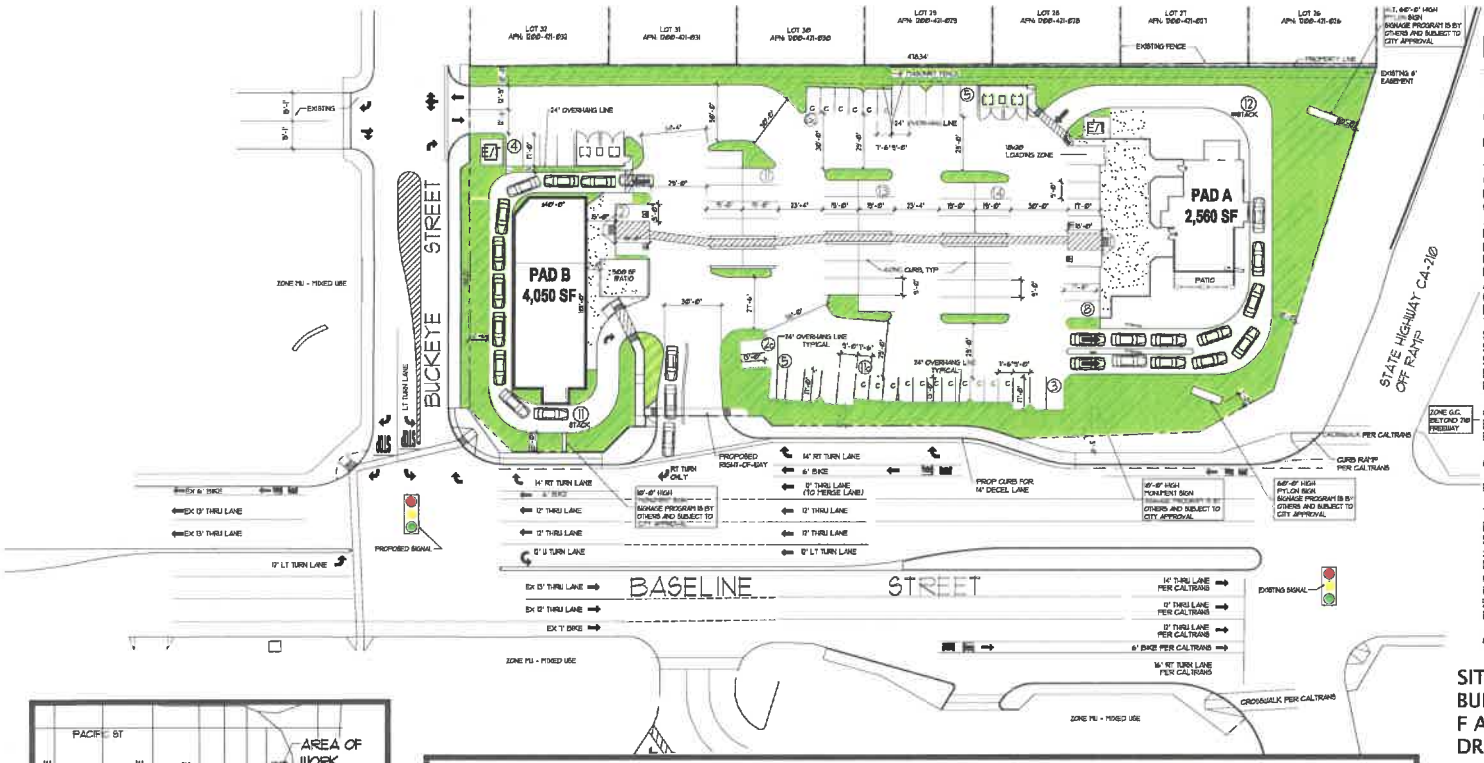
Exhibit A:

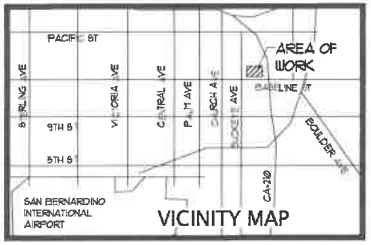
Area Map


Foster Ave
Foster Ave
210
210
Buckeye St
Baseline St
Baseline St
N

Exhibit B:

Site Plan





HIGHLAND UTILITY

TIME WARNER CABLE
TELEVISION 1900 SOUTH
AUTO CENTER DRIVE,
ONTARIO, CA 91761 PHONE:
(909) 121-8589

AT&T (TELEPHONE PLANNING)
3231 ADAMS STREET,
RIVERSIDE, CA 92504
PHONE: (951) 358-2511

SOUTHERN CALIFORNIA EDISON
(DISTRIBUTION FACILITIES)
261 TENNESSEE STREET,
REDLANDS, CA 92373
PHONE: (909) 307-6149

SOUTHERN CALIFORNIA GAS COMPANY
1981 WEST LUGONIA AVENUE, REDLANDS, CA 92374-9196
MAILING ADDRESS:
PO BOX 3003, REDLANDS, CA 92374-9196
PHONE: (909) 335-7712

SPECTRUM - RIVERSIDE
CHRIS MAZUCA
7331 CENTRAL AVE, RIVERSIDE, CA 92504
951-406-1606
CHRIS.MAZUCA@CHARTER.COM

EAST VALLEY WATER DISTRICT
(WATER AND SEWER)
3654 HIGHLAND AVENUE, SUITE
B, HIGHLAND, CA 92346
PHONE: (909) 888-9886

VERIZON (TELEPHONE NETWORK
ENGINEERING AND PLANNING)
1980 ORANGE TREE LANE, SUITE 1200,
REDLANDS, CA 92374-1880
PHONE: (909) 148-6649

SOUTHERN CALIFORNIA EDISON
(TRANSMISSION FACILITIES)
3602 NORTH PEPPER AVENUE,
BUILDING "B", RIALTO, CA 92376
PHONE: (909) 820-5532

SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
1350 SOUTH E STREET, SAN BERNARDINO, CA 92408-2125
MAILING ADDRESS:
P.O. BOX 5906, SAN BERNARDINO, CA 92412-5906
PHONE: (909) 381-9230

Canaan Pacific Inc.

marinita
DEVELOPMENT COMPANY

3835 Birch Street
Newport Beach, CA 92660
(949) 756-8677

LEGEND:

SIGNALIZED INTERSECTION

LANDSCAPE

CONCRETE PATH

GRAPHIC SCALE: 1" = 30'-0"

0 15' 30' 60' 120'

NORTH

SITE PLAN K.5

NWC OF 210 & BASELINE ST.
HIGHLAND, CA 92346

DATE: 08.20.2021
PROJECT NUMBER: 549.2101.10

PROJECT SUMMARY:

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 32, TRACT NO. 6650, AS PER PLAT RECORDED IN BOOK 84, PAGES 33 AND 34 OF MAPS, RECORDS OF SAID COUNTY; THENCE SOUTH ALONG THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 32, ALSO BEING THE EAST LINE OF BUCKEYE STREET, AS SHOWN ON SAID MAP OF TRACT NO. 6650, A DISTANCE OF 192.02 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 20 FEET AND A CENTRAL ANGLE OF 89° 56'40"; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 31.40 FEET TO THE POINT OF TANGENCY WITH THE NORTH LINE OF THAT CERTAIN 20 FOOT DEDICATION TO BASELINE AS SHOWN BY SAID MAP OF TRACT NO. 6650, HEREINABOVE MENTIONED; THENCE EASTERLY ALONG SAID 20 FOOT DEDICATION, 526.30 FEET TO ITS INTERSECTION WITH THE EASTERLY LINE OF SAID TRACT NO. 6650, PRODUCED SOUTHERLY; THENCE NORTH ALONG SAID EASTERLY LINE PRODUCED SOUTHERLY TO THE SOUTHEAST CORNER OF LOT 25 OF SAID TRACT NO. 6650; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT NO. 6650, TO THE TO THE TRUE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED APRIL 14, 1964 IN BOOK 8127, PAGE 669 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED FEBRUARY 8, 1988 AS INSTRUMENT NO. 88-037550 OF OFFICIAL RECORDS.

APN: 1200-421-02-0-000

PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID FILED IN THE DISTRICT LAND OFFICE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED APRIL 14, 1964 IN BOOK 8127, PAGE 669 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE NORTH LINE OF PARCEL NORTH 88° 40'02" EAST, 47.57 FEET; THENCE SOUTH 17° 09'10" WEST, 180.80 FEET; THENCE SOUTH 60° 28'54" WEST, 38.19 FEET; THENCE NORTH 11° 31'08" EAST, 195.22 FEET TO THE POINT OF BEGINNING.

APN: 1200-421-03-0-000

SITE AREA:	± 2.04 AC.	89,296 S.F.
BUILDING AREA:		6,610 S.F.
F A R:		0.074
DRIVE THRU STACKING:		23 STALLS

PARKING REQUIRED:

PAD A: 2560 SF (DINING)X50% = 1,280SF =17 STALLS
PAD A: 1,280 SF (OTHER)X50 @ 4/1,000 SF = 5 STALLS
PAD B: 4,050 SF (DINING)x60% = 2,430 SF =33 STALLS
PAD B: 1,620 SF (OTHER)X 40% @ 4/1,000 SF =7 STALLS

PARKING REQUIRED:	62 STALLS
PARKING PROVIDED:	84 STALLS
PARKING RATIO:	13.5/1,000 S.F.
COMPACT PARKING 25% ALLOWED:	21 STALLS
COMPACT PARKING PROVIDED:	19 STALLS
LANDSCAPE:	24%
AREA:	21,833 S.F.

DESIGN | ARCHITECTURE | PLANNING

RED
Architectural Group

3436 N. VERDUGO ROAD, SUITE 200, GLENDALE, CA 91208
P 818.857.7785 | www.red-arch.com

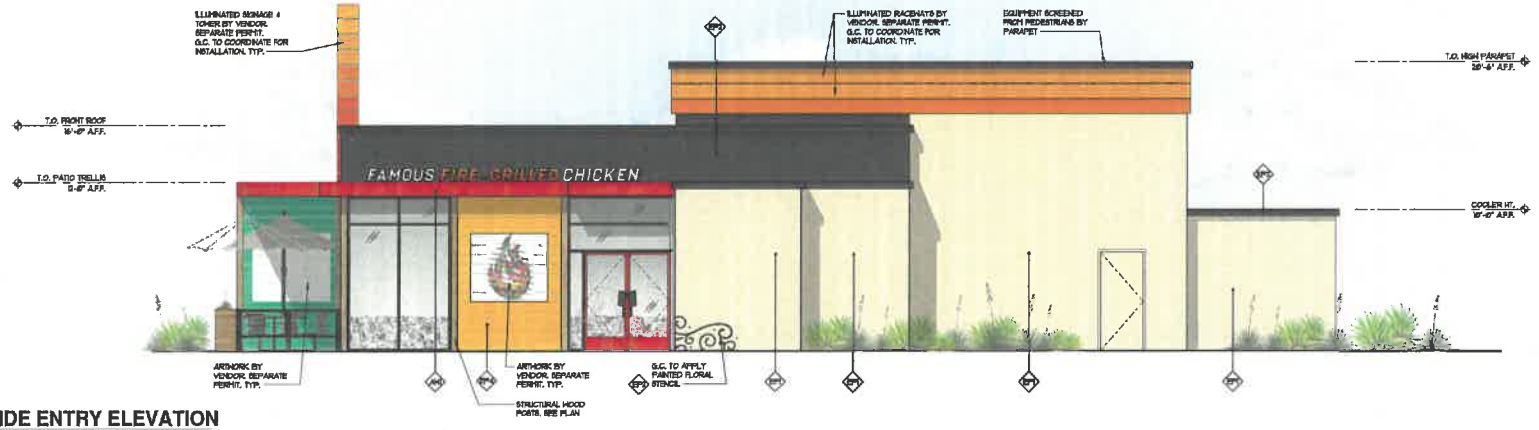
Exhibit C:

Pad A Elevations



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



SIDE ENTRY ELEVATION

SCALE: 1/4" = 1'-0"

LEGEND

- EP1 — MAIN BLDG.: SHERWIN-WILLIAMS - SUMMER NITE SW7061 STUCCO 20/30 FINE SAND FINISH + EXTERIOR GRADE EGGSHELL FINISH
- EP2 — TRIM: BENJAMIN MOORE - BLACK 2132-10 STUCCO 20/30 FINE SAND FINISH + EXTERIOR GRADE EGGSHELL FINISH FLASHING + METAL PAINT FLAT
- EP3 — ACCENT: BENJAMIN MOORE - ORANGE 2011-10 STUCCO + EXTERIOR GRADE EGGSHELL FINISH
- EP4 — MURALS BY VENDOR
- AW1 — AWNINGS/TRELLIS: MATTHEWS PAINT MP24065 FIRE RED AWNINGS AND BANDING BY VENDOR
- AL1 — STOREFRONT WINDOWS: KAWNEER - BLACK ALUMINUM
- AL2 — STOREFRONT DOOR ONLY: ALUMINUM MATCH MATTHEWS PAINT MP24065 FIRE RED
- EP5 — EP1 ILLUMINATED MULTI COLOR SIGNAGE TOWER BY VENDOR. SEPARATE PERMIT.

ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS
1332 OLYMPIC BLVD.
SANTA MONICA, CALIFORNIA 90404
PH 310 452-5333 FAX 310 452-1742

REV. DATE DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH SAID WORK PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO SAID PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WHOSE PROFESSIONAL SEAL APPEARS HEREON. SUBMISSION OR DISTRIBUTION OF SAID PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

LICENSED ARCHITECT PAUL W. DEVRIES C-28602 STATE OF CALIFORNIA

El Pollo Loco

LOCATION
L.A. MEX - MOD. 3
STORE #XXXX
1234 STREET
CITY, CA

DATE XX/XX/XXXX
JOB NO. 21-XXXX
DRAWN BY CW
CHECKED BY PD/TF

NEW PROTOTYPE

A4



DRIVE THRU ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

LEGEND

- EPX — MAIN BLDG.: SHERWIN-WILLIAMS - SUMMER WHITE SW7061 STUCCO 20/30 FINE SAND FINISH + EXTERIOR GRADE EGGSHELL FINISH
- EPX — TRIM: BENJAMIN MOORE - BLACK 203-10 STUCCO 20/30 FINE SAND FINISH + EXTERIOR GRADE EGGSHELL FINISH FLASHING + METAL PAINT FLAT
- EPX — ACCENT: BENJAMIN MOORE - ORANGE 2011-10 STUCCO + EXTERIOR GRADE EGGSHELL FINISH
- EPX — MURALS: BY VENDOR
- AWN — AWNINGS/TRELLIS: MATTHEW'S PAINT MP24463 FIRE RED AWNINGS AND BANDING BY VENDOR
- ALU — STOREFRONT WINDOWS: KAWNEER - BLACK ALUMINUM
- ALU — STOREFRONT DOOR ONLY: ALUMINUM MATCH MATTHEW'S PAINT MP24463 FIRE RED
- EPX — EPL: ILLUMINATED MULTI COLOR SIGNAGE TOWER BY VENDOR. SEPARATE PERMIT.

ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS
1551 OLYMPIC BLVD.
SANTA MONICA, CALIFORNIA 90404
PH: 310 452-5533 FAX: 310 452-4752

REV. DATE DESCRIPTION

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.

LICENSED ARCHITECT PAUL W. DEUPREE C-28602 REN: 6-31-21 STATE OF CALIFORNIA

El Pollo Loco

LOCATION
L.A. MEX - MOD. 3
STORE #XXXX
1234 STREET
CITY, CA

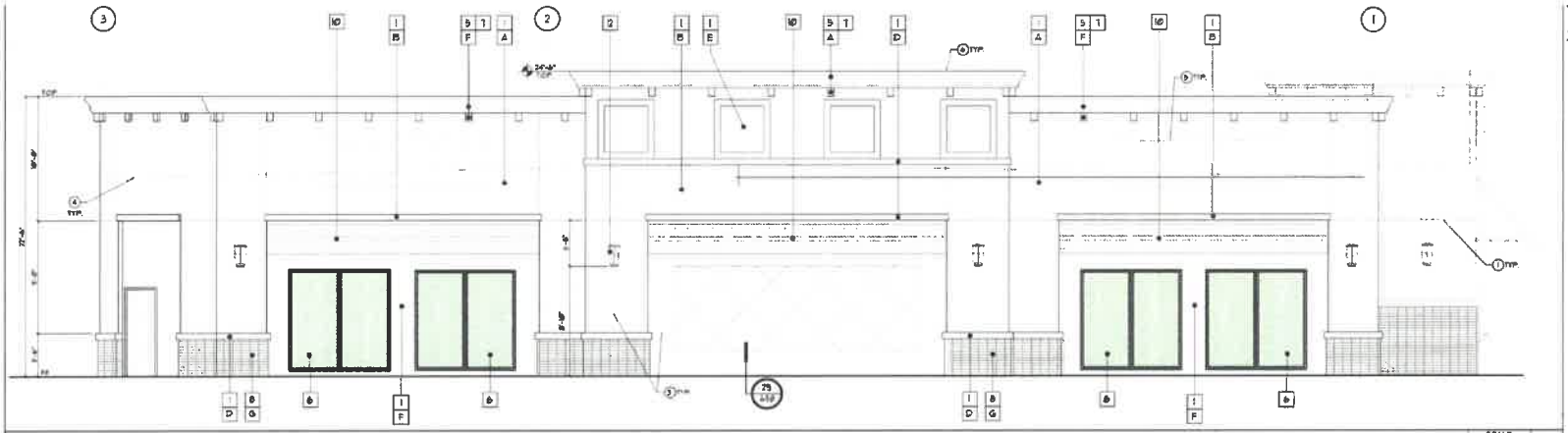
DATE
XX/XX/XXXX
JOB NO.
21-XXXX
DRAWN BY CW
CHECKED BY PD/TF

NEW PROTOTYPE

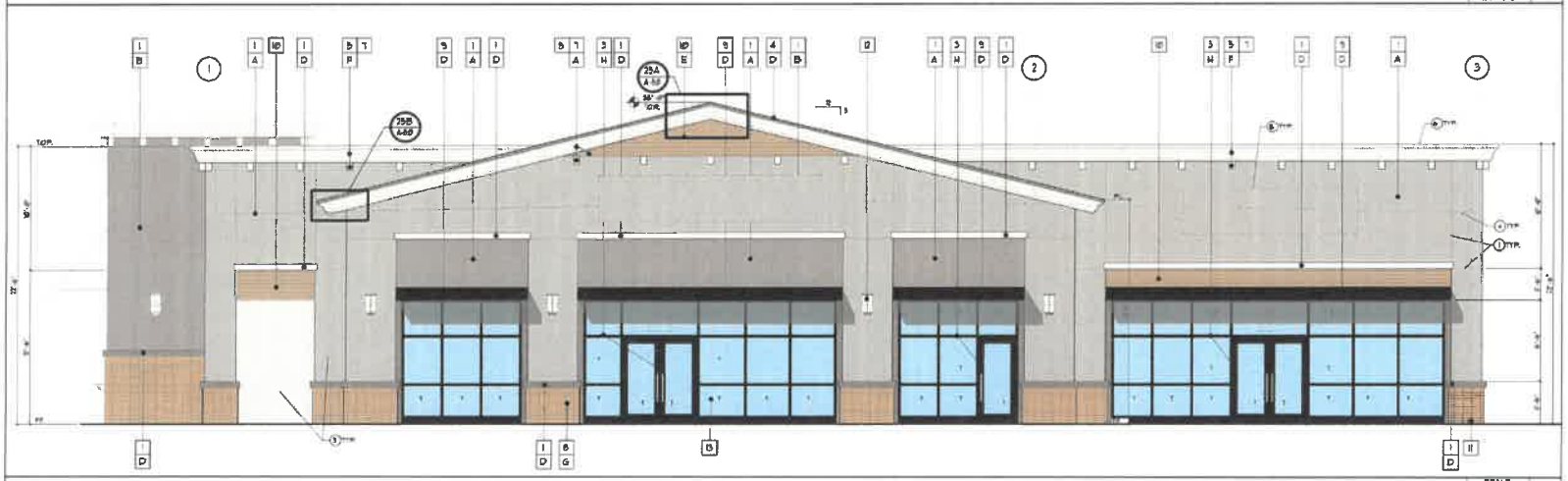
A5

Exhibit D:

Pad B Elevations



WEST ELEVATIONS SCALE: 1/4"=1'-0" 2



FRONT VIEW ELEVATION SCALE: 1/4"=1'-0" 1

KEY NOTES

1. PLASTER EXPANSION JOINT SEE DET. 12/A-7.0
2. DRIVE THRU WINDOW W/ AIR SHIELD SEE PLAN
3. 7/8" EXTERIOR CEMENT PLASTER W/ MEDIUM SAND FLOAT/LIGHT DASH TEXTURE OVER LATH OVER 2" FURRING OVER WOOD S-WEATHING. PROVIDE EXPANSION JOINTS WHERE OCCURS.
4. ROOF LINE BEYOND
5. TENANT SIGN N.I.C.
6. 26 GA. BONDERIZED COPING. PAINT TO MATCH ADJACENT SURFACE.

LEGEND

T.O.R.	TOP OF ROOF
T.O.P.	TOP OF PARAPET
F.F.	FINISHED FLOOR
T	FULLY TEMPERED

FINISH LEGEND

- A SW 6992 "ESSENTIAL GRAY"
- B SW 7511 "POLISHED CONCRETE"
- C SW 7505 "MANOR HOUSE"
- D SW 6994 "INK"
- E SW 7614 "OUTERSPACE"
- F SW 7604 "ENDEAVOUR"
- G TAN THINSET BRICK VENEER
- H DARK BRONZE ANODIZED
- I COLOR TO MATCH SW 6992 "ESSENTIAL GRAY"

PAD BUILDING - B

NWC OF 210 & BASELINE ST.
HIGHLAND, CA 92346

PROJECT

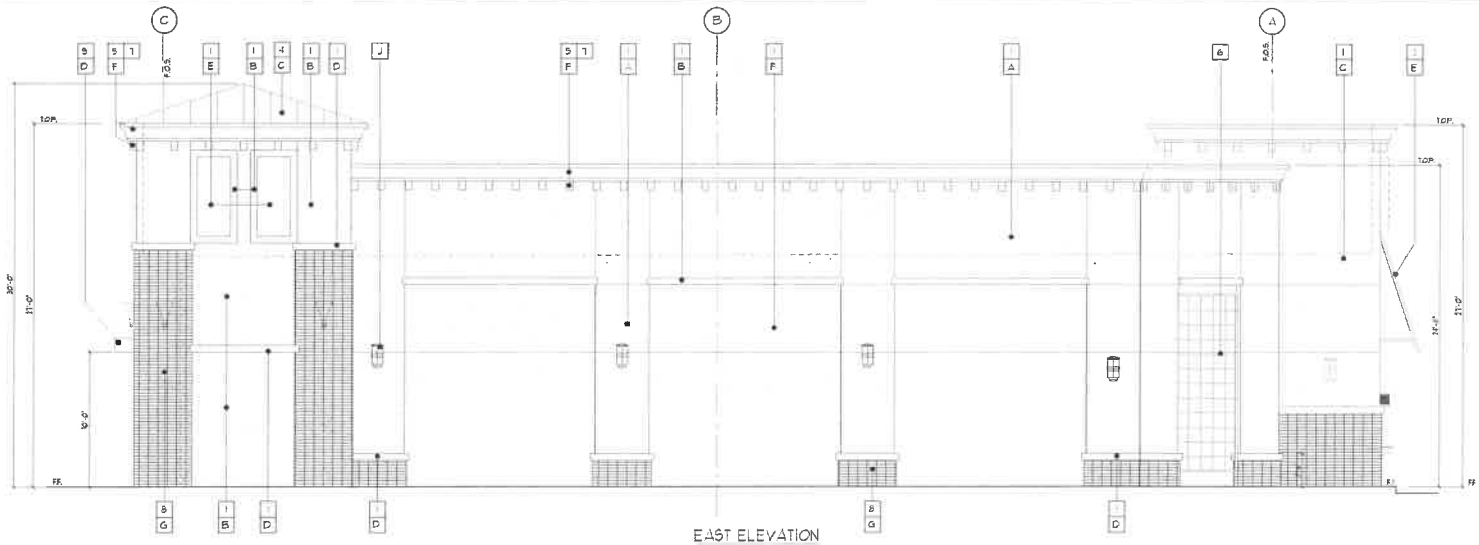
NO	DESCRIPTION	DATE
1	PLAN CHECK SUBMITTALS	6-8-18

TITLE

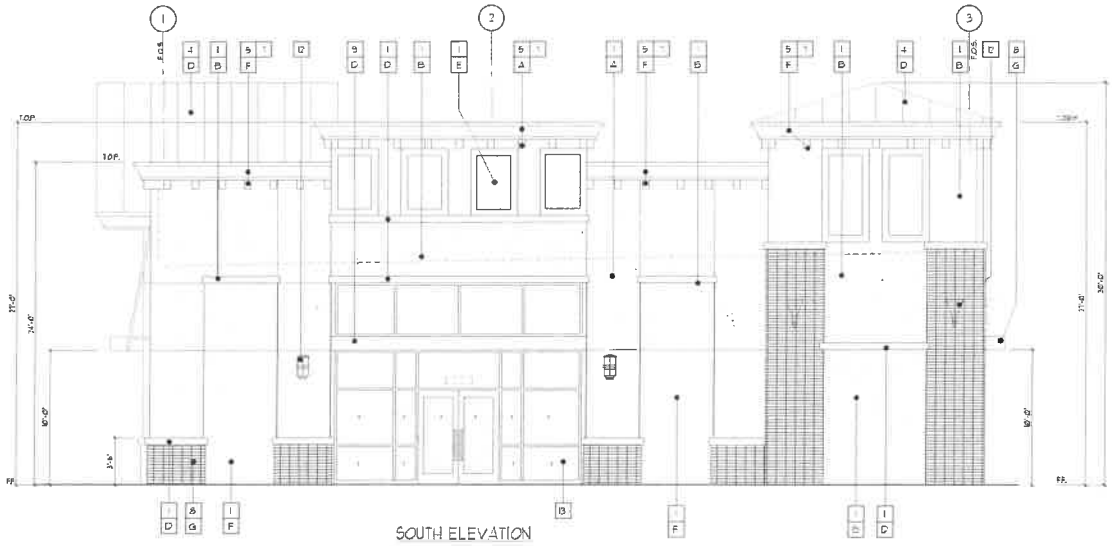
EXTERIOR ELEVATIONS

SHEET NUMBER

A-3.0



EAST ELEVATION
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION

5' 10' 15'
0

MATERIAL LEGEND

1. PLASTER FINISH
2. FABRIC AWNING
3. ALUMINUM STOREFRONT
4. STANDING SEAM METAL ROOF
5. SHAPED CORNICE
6. GREEN SCREEN FOR FOLIAGE
7. FIBERGLASS CORBELS
8. BRICK, STACKED BOND
9. METAL AWNING
10. HARDY PLANK SIDING
11. CAPS OVER COLUMN BRICK VENEER AT 9" PILASTERS
12. WALL MOUNTED DECOR LIGHT FIXTURE
13. REQUIRED TEMPERED GLAZING "T"

FINISH LEGEND

A. SW 6002 "ESSENTIAL GRAY"
B. SW 5161 "POLISHED CONCRETE"
C. SW 7505 "MANOR HOUSE"
D. SW 6004 "INK"
E. SW 7554 "OUTERBANKS"
F. SW 7004 "SNOWBOUND"
G. BROWN THINSET BRICK VENEER
H. DARK BRONZE ANODIZED
I. COLOR TO MATCH SW 6002 "ESSENTIAL GRAY"

Canaan Pacific Inc.

marinita
DEVELOPMENT COMPANY

3835 Birch Street
Newport Beach, CA 92660
(949) 756-8677

DATE: 02.01.2021
PROJECT NUMBER: 397.1803.01

TYPICAL PAD ELEVATIONS

NWC OF 210 & BASELINE ST.
HIGHLAND, CA 92346

DESIGN | ARCHITECTURE | PLANNING

RED
Architectural Group

3436 N. VERDUGO ROAD, SUITE 200, GLENDALE, CA 91208
P 818.957.7765 | www.red-arch.com

Exhibit E:

Conceptual Landscape Plan

Planting Legend

TREES

BOTANICAL NAME	COMMON NAME	QUAN.	SIZE	COLOR	REMARKS	WUCOLS
FOUQUIERA SPLENDENS	OCOTILLO	3	24" BOX		STRIKING FORM	L
LAGERSTROEMIA INDICA 'NATCHEZ'	WHITE CRAPE MYRTLE	8	24" BOX	WHITE		L
OLEA EUROPAEA WILSONII	FRUITLESS OLIVE	13	36" BOX		MULTI TRUNK	L
PARKINSONIA (CERCIDIUM) X	DESERT MUSEUM	21	24" BOX	BRIGHT YELLOW	THORNLESS	L
POLYSPORA LONGICARPA	NCN	28	15 GAL.	WHITE	FLOWER SIZE	L
WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	29	4-8', 4-10', 3-12', 2-15', 4-16', 3-18', 6-20', 3-25'	BROWN TRUNK	EDIBLE FRUIT	L

SHRUBS

BOTANICAL NAME	COMMON NAME	QUAN.	SIZE	COLOR	REMARKS	WUCOLS
CALLISTEMON VIMINALIS 'SLIM'	'BOTTLEBRUSH'	----	15 GAL.	RED	YR. ROUND	L
EREMOPHILA GLABRA M.G.	'MINGENEW GOLD'	----	5 GAL.	YELLOW	SPR. GR. COVER	L
EMEROPHILA MACULATA	'VALENTINE'	----	15 GAL.	HOT PINK	WINTER/SPRING	L
JUSTICA CALIFORNICA	'CHUPAROSA'	----	15 GAL.	RED	SPR. SUM. FALL	L
PEDILANTHUS BRACTEATUS	'TALL SLIPPER PLANT'	----	5 GAL.	RED/ORANGE	SUMMER	
SALVIA GREGGII	'PURMANS RED AUTUMN SAGE'	----	5 GAL.	MAGENTE RED	SUM. FALL	L
SALVIA LEUCOPHYLLA	'POINT SAL' LOW PURPLE SAGE	----	5 GAL.	PINK SP. SM.	EDIBLE/FRAGRANT	L
SALVIA SYLVESTRIS	'LITTLE NIGHT'	----	1 GAL.	DARK PURPLE	SPR. SUM.	L
SARCOCOCCA RUSCIFOLIA	'SWEET BOX'	----	15 GAL.	WHITE	WINTER/FRAGRANT	L

Notes

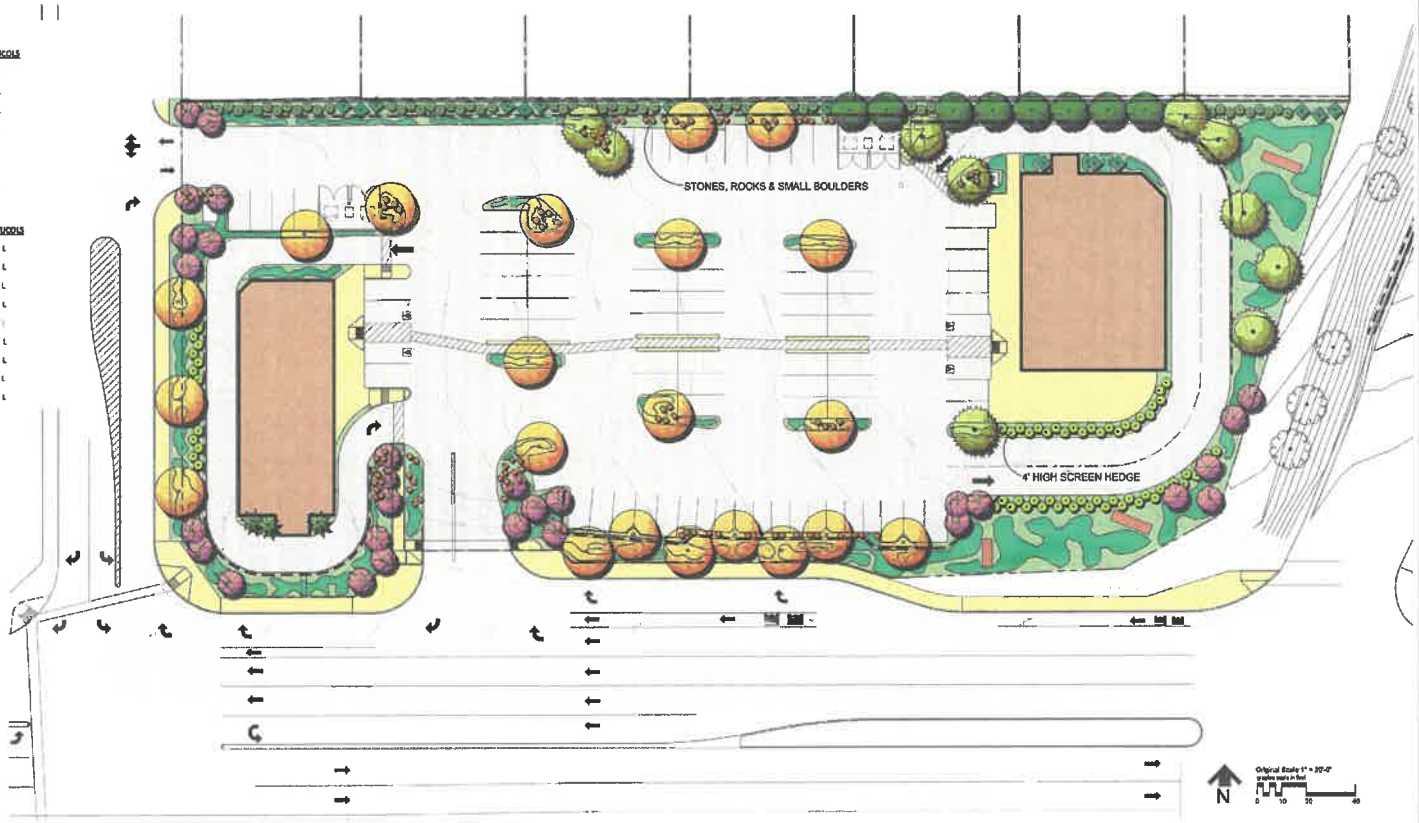
1 – **TOTAL SITE** – 2.4 AC.= 89,296 SF.
. **LANDSCAPE AREA** – 24% = 21,833 S.F.

2 – **ROCKS** STOCKPILE, WASH AND PRESERVE ON SITE ROCKS 6"-8"-10" AND BOULDERS 12"- 3'(+) FOR LANDSCAPE USE.

3 – **SOILS TEST** AT THE COMPLETION OF ROUGH GRADING ACTIVITIES SUBMIT SOIL SAMPLES REPRESENTATIVE OF THE PRE-CONDITIONED SITE SOILS TO A CITY-APPROVED LABORATORY FOR SOIL FERTILITY ANALYSIS AND RECOMMENDATIONS.

4 – **IRRIGATION** ALL REQUIRED LANDSCAPING SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION CONTROLLER THAT UTILIZES EITHER EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA WITH NON-VOLATILE MEMORY FOR SCHEDULING IN ALL IRRIGATION SYSTEMS.
SYSTEM COMPONENTS – LOW GALLONAGE AND LOW PRECIPITATION HEADS, DRIP SYSTEMS AND OTHER SUB-SURFACE TECHNIQUES, MINI-JET HEADS, MOISTURE SENSING DEVICES, CONTROLLERS WITH ABILITY OF VARIABLE PROGRAMMING.

5 - **STREET TREE** VARIETIES AND EXACT LOCATION WILL BE DETERMINED BY THE PUBLIC WORKS DEPARTMENT UNDER THE DIRECTION OF THE CITY'S LANDSCAPE ARCHITECT.



TREES



NOTE:

ALL PLANT MATERIAL TO BE IRRIGATED WITH DRIP IRRIGATION AND/OR WATER EFFICIENT BUBBLERS. NO SPRAY IRRIGATION ANTICIPATED.

SHRUBS & GROUNDCOVER



Stones, Rocks & small boulders



EXISTING STONES, ROCKS AND SMALL BOULDERS ON SITE TO BE STOCKPILED AND REUSED IN LANDSCAPE

Preliminary Landscape Plan
Highland Center
NWC OF 210 & BASELINE ST., HIGHLAND, CA 92346Palmdale, California

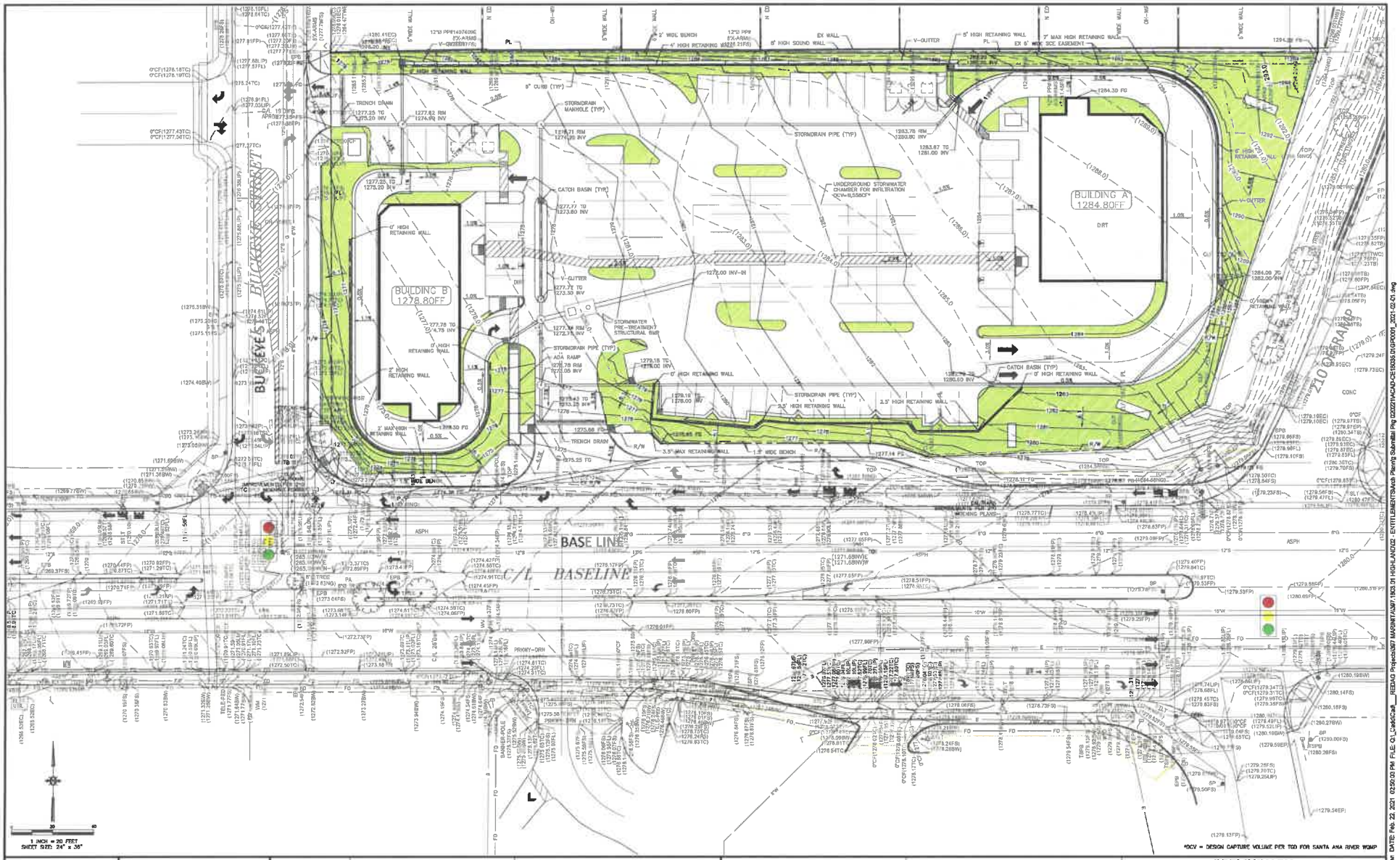
Marinita Development Company
3635 Birch Street
Newport Beach, CA 92660 (949) 756-8677

VELLA & ASSOCIATES
LANDSCAPE ARCHITECTS AND PLANNERS
3195 'D' Airport Loop Dr., Costa Mesa, CA 92626
www.vellaassoc.com
714.883.4033 carl@vellaassoc.com

January 4, 2021

Exhibit F:

Preliminary Grading Plan



DIG ALERT
CALL BEFORE YOU DIG
811

BENCHMARK

SEAL

PLANS PREPARED UNDER THE SUPERVISION OF:

DATE: _____

PLANS PREPARED BY:

Cannon
16842 VON KARMAN AVE, SUITE 150
IRVINE, CA 92606
(949) 753-8111

REVISIONS

MARK	DESCRIPTION	APPR.	DATE

CITY OF HIGHLAND

PRELIMINARY
ONSITE IMPROVEMENT PLANS
NWC OF 210 & BASE LINE STREET

PRELIMINARY GRADING PLAN

DRAWER NO.

SHEET 1 OF 1

*OCV = DESIGN CAPTURE VOLUME PER TGD FOR SANTA ANA RIVER WMP

PLOTTED BY: Daniel Grabowski DATE: Feb. 22, 2021 02:59:03 PM FILE: Q:\Cadd\Cadfl___REDAIG Projects\567 MARKET\567.1903.01 HIGHLAND\02 - ENTITLEMENTS\Acdc Planng Submittal Pkg 02222021\ACAD-CE19035.01GR0001_2021-02-01.dwg

Attachment 1:

Public Comments

Ash Syed

From: Ash Syed
Sent: Monday, November 8, 2021 1:35 PM
To: linda ramirez
Subject: RE: Notice of Intent to Adopt a Mitigated Negative Declaration letter

Good Morning Mrs. Ramirez,

I'd be glad to explain what will be going on.

Right now, as you know, the site is a vacant property with just dirt and gravel present. There are a fair amount of weeds on the site that have popped up over time, which will have to be removed as part of the construction. Birds in Southern California have a nesting season that lasts from February 1st through August 31st of each year. As long as the weeds are removed from the site anytime outside that window (September 1st through January 31st), there is nothing else that needs to be done.

If for some reason the weeds have to be cleared from the site during the nesting season (February 1st through August 31st), a biologist will be brought to the site to take a 30-day survey and identify any potential nests on the site before the removal of the weeds can begin.

Regarding the Lot Line Adjustment, the green line you see toward the right side of the property will be moved more toward the center, creating two relatively equal sized lots, for two relatively equal size fast food restaurants.



I hope this clears up any confusion. Please feel free to reach out with any questions.

Best,

CITY OF HIGHLAND California

Ash Syed
Associate Planner
27215 Base Line
Highland, CA 92346
(909) 864-6861 ext. 210

From: linda ramirez <lindaramirez663@gmail.com>
Sent: Monday, November 8, 2021 9:52 AM
To: Ash Syed <asyed@cityofhighland.org>
Subject: Notice of Intent to Adopt a Mitigated Negative Declaration letter

EXTERNAL EMAIL: Do not click on links or open attachments unless you know the content is safe.

Hi Mr. Sayed,
I am the homeowner at 27571 Foster Ave. In Highland, CA. I am in receipt of your most recent letter. Can you briefly explain in layman's terms what this letter means. It sounds like nesting birds are an issue.
Also, there is mention of lot adjustments. The empty lot is at Baseline and Buckeye.

Thanks,
Mrs. Ramirez

Attachment 2:

Initial Study / Mitigated Negative Declaration

INITIAL STUDY FOR:

TWO DRIVE-THRU RESTAURANT PADS

CONDITIONAL USE PERMIT

& DESIGN REVIEW

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Public Review Period: Begins: November 5, 2021 Ends: November 29, 2021

CITY OF HIGHLAND

27215 Base Line, Highland, CA 92346
Telephone (909) 864-8732 FAX: (909) 862-3180

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

PUBLICATION OF THIS NOTICE DOES NOT IMPLY THE REVIEWING AUTHORITY (CITY OF HIGHLAND) HAS MADE A FINAL DECISION TO ADOPT THE NEGATIVE DECLARATION

Lead Agency:
City of Highland, Planning Division
27215 Base Line
Highland, CA 92346

Contact:
Ash Syed, Associate Planner
(909) 864-6861, Ext. 210

The City of Highland, in its capacity as the Lead Agency for this Project, evaluated the potential environmental impacts of the Project in accordance with the California Environmental Quality Act (CEQA). The City has determined through the preparation of an Initial Study the Project will not result in any significant environmental impacts, and therefore will prepare a Negative Declaration for the Project identified below. The Initial Study meets the requirements of CEQA, and the City of Highland Guidelines for the implementation of CEQA.

We need to know your views as to the scope and contents of the environmental information, which has been included in the Initial Study. If you represent a responsible or trustee agency, we are particularly interested in the information germane to your statutory responsibilities. If you are a public agency, you will need to use the Initial Study prepared by our Agency when considering your permit or other approval for the project.

DUE TO THE TIME LIMITS MANDATED BY STATE LAW, YOUR RESPONSIBLE MUST BE SENT AT THE EARLIEST POSSIBLE DATE, BUT NO LATED THAN THE ENDING DATE SPECIFIED BELOW.

Project Title: Two (2) Drive-thru Restaurant Buildings, Conditional Use Permit (CUP 21-001), and Design Review Application (DRA 21-001), Lot Line Adjustment (LLA 21-001), & General Plan Amendment (GPA 21-001)

Project Location: The Project is located on the northeast corner of Base Line and Buckeye Street.
APN's: 1200-421-02 and 1200-421-03
City: Highland County: San Bernardino

Project Description: Marinita Development (applicant) is proposing a Conditional Use Permit for a new commercial development consisting of two (2) single-story pad buildings to accommodate 2 quick service restaurants with drive-thru, approximately 2,500 square

feet for Pad A and 4,000 square feet for Pad B, with a shared parking area for 84 vehicles. In addition, the Project will include a Sign Program for wall mounted building signs and monuments signs. The Sign Program will also include the relocation and modifications to the existing pylon sign.

The proposal also includes the design review of the two (2) proposed fast-food restaurant buildings and site. Each restaurant will include a drive-thru lane, as well as indoor seating. Pad A is to be approximately 2,560 square feet, and Pad B is approximately 4,050 square feet. Both buildings will have outdoor patio seating and a shared parking area for 84 vehicles. The development will also include on-site lighting and landscaping and off-site street improvements (new signal at Base Line Street and Buckeye Street).

A Conditional Use Permit is required for the subject application for 2 fast food restaurants with drive thru. The proposed Project will be reviewed by the Planning Commission as a public hearing item. A Design Review application includes the Project's site plan, building elevations, conceptual landscape plan photometric, and sign program. A Lot Line Adjustment (LLA 21-001) is required for Assessor Parcel Number (APN) boundaries. A General Plan Amendment (GPA 21-001) is required to revise the General Plan, Land Use Element, Community Policy Areas, Town Center Goal 2.10, Policy 10 to allow freestanding drive-thru commercial structures at the project site.

Public Review: The Initial Study/Mitigated Negative Declaration, and related documents are available for public review daily during normal business hours. Members of the public may view a hardcopy of these documents at City Hall Planning Division, located at 27215 Base Line, Highland. Electronic copies are also available (24 hours a day) on the City's website at cityofhighland.org/209/Public-Notices. Please submit comments on the Initial Study/Negative Declaration in writing to the City during the public review comment period. An opportunity will be given at the Planning Commission hearing for all interested persons to be heard.

Public Review Period: Begins: November 5, 2021 Ends: November 29, 2021

Public Hearing(s):	Tentative Date: December 7, 2021 Time: 6:00 p.m. or soon thereafter Location: Leo Donahue Council Chambers 27215 Base Line
Comments:	All comments and questions should be in writing and directed to: City of Highland Attention: Ash Syed, Associate Planner 27215 Base Line Highland, CA 92346

CITY OF HIGHLAND

27215 Base Line, Highland, CA 92346
Telephone (909) 864-8732 FAX: (909) 862-3180

INITIAL STUDY

1.	Case No:	Conditional Use Permit (CUP 21-001), Design Review Application (DRA 21-001), Lot Line Adjustment (LLA 21-001), and General Plan Amendment (GPA 21-001)
	Project title:	Two (2) Drive-Thru Restaurant Buildings
2.	Lead agency:	City of Highland, 27215 Base Line, Highland, CA 92346
3.	Contact person:	Ash Syed, Associate Planner City of Highland, Community Development Department 27215 Base Line, Highland, CA 92346 Tel: (909) 864-6861, Ext. 210
4.	Project location:	Northeast corner of Base Line Street and Buckeye Street. East of Buckeye Street, west of SR-210, south of Foster Avenue and north of Base Line. The site is 2.04 (gross) acres consisting of two Assessor Parcel Numbers: 1200-421-02 and 1200-421-03. City: Highland; County: San Bernardino.
5.	Project applicant/sponsor:	Scott Fawcett, Marinita Development Company 3835 Birch Street Newport Beach, CA 92660 Tel: (949) 756-8677

6. Description of project:

Marinita Development Company (the applicant) is proposing a Conditional Use Permit (CUP) for a new commercial development consisting of two (2) single-story pad buildings to accommodate two (2) quick service restaurants with drive thru in the City of Highland, California (City). Pad A will be 2,560 square feet and Pad B will be 4,050 square feet. In addition, the project includes a Sign Program for wall mounted building signs and monuments signs.

The proposal also includes the design review of the two (2) proposed fast-food restaurant buildings and site. Each restaurant will include a drive-thru lane, as well as indoor seating. The Pad A building is to be approximately 2,560 square-feet, and the Pad B building is approximately 4,050 square-feet. Both buildings will also include outdoor/patio seating. The development will also include on-site parking, lighting, and landscaping.

A CUP is required for the subject application for two (2) fast food restaurants with drive thru. The proposed Project will be reviewed by the Planning Commission as a public hearing item. A Design Review application includes the projects site plan, building elevations, conceptual landscape plan photometric and sign program. A Lot Line Adjustment (LLA 21-001) is required for Assessor Parcel Number (APN) boundaries. A General Plan Amendment (GPA 21-001) is required to revise the General Plan, Land Use Element, Community Policy Areas, Town Center Goal 2.10, Policy 10 to allow freestanding drive-thru commercial structures at the project site. The General Plan Amendment to policy 10 (General Plan, Land Use Element, page 2-34) is as follows with the additional text identified in underline:

10) Prohibit freestanding drive-thru commercial structures and convenience commercial uses, except along Base Line Street and the major intersection of Buckeye Street and Base Line Street.

7. Present Land Use: Vacant Land

8. General Plan Designation: Mixed Use (MU)/Town Center Policy Area

9. Zoning: Mixed Use (MU)/Neighborhood Commercial

10. Is the proposed action a "project" as defined by CEQA? (See Section 2.6 of State CEQA Guidelines. If more than one project is present in the same area, cumulative impact should be considered) Yes ☑ No ☐

11. If "yes" on 10, does the project fall into any of the Emergency Projects listed in Section 15269 of the State CEQA Guidelines? Yes ☐ No ☑

12. If "no" on 10, does the project fall under any of the Ministerial Acts listed in Section 15268(b) of the State CEQA Guidelines? Yes ☐ No ☑

13. If "no" on 12, does the project fall under any of the Statutory Exemptions listed in Article 18 of the State CEQA Guidelines? Yes ☐ No ☑

14. If "no" on 13, does the project qualify for one of the Categorical Exemptions listed in Article 19 of the State CEQA Guidelines? (Where there is a reasonable probability that the activity will have a significant effect due to special circumstances, a categorical exemption does not apply). Yes ☐ No ☑

15. Surrounding land uses and setting (briefly describe the project's surroundings):

North:	Foster Avenue, single-family detached residential
South:	Base Line, Primary Arterial roadway
East:	Interstate-210 Freeway (a.k.a., the Foothill Freeway), a high-traffic potential highway
West:	Buckeye Street, residential access road

16. Surrounding General Plan and Zoning:

North:	Low Density (2.1 – 6.0 du/ac) / Planned Development (PD)
South:	Mixed Use / Mixed Use (MU)
East:	General Commercial / General Commercial (GC)
West:	Mixed Use / Mixed Use (MU)

17. Is the proposed Project consistent with; (if answered "yes" or "n/a", no explanation is required)

City of Highland General Plan	Yes ☑ No ☐ N/A ☐
Applicable Specific Plan	Yes ☐ No ☐ N/A ☑
City of Highland Zoning Code	Yes ☑ No ☐ N/A ☐
South Coast Air Quality Management Plan	Yes ☑ No ☐ N/A ☐
San Bernardino International Airport Master Plan	Yes ☐ No ☐ N/A ☑
Other: Redlands Airport Special Compatibility Zone	Yes ☐ No ☐ N/A ☑

18. Are any of the following studies required?

Soils Report	Yes ☐ No ☑
Slope Study	Yes ☐ No ☑
Geological Report	Yes ☐ No ☑
Traffic Study	Yes ☑ No ☐
Air Quality Study	Yes ☑ No ☐
Hydrology	Yes ☐ No ☑
Sewer Study	Yes ☐ No ☑
Biological Study	Yes ☐ No ☑
Noise Study	Yes ☑ No ☐
Hazardous Materials Study	Yes ☐ No ☑
Housing Analysis	Yes ☐ No ☑
Archaeological Report	Yes ☐ No ☑
Groundwater Analysis	Yes ☐ No ☑
Water Quality Report	Yes ☑ No ☐
Other	Yes ☐ No ☑

19. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement). Only required at the time of development.

Public Agencies:
City – Building & Safety
City – Engineering
City – Public Services,
San Bernardino County Department of Health

Other service providers:
East Valley Water District (Water and Sewer), AT&T (Telephone Planning), Burrtec Waste Industries, Inc., Cal Disposal Co. Inc., Southern California Edison, Southern California Gas Company, Spectrum – Riverside, Time Warner Cable, Verizon (Telephone Network Engineering and Planning).

INFORMATION SOURCES CITED: The documents below are incorporated herein by reference and are available for review at Highland City Hall, located at 27215 Base Line, California or online at the website address indicated below.

1. California Aquatic Resources Inventory, https://www.ecoatlas.org/regions/ecoregion/south-coast.

2. California Department of Toxic Substances Control (DTSC), EnviroStor, https://www.envirostor.dtsc.ca.gov/public/

3. California Important Farmland Finder, California Department of Conservation, https://maps.conservation.ca.gov/DLRP/CIFF/, 2016.

4. California Government Code, https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=GOV.

5. California Public Resources Code, https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=PRC&tocTitle=+Public+Resources+Code+-+PRC.

6. California Wildlife Conservation Board, Riparian Habitats, https://wcb.ca.gov/Programs/Riparian.

7. CalRecycle, Estimated Solid Waste Generation Rates, https://www2.calrecycle.ca.gov/wastecharacterization/general/rates.

8. City of Highland General Plan and Environmental Impact Report, Adopted by the City Council March 14, 2006.

9. City of Highland Municipal Code, https://www.codepublishing.com/CA/Highland/.

10. East Valley Water District, "Will Serve" Letter, October 5, 2021. (Appendix E).

11. Flood Insurance Rate Map Number 06071C 8707J, dated September 2, 2016.

12. Highland Drive-Thru Restaurants Air Quality & Greenhouse Gas Assessment, Urban Crossroads, Inc. October 29, 2021. (Appendix A)

13. Highland Drive-Thru Restaurants Noise Impact Analysis City of Highland, Urban Crossroads, Inc. October 28, 2021. (Appendix C)

14. Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) 2016-2040, Southern California Area of Governments (SCAG), April 7, 2016. http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx.

15. "San Bernardino County Important Farmland 2010" Sheet 2 of 2. Farmland

Mapping and Monitoring Program. ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanBernardino_so_15_16_WA.pdf.

16. San Bernardino Valley Regional Water Management Plan, 2015. Water Systems Consulting, Inc., https://www.sbvmwd.com/reports/-folder-1081.

17. Scenic Highways, California Department of Transportation, https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways.

18. Sewer System Management Plan (SSMP), 2014. East Valley Water District, https://www.eastvalley.org/294/Sewer-System-Management-Plan-SSMP.

19. Traffic Impact Study. Urban Systems Associates, Inc. September 9, 2021. (Appendix D).

20. U.S. Fish & Wildlife Service National Wetlands Inventory Wetlands Mapper, https://www.fws.gov/wetlands/data/Mapper.html.

21. Water Quality Management Plan (WQMP) for GPA 21-001, City of Highland. March 9, 2021. (Appendix B)

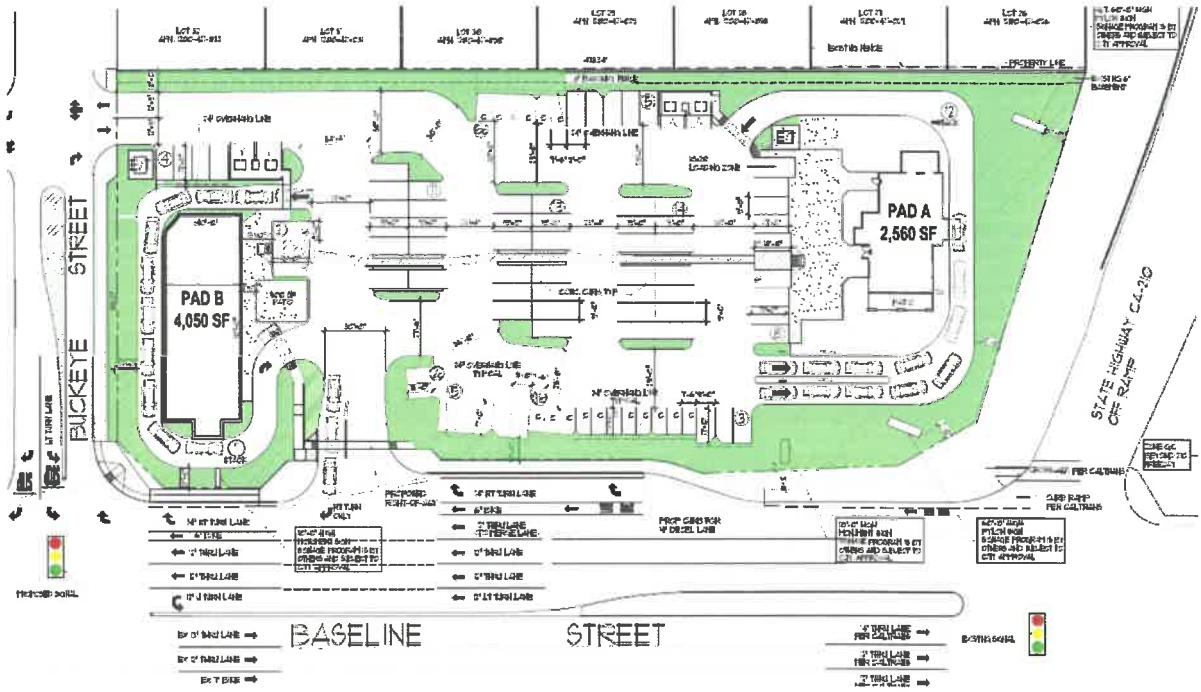
Figure 1
Regional Map



Figure 2
Project Site



Figure 3
Site Plan



1. 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 a "Less Than Significant With Mitigation Incorporated" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☑	Biological Resources	☐	Cultural Resources	☐	Energy
☐	Geology /Soils	☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☐	Noise	☐	Population / Housing	☐	Public Services
☐	Recreation	☐	Transportation	☐	Tribal Cultural Resources
☐	Utilities / Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

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

Explanation:

1a. Less Than Significant Impact: A scenic vista is a publicly accessible viewpoint that provides expansive views of a highly valued landscape. Scenic vistas are generally considered to be greater than one (1) mile from a receptor and generally consist of background views. For the City of Highland, the San Bernardino Mountains are

considered the backdrop. In the short term, the construction equipment that would be located on-site as part of the construction would not impede these views. In the long term, the proposed two (2) new fast-food restaurants with drive-thru will be constructed on the property and be similar in height to all existing structures and would not hinder views of the San Bernardino Mountains. A 70' tall, two-sided, Freeway-Oriented pylon sign will be constructed on the southeast corner of the site, and two 10-foot monument signs will be placed adjacent to Base Line The pylon sign and monument signs will not substantially impede views of the San Bernardino Mountains from the project vicinity. Therefore, the proposed Project would not create an impact on scenic vistas, directly, indirectly, or cumulatively. No mitigation measures are required.

1b. No Impact: According to the California Department of Transportation (Caltrans), a highway may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. There are no designated state scenic highways in the vicinity of the Project site. The closest eligible State Scenic Highway is State Route 330 (State Route 330 is not currently designated as a Scenic Highway) and is located approximately half a mile (1/2 mile) to the north of the Project site. As stated above in 1a, project implementation would generally not hinder views of the San Bernardino Mountains from the project vicinity. Therefore, project implementation would not substantially damage scenic resources, including trees, rock outcroppings, and historic buildings within state scenic highways. Therefore, no other scenic resources would be impacted directly, indirectly, or cumulatively due to the proposed Project. No mitigation measures are required.

1c. Less Than Significant Impact: The proposed Project consists of two (2) fast-food restaurant buildings on a vacant site in an urbanized area. Each restaurant will include a drive-thru lane as well as indoor seating. Building Pad A is to be approximately 2,560 square-feet, and Building Pad B is to be approximately 4,050 square feet. Both buildings will also have an outdoor patio/seating area. The development will also include on-site parking and landscaping. Furthermore, a 70-foot-tall, two-sided, Freeway Oriented sign and two 10-feet tall monument signs will be constructed on-site. The proposed Project will be reviewed by the City's Planning Commission to ensure that the project's design is complimentary to the surrounding development on-and-off-site. Therefore, the proposed Project would not result in significant impacts directly, indirectly, or cumulatively to the existing visual character or quality of the site and its surroundings. No mitigation measures are required.

1d. No Impact: New masonry fence, parking lot lights, and signs are proposed as part of the Project. The new lights will provide a new source of light and glare. However, the City's Municipal Code, Title 16 regulates all lighting standards to ensure less than significant impacts on adjacent properties and streets. The photometric plan is reviewed by the City Planning staff to ensure the Project will comply with the General Plan and established standards in the Municipal Code. The project's signs will consist of new fast-food building-mounted wall signs, as well as monument signs adjacent to Base Line. In addition, a new 70-foot-tall pylon, two-sided, Freeway Oriented sign will be constructed at the southeast corner of the site next to the freeway off-ramp. All signs will meet the City's Municipal Code Title 16 Table 16.56 which includes conditions for all signs. All proposed signs will not be illuminating which to create any new source of substantial light or glare, which would adversely affect day or nighttime views in the area. The

Project would not result in directly, indirectly, or cumulatively significant impacts. No mitigation measures are required.

2. AGRICULTURE AND FORESTRY RESOURCES.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
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))? ?	☐	☐	☐	☑
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

2a. No Impact: The designation of this property is represented as Mixed Use (MU) property. Also, according to the California Important Farmland Finder, the subject property is located on vacant Urban and Built-Up land. Therefore, the site does not have agricultural value. The Project would not result in directly, indirectly, or cumulatively significant impacts. No mitigation is required.

2b. No Impact: According to the California Department of Conservation (DOC), the Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments to enter contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The proposed Project site is currently zoned Mixed Use (MU) and is not under a Williamson Act contract. The Project would not result in directly, indirectly, or cumulatively significant impacts.. No mitigation measures are required.

2c-e. No Impact: There are no existing agricultural uses or Farmland on or near the site and there are no areas designated or zoned for agricultural use or for farmland on or near the site. Per the California Public Resources Code (PRC) § 12220(g), "Forest land" is land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. California PRC § 4526 defines "Timberland" as land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species (determined by the board on a district basis) used to produce lumber and other forest products, including Christmas trees. The California Government Code (GOV) § 51104(g) defines a "Timberland production zone" or "TPZ" as an area which has been zoned pursuant to GOV § 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, as defined in subdivision (h). The proposed Project site is not located in any designated forest land, timberland, or TPZ. The site currently vacant and void of any agricultural uses or contracts and is not mapped as Farmland. Implementation of the proposed Project would, therefore, not result in any further conversion of farmland to non-agricultural production on site, and not result in the loss of forest land or conversion of forest land to non-forest. The Project would not result in directly, indirectly, or cumulatively significant impacts. No mitigation measures are required.

3. AIR QUALITY.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Where available, the significance criteria established by the applicable air quality management district 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?	☐	☐	☑	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☑	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐
d) Result in other emissions (such as those leading to odors affecting a substantial number of people?	☐	☐	☑	☐

Explanation:

3a-e. Less than Significant Impact: The proposed Project consists of construction of two (2) new fast-food restaurants with drive thru. The proposed development is consistent with the City's General Plan and is permitted, subject to a Conditional Use Permit, per the City's Municipal Code. A Design Review will also be required.

Construction of the Project would be short-term and temporary. Thus, the emissions associated with construction would not result in a significant impact on the ambient air quality. Because emissions are less than the significance levels, they would not conflict or obstruct the implementation of the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP) or applicable portions of the State Implementation Plan (SIP).

Project construction would also not result in emission of any odor compounds that would cause a nuisance or significant impact to nearby receptors. The impacts associated with the Project construction are therefore not considered significant. Table 1 below shows estimated construction emissions from the Project's Air Quality & Greenhouse Gas Assessment (Appendix A).

Table 1: Estimated Construction Emissions (lbs/day)

Year	Emissions (lbs/day)					
	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Summer						
2022	2.08	20.53	16.89	0.03	9.36	4.58
2023	12.05	25.27	31.52	0.06	1.96	1.33
Maximum Daily Summer Emissions	**12.05**	**25.27**	**31.52**	**0.06**	**9.36**	**4.58**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Winter						
2022	2.09	20.54	16.76	0.03	9.36	4.58
2023	12.06	25.31	31.32	0.06	1.96	1.33
Maximum Daily Winter Emissions	**12.06**	**25.31**	**31.32**	**0.06**	**9.36**	**4.58**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod, Attachment A.

Table 2 below presents the results of the CalEEMod emission calculations in lbs/day for operations, using "Worst Case" CalEEMod Winter outputs, considering the project's design features, along with a comparison with the SCAQMD Air Quality Significance Thresholds for Operations. The inputs assumed that the project would be constructed to current Title 24 buildings standards and would use low flow plumbing fixtures. CalEEMod runs are included in Appendix A.

Table 2: Estimated Operational Emissions (lbs/day)

Source	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
Area Source	0.18	0.00	0.01	0.00	0.00	0.00
Energy Source	0.05	0.48	0.41	0.00	0.04	0.04
Mobile Source Passenger Cars	10.66	7.85	68.99	0.12	12.46	0.10
Maximum Daily Summer Emissions	**10.90**	**8.33**	**69.41**	**0.13**	**12.50**	**0.13**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Winter						
Area Source	0.18	0.00	0.01	0.00	0.00	0.00
Energy Source	0.05	0.48	0.41	0.00	0.04	0.04
Mobile Source Passenger Cars	10.04	8.44	70.31	0.12	12.46	0.10
Maximum Daily Winter Emissions	**10.28**	**8.92**	**70.73**	**0.12**	**12.50**	**0.14**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod, Appendix A

Based on the estimates of the emissions associated with project operations, the emissions are below the significance criteria for all pollutants. Because emissions are less than the significance levels, they would not conflict or obstruct the implementation of the AQMP or applicable portions of the SIP.

It should be noted that the emissions from vehicles are projected to decrease with time due to phase-out of older, more polluting vehicles and increasingly stringent emissions standards.

The air quality analysis for the proposed Project at the intersection of Base Line and Buckeye Street in Highland evaluated emissions associated with both the construction and operation of the project. Emissions associated with construction and operation were compared with significance thresholds developed by the SCAQMD, which provide a conservative means of evaluating whether project emissions would cause a significant impact on the ambient air quality or whether further evaluation is warranted. Emissions associated with construction and operation are below the significance thresholds for all phases and pollutants. Thus, the emissions associated with construction and operation of the project would not result in a significant direct, indirect, or cumulative impacts on the ambient air quality. Impacts would be **less than significant**, and no mitigation is required.

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

Explanation:

4a. Less than Significant Impact with Mitigation: The City's General Plan, Figure 5.1, Biological Sensitivity Map does not identify the proposed Project site as being an area in which sensitive or special status species are present. The site is approximately one (1) mile north of (outside of) the Upper Santa Ana River Wash Final Habitat Conservation Plan area. The site is currently vacant, disturbed, a non-native grass field. The site is disked on a regular basis for weed abatement and fire control. In addition, there is no riparian or other natural community located within the proposed Project site. The subject site is within a fully developed urbanized area, directly adjacent to the I-210 freeway. Therefore, the site has no potential suitable habitat for endangered or protected species or riparian resources.

Although the site is highly disturbed and surrounded by existing development and the freeway there is still some potential for birds protected under the Migratory Bird Treaty Act

(MBTA) or the California Fish and Game Code (FGC) to nest on-site. To ensure potential impacts to nesting birds are reduced to less than significant levels, mitigation measure **BIO-1** (below) shall be implemented. Impacts would be **less than significant, directly, indirectly, or cumulatively with mitigation** incorporated.

4b. No Impact: According to the California Wildlife Conservation Board (WCB), riparian habitats are those plant communities supporting woody vegetation found along rivers, creeks, and streams. Riparian habitat can range from dense thickets of shrubs to a closed canopy of large mature trees covered by vines. Riparian habitat provides riverbank protection, erosion control and improved water quality, as well as numerous recreational and aesthetic values. The proposed Project is not located within riparian habitat nor any other sensitive natural community. The Project will not result in significant direct, indirect, or cumulative impacts to riparian habitat. No impacts and no mitigation measures are required.

4c. No Impact: According to the California Aquatic Resources Inventory (CARI) and the U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) Wetlands Mapper, the proposed Project is not located any protected wetlands[1,2]. Thus, there are no federal (U.S. Army Corps of Engineers or USACE) or state jurisdictional drainages or wetlands (California Department of Fish and Wildlife or CDFW) on site. Therefore, no wetlands would be impacted or associated permits required for this Project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

4d. No Impact: As stated above in 4a., based on the City's General Plan Figure 5.1, Biological Sensitivity Map, there are no biological constraints associated with the proposed Project site. The proposed Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Therefore, the proposed Project would not create an impact to wildlife corridors. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

4e. No Impact: The City's Municipal Code requires a tree removal permit be acquired from the City prior to the removal of any trees. There are no trees on site and no trees will be removed as part of the construction of the proposed fast-food restaurants. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

4f. No Impact: The proposed Project is not within a conservation plan or any other approved local, regional, or state Habitat Conservation Plan. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

Mitigation Measures:

Mitigation Measure BIO-1: To the extent practical, all vegetation removal (grubbing) associated with Project development shall be conducted outside of the nesting season (February 1 to August 31st). If avoidance of the nesting season is not feasible, then a

[1] https://www.ecoatlas.org/regions/ecoregion/south-coast.
[2] https://www.fws.gov/wetlands/data/Mapper.html.

qualified biologist shall conduct a preconstruction nesting bird survey no more than 30 days prior to the removal of any vegetation. If vegetation is not removed within 30 days of the survey, then the survey shall be repeated. If no nests are found the biologist conducting the clearance survey shall document a negative survey with a report. If active nests of birds protected under the MBTA or FGC are found during the pre-construction nesting bird surveys, a Nesting Bird Plan (NBP) shall be prepared and implemented. At a minimum the NBP shall include guidelines for addressing active nests, establishing buffers, monitoring, and reporting. The NBP will include a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be determined by the biologist in consultation with CDFW, and shall be based on the nesting species, its sensitivity to disturbance, and expected types of disturbance. The nests and buffer zones shall be field checked by a qualified biological monitor as recommended by the biologist. The approved buffer zone shall be visually marked in the field, which no vegetation clearing, or ground disturbance shall commence until the qualified biologists has determined the nest in question has become inactive (failed or successful with fledged young birds) and a monitoring report has been submitted to the City and CDFW. Construction within the designated buffer area shall not proceed until approved by the monitoring biologist.

5. CULTURAL RESOURCES.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☑	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☑	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☑	☐

Explanation:

5a-c. Less than Significant Impact: The subject Project site is not identified by the City of Highland General Plan Figure 5.2 Archeological Resources, as an area of archeological sensitivity. However, the City will condition the current and future projects to require the following "If cultural resources are discovered during project construction, all work in the discovery area shall cease, and a qualified archaeologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition. If human remains are encountered during construction, all work shall cease, and the San Bernardino County Coroner's Office shall be contacted pursuant to Health and Safety Code provisions." With implementation of the City's standard conditions of approval, potential impacts to archaeological resources are reduced to less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

6. ENERGY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☑	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☑	☐

Explanation:

6a-b. Less than Significant Impact: The proposed Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The project will be conditioned to comply with the current California Building Code requirements, including compliance with 2019 Building and Energy Efficiency Standards and the 2019 Building and Energy Efficiency Standards. Furthermore, the Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. With implementation of the City's standard conditions of approval, potential impacts related to energy are reduced to less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

7. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☑	☐
ii) Strong seismic ground shaking?	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☑

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☑
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☑
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?	☐	☐	☐	☑
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☑

Explanation:

7a.i. Less than Significant Impact: According to the California Department of Conservation, the Alquist-Priolo earthquake fault zones are regulatory zones surrounding the surface traces (lines on the earth's surface defining a fault) of active faults in California. Thus, wherever an active fault exists, if it has the potential for surface rupture, a structure for human occupancy cannot be placed over the fault and must be a minimum distance from the fault (generally fifty (50) feet).

Theproposed Project is not a project involving the development of human occupancy/residential structures. In addition, the City's General Plan identifies in Figure 6-2, Potential Geological Hazards. The San Andres Fault System is located approximately one (1) mile northeast of the site. No active or potentially active faults are known to cross the site and the site does not lie within the bounds of an Earthquake Fault Hazard Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zoning Act. The project will be conditioned to comply with the current California Building Code requirements. With implementation of the City's standard conditions of approval, potential impacts related to rupture of an earthquake fault are reduced to less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

7a.ii. Less than Significant Impact: The San Andreas Fault zone is designated to be an Alquist-Priolo Fault Rupture Hazard Zones. Motion along the San Andreas Fault zone is primarily right lateral (i.e., strike-slip faulting), although a vertical component may also be present. The San Andreas Fault zone is considered active, with major ruptures occurring between 20 and 300-year intervals at magnitudes of between 6.8-8.0. The Project as conditioned will be required to comply with the Uniform Building Code so structure is designed to withstand severe seismic ground shaking and applicable grading remediation may be required by a required soils and geotechnical report; impacts from strong ground shaking is considered less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measure is required.

7a.iii. Less than Significant Impact: According to Figure 6-3, High Liquefaction and Landslide

Susceptibility, from the City's General Plan, the proposed Project site is not located within an area of the High Liquefaction Susceptibility. The project will be conditioned to comply with the current California Building Code requirements. With implementation of the City's standard conditions of approval, potential impacts related to rupture of an earthquake fault are reduced to less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

7a.iv.; c.; d.

No Impact: According to Figure 6-3, of the City's General Plan, the proposed site is not located in an area of Landslide Susceptibility. Therefore, no impacts from potential landslides are expected. The Project would not result in direct, indirect, or significant impacts, and no mitigation measure is required.

7b. Less than Significant Impact: Wind or rain during the grading of the site may cause minor erosion during construction, however, State and Federal requirements call for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) establishing erosion and sediment controls for construction activities for compliance with the National Pollutant Discharge Elimination System (NPDES) regulations. The Project includes landscaping of areas that are not hardscaped with buildings, parking lots, etc. which will help stabilize the soils from erosion. The Project is also required to implement the Water Quality Management Plan (WQMP, Appendix B) which requires design Best Management Practices (BMPs) to control storm water and non-stormwater runoff from the site as it leaves the site to prevent on stie and off site scouring, erosion and sediment discharge from the site or downstream. Compliance with State and Federal requirements will ensure that impacts from soil erosion or loss of topsoil will be less than significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

7e. No Impact: The proposed Project will be required to connect to existing Sewer service. The Project would not result in direct, indirect, or significant impacts, and no mitigation measure required.

7f. No Impact: The proposed Project is not located within a unique paleontological resource or site or unique geologic feature. The Project would not result in direct, indirect, or significant impacts, and no mitigation measure required.

8. GREENHOUSE GAS EMISSIONS.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☑	☐

Explanation:

8a-b Less than Significant Impact: Emissions associated with construction and operation were compared with significance thresholds developed by the SCAQMD, which provide a conservative means of evaluating whether project emissions would cause a significant impact on the ambient air quality or whether further evaluation is warranted. Emissions associated with construction and operation are below the significance thresholds for all phases and pollutants, as outlined in Table 3 below.

Table 3: Estimated Project GHG Emissions

Emission Source	Emissions (MT/yr)			
	CO_2	CH_4	N_2O	Total CO_2e
Annual construction-related emissions amortized over 30 years	10.91	0.00	0.00	11.01
Area Source	0.00	0.00	0.00	0.00
Energy Source	152.37	0.01	0.00	153.23
Mobile Source	1,627.63	0.16	0.10	1,660.43
Waste	15.46	0.91	0.00	38.29
Water Usage	5.52	0.07	0.00	7.64
Total CO_2e (All Sources)	**1,870.60**			
SCAQMD Threshold	**3,000**			
Significant?	**No**			

Source: CalEEMod, Appendix A
-- = Emission factor only provided in MT CO_2e

Thus, the emissions associated with construction and operation of the project would not result in a significant impact on the ambient air quality. "Highland Drive-Thru Restaurants Air Quality & Greenhouse Gas Assessment" October 29, 2021; Urban Crossroads, Inc (Appendix A). T The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

9. HAZARDS AND HAZARDOUS MATERIALS.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☑
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☑
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☑

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?	☐	☐	☐	☑
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☑	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☑

Explanation:

9a-b No Impact: The applicant is proposing the construction of two (2) new fast-food restaurants with drive thru. Potential hazardous materials, such as fuel, paint products, lubricants, solvents, cleaning products, and fertilizers that may be used and/or stored on site during construction and operation of the project. However, due to the limited quantities of these materials to be used, they are not considered hazardous to the public at large. The proposed project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures required.

9c No Impact: The proposed Project is located within one-quarter mile (1/4 mi) of Thompson Elementary School. However, the proposed Project would not discharge hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

9d No Impact: The site of the proposed Project is not known to be on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

9e Less than Significant Impact: The closest airports to Highland are Redlands Municipal Airport adjacent to the City in the southeast, and the San Bernardino International Airport (SBIA) to the southwest. No private airstrips are located within or near Highland. No heliports are located within Highland.

The SBIA is located within the City of San Bernardino, adjacent to the southwestern boundary of the City of Highland and approximately 3 miles southwest of the Project Site. The SBIA was formerly known as the Norton Air Force Base until its closure in 1994. The Airport is currently owned and operated by the Inland Valley Development Agency (IVDA) and San Bernardino International Airport Authority (SBIAA), regional Joint Powers Authorities formed in 1990 and 1992, respectively. The SBIA is an FAA Part 139 commercial airport, rated for Stage 2 aircraft. Stage 2 aircraft meet the noise levels prescribed by Federal Aviation Regulations (FAR) Part 36 and are less stringent than those established for the quieter designation (Stage 3). Its infrastructure is supported with a 10,000-foot runway, a new state-of-the-art Instrument Landing System, and an Automated Weather Observation System III. This facility consists of a 10,000-foot runway, provides 24-hour armed security, and contains 80 commercial and industrial businesses, and two aircraft maintenance facilities. A Comprehensive Land Use Plan (CLUP) and Airport Master Plan have not been adopted for the SBIA. By resolution on October 24, 2006, Highland's City Council decided to pursue the development of an Airport Land Use Compatibility Plan (ALUCP) for areas in proximity to the SBIA.

Redlands Municipal Airport is a general aviation airport located approximately 5 miles southeast of the Project site. Ontario International Airport, located approximately 30 miles west of Highland, serves as the nearest commercial airport providing air carrier (passenger) and air cargo operations. This airport is home base for approximately 425 commercial operations daily. It provides over 14 major passenger airlines and 11 major U.S. airfreight carriers transporting over 6.5 million passengers and 547,461 tons of freight, respectively.

Airport operations and their accompanying noise and safety hazards require careful land use planning on adjacent lands to ensure the safety of residents and passengers alike, and to protect Highland businesses and property owners to the greatest extent possible from the potential hazards that could be created by operations from the San Bernardino International Airport, especially by arriving and departing flights that fly over the southern portion of Highland. The City's General Plan Figure 6-7, Redlands Municipal Airport Compatibility Map shows the Redlands Municipal Airport Influence Area and Area of Special Compatibility Concern for this airport. A small portion of Highland lies within the area designated as an Area of Special Compatibility Concern on the Redlands Municipal ALUC Plan (1997); however, it is approximately one-and-a-half (1.5) miles from the project site.

The General Plan retains the industrial and commercial land uses designations for the area north and northeast of the SBIA, which would prohibit any new residential uses that could be affected by the airport. The project does not propose any residential uses.

Therefore, potential impacts would be less than significant, directly, indirectly, or cumulatively, and no mitigation measures are required.

9f No Impact: The proposed Project is not located within the vicinity of a private airport. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

9g No Impact: Access to the project site is from the SR-210 Freeway and Baseline Street. The proposed Project may involve limited street closures during construction operations. The minor nature of these street closures would only result in partial closures of the

street and would not impair implementation or interfere with an adopted emergency response plan within the City. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are necessary.

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

Explanation:

10a Less than Significant Impact: State and Federal requirements call for the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) establishing erosion and sediment controls for construction activities for compliance with the National Pollutant Discharge Elimination System (NPDES) regulations. The Project is also required to implement the Water Quality Management Plan (WQMP, Appendix B) which requires design Best Management Practices (BMPs) to control storm water and non-stormwater runoff from the site as it leaves the site to prevent discharge of sediment or

pollutants from the site to downstream areas. Compliance with State and Federal requirements will ensure the Project will not violate any water quality standards and potential impacts (direct, indirect, or cumulative) related to water quality will be less than significant. Therefore, no mitigation measures are required.

10b No Impact: The proposed Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. A "Will-Serve" letter (Appendix E) from East Valley Water District (EVWD) has been issued for the project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

10c i-iv No Impact: The proposed Project will not significantly alter drainage patterns on-or-off the site. The Project is required to implement the Water Quality Management Plan (WQMP, Appendix B) which requires design Best Management Practices (BMPs) to control storm water and non-stormwater runoff from the site as it leaves the site. With implementation of the WQMP, the proposed Project would not result in substantial erosion or siltation on-or-off-site, would not substantially increase the rate or amount of surface runoff, nor substantially create or contribute to runoff water. Also, the proposed Project would not impede or redirect flood flows. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

10d No Impact: The City's General Plan Figure 6-5, Flood Hazards shows the Project site is not located in the *Special flood Hazard Area Inundated by 100-year Flood* or *Limit of Flooded Area with Dam Failure/500-year Flood Boundary*. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

10e No Impact: As outlined in 10a and 10b above, the proposed Project is not anticipated to conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

11. LAND USE AND PLANNING.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☑
b) Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☑

Explanation:

11a-b. No Impact: The Project site is currently vacant. The Project site is served by existing streets and sidewalks and will not result in closures of them. The proposed new development is consistent with the City's Municipal Code and General Plan. Therefore, the Project would not physically divide an established community or conflict with any

land use regulation. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures required.

12. MINERAL RESOURCES.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

12a-b No Impact: The proposed Project is located within a Mineral Resource Zone (MRZ) 2. MRZ-2 is an area identified where significant deposits are likely to be present, however, the City's General Plan and Zoning Map designate the property for Multiple Use (MU)/ Town Center Policy Area. The General Plan provides for areas within the Santa Ana River Wash as Open Space which allows for mining of sand and gravel. MRZ-2 underlies more than half of the City. Existing mineral extraction activities are confined to the Santa Ana River Wash, which is located approximately three (3) miles south of the project site. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

13. NOISE.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☑	☐
b) Generation of excessive groundbourne vibration or groundborne noise levels?	☐	☐	☑	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☑	☐

13a-b Less Than Significant Impact: Short-term impacts will be minor in nature and will be

associated with construction equipment and activities schedule. Construction activities shall be restricted to weekdays and Saturdays between 7:00 a.m. and 7:00 p.m. only. No construction, other than interior finish work shall be conducted any time on Sundays. Construction equipment shall be muffled in accordance with manufacturer's specifications. These short-term impacts should not exceed noise thresholds established in the City's General Plan. Long-term impacts will be associated with on & off-site vehicle traffic, and operation of the drive-thru facility. However, an eight-foot high (8 ') masonry screenwall will be constructed along the northern edge of the property would break the line-of-site between the residences north of the project and provide noise attenuation. Therefore, no mitigation measures are required.

Per the Noise Assessment (Appendix C), Table 4 below shows typical peak noise levels associated with various types of heavy construction equipment expected during each construction phase. Noise levels are based on the Environmental Protection Agency (EPA) Office of Noise Abatement and Control (ONAC) Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (1974). Peak noise levels associated with the use of individual pieces of heavy equipment can range from about 70 to 89 dBA at 50 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction (EPA ONAC 1974).

Table 4: Typical Noise Levels Generated by Construction Equipment

COMMON OUTDOOR ACTIVITIES	COMMON INDOOR ACTIVITIES	A - WEIGHTED SOUND LEVEL dBA	SUBJECTIVE LOUDNESS	EFFECTS OF NOISE
THRESHOLD OF PAIN		140	INTOLERABLE OR DEAFENING	HEARING LOSS
NEAR JET ENGINE		130		
		120		
JET FLY-OVER AT 300m (1000 ft)	ROCK BAND	110		
LOUD AUTO HORN		100	VERY NOISY	
GAS LAWN MOWER AT 1m (3 ft)		90		
DIESEL TRUCK AT 15m (50 ft), at 80 km/hr (50 mph)	FOOD BLENDER AT 1m (3 ft)	80		SPEECH INTERFERENCE
NOISY URBAN AREA, DAYTIME	VACUUM CLEANER AT 3m (10 ft)	70	LOUD	
HEAVY TRAFFIC AT 90m (300 ft)	NORMAL SPEECH AT 1m (3 ft)	60		
QUIET URBAN DAYTIME	LARGE BUSINESS OFFICE	50	MODERATE	
QUIET URBAN NIGHTTIME	THEATER, LARGE CONFERENCE ROOM (BACKGROUND)	40		SLEEP DISTURBANCE
QUIET SUBURBAN NIGHTTIME	LIBRARY	30	FAINT	NO EFFECT
QUIET RURAL NIGHTTIME	BEDROOM AT NIGHT, CONCERT HALL (BACKGROUND)	20		
	BROADCAST/RECORDING STUDIO	10	VERY FAINT	
LOWEST THRESHOLD OF HUMAN HEARING	LOWEST THRESHOLD OF HUMAN HEARING	0		

Source: Environmental Protection Agency Office of Noise Abatement and Control, Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (EPA/ONAC 550/9-74-004) March 1974.

As discussed above, the City's Municipal Code exempts construction from City noise standards, pursuant to a valid written agreement with the City, which provides for noise mitigation measures. To evaluate whether the Project will generate potentially significant short-term noise levels at nearest receiver locations, a construction-related daytime

noise level threshold of 80 dBA (A-weighted decibels) Leq (equivalent continuous average sound level) is used as a reasonable threshold to assess the daytime construction noise level impacts. The construction noise analysis shows that the nearest receiver locations will satisfy the reasonable daytime 80 dBA Leq significance threshold during Project construction activities as shown in Table 8-3 of the Noise Impact Analysis (Appendix C). Construction vibration velocity levels are estimated to range from 0.000 to 0.268 PPV (Peak particle velocity in inches/second). Based in maximum acceptable continuous vibration threshold of 0.3 PPV (inches/second) for older residential buildings, the typical Project construction vibration levels will satisfy the building damage thresholds at all receiver locations as identified in Table 5: Construction Equipment Vibration Levels of the Noise Impact Analysis (Appendix C).

Operation of the project would generate noise through the idling of cars waiting in drive thru lines, placement of orders by customers at a microphone, verbal interactions between customers and service staff, and mechanical equipment.

While waiting in the drive-thru lane, vehicles would idle and generate noise. The nearest residence to the proposed drive-thru lanes are residences just north of the project site. Each of these residences is located approximately 12 feet from the proposed drive-through lanes. The operation of two drive-throughs would result in an operational noise level of 55.4 dBA Leq at 12 feet.

To demonstrate compliance with local noise regulations, the Project-only operational noise levels are evaluated against exterior noise level thresholds based on the County of San Bernardino exterior noise level standards at the nearest noise-sensitive receiver locations. Table 7-4 of the Noise Impact Analysis (Appendix C) shows the operational noise levels associated with the Project will satisfy the County of San Bernardino exterior noise level standards adjusted to reflect the ambient noise levels at all nearby receiver locations with the planned 8-foot-high screen wall on the northern boundary. Therefore, the operational noise impacts are considered less than significant at the nearest noise-sensitive receiver locations. Although, impacts (direct, indirect, or cumulative) are anticipated to be less than significant without mitigation.

13c No Impact: The proposed Project is located within five (5) miles of a public airport or public use airport; and the Project is not located within the vicinity of private use airports. However, the Project does not include construction of habitable structures and, therefore, would not expose people residing in the area to excess noise levels. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

14. POPULATION AND HOUSING.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Explanation:

14a-b No Impact: No new housing is proposed as part of this Project and no housing units will be displaced as part of the Project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

15. PUBLIC SERVICES.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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:				
a) Fire protection?	☐	☐	☐	☑
b) Police protection?	☐	☐	☐	☑
c) Schools?	☐	☐	☐	☑
d) Parks?	☐	☐	☐	☑
e) Other public facilities?	☐	☐	☐	☑

Explanation:

15a No Impact: Fire suppression, prevention, and medical services are critical to the protection of people, property, and the natural environment. The CalFire provides fire protection and emergency medical services to the City through a cooperative agreement. The City has three fire stations: Station 541 located at 26974 Base Line; Station 542 located at 29507 Base Line; and Station 543 located at 7469 Sterling Avenue. The Project is located within an area already served by these stations and operation of the restaurants is not anticipated to adversely affect performance objectives or require expansion of Fire protection. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

15b No Impact: The protection of City's residents, visitors, businesses, and property from crime depends on the adequate provisions of law enforcement services, supporting facilities, and prevention strategies. The City contracts with the San Bernardino County Sheriff's Department for its law enforcement and police services. The Project is located within an area already served by law enforcement and operation of the restaurants is not anticipated to adversely affect performance objectives or require expansion of law enforcement. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

15c. No Impact: The proposed Project is located within the service boundaries of the San Bernardino County Unified School District. The proposed use of the site is for two new fast-food restaurants with drive thru. School fees will be assessed by the San Bernardino City Unified School District as appropriate. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

15d No Impact: The proposed Project will not result in the direct addition of new residents to the City, and, thus, there is no incremental increase in the need for new park facilities. Therefore, there is no addition service need generated by this Project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

15e No Impact. Public facilities typically include items such as parks, community centers, libraries. The Project will not result in the direct increase of residents to the City which in turn could affect public facilities. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

16. RECREATION.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

16a-b. No Impact: The proposed Project will not result in the direct addition of new residents to the City, which in turn would affect parks and other recreational facilities. Therefore, there is no additional service needs generated by this Project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

17. TRANSPORTATION.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☑	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☑	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
d) Result in inadequate emergency access?	☐	☐	☐	☑

Explanation:

17a Less the Significant Impact: Construction of the proposed Project would result in workers traveling to/from the site as well as deliveries of equipment and materials generating temporary vehicle trips to the area. Per the Traffic Impact Study (Appendix D), the total net increase trip generation for the Project is 4,262 ADT with 235 AM peak hour trips and 233 PM peak hour trips. The study area included seven intersections evaluated for level of service (LOS) for Existing, Existing Plus Project, Near Term Opening Year 2024, Near Term Opening Year 2024 Plus Project, Long Term Year 2040, and Long-Term Year 2040 Plus Project scenarios. Based on the analysis, no deficiencies were identified and not improvement will be required. Therefore, the Project will not result in conflict with the General Plan Circulation Element goals and policies related to LOS. Base Line, along the Project's southern frontage, includes a sidewalk and bike lane. The Project will not affect these facilities and they will remain in place. Therefore, the Project will result in less than significant impacts (direct, indirect, or cumulative) to circulation system facilities or conflict with plans and ordinances related to them.

17b Less than Significant Impact: Per the Traffic Impact Study (Appendix D), based on the screening criteria provided in the Fehr and Peers Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (February 2020), the proposed Project will be exempt from VMT analysis based on the CEQA Assessment – VMT Analysis section of the guidelines. The guidelines state "Local serving retail project less than 50,000 square feet which serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment." Less than significant impacts (direct, indirect, or cumulative) are anticipated in this regard. No mitigation measures are required.

17c No Impact: The proposed Project would include the development of two fast-food restaurants with drive thru. The proposed Project would not substantially increase hazards due to a design feature or incompatible use. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

17d No Impact: Emergency access will not be altered by this project. No impacts are anticipated in this regard. The Project would not result in direct, indirect, or significant impacts, and o mitigation measures are required.

18. TRIBAL CULTURAL RESOURCES.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☑	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☑	☐

Explanation:

18a-b Less than Significant Impact: The subject Project site is not identified by the City of Highland General Plan Figure 5.2 Archeological Resources, as an area of archeological sensitivity. However, the City will condition the current and future projects to require the following "If cultural resources are discovered during project construction, all work in the discovery area shall cease, and a qualified archaeologist shall be retained by the project sponsor to investigate the find, and to make recommendations on its disposition. If human remains are encountered during construction, all work shall cease, and the San Bernardino County Coroner's Office shall be contacted pursuant to Health and Safety Code provisions." With implementation of the City's standard conditions of approval, potential impacts (direct, indirect, or cumulative) to archaeological resources are reduced to less than significant. No mitigation measures are required.

19. UTILITIES AND SERVICE SYSTEMS.	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☑
b) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑
c) Result in a determination by the wastewater treatment provider, which serves or may serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☑
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☑
e) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☑

Explanation:

19a-b No Impact: Base Line at the south boundary of the Project is a Primary Arterial roadway in the City and has existing utilities in the road right-of-way in which the Project will install connections to. A Will-Serve Letter from the East Valley Water District (EVWD) has been issued for the Project (Appendix E). Therefore, the Project would not require or result in relocation or construction of new or expanded utilities. No impacts are anticipated, and no mitigation measures are required.

Service for the project area would be provided by the EVWD, which provides water to an approximately twenty-eight (28) square mile area in the San Bernardino County area. No new water supply will be required to meet the needs of the project. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

19c No Impact: As stated above, the site would be connected to the municipal sewer and wastewater system treated at the San Bernardino Wastewater Treatment Plant. A Will-Serve letters have been provided from the East Valley Water District regarding this project. The Project would not result in direct, indirect, or significant impacts and no mitigation measures are required.

19d No Impact: The City's solid waste services are provided through contracts with Burrtec Waste Industries. The majority of collected waste is disposed in the San Timoteo landfill. The San Timoteo landfill is located approximately 7 miles to the southeast of the City of Redlands, and at present disposal rates, is expected to close in 2022. The San Timoteo

landfill is classified as a Class III landfill suitable for disposal of nonhazardous and general municipal waste and it is owned and operated by the County of San Bernardino. Capacity at the local landfills is sufficient to serve the site and impacts from this issue are non-significant. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

19e No Impact: The site will be conditioned to follow all federal, state, and local statutes and regulations. The Project would not result in direct, indirect, or significant impacts, and no mitigation measures are required.

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

Explanation:

20a Less Than Significant Impact: Per the City's General Plan, The California Department of Forestry and Fire Protection (CDF) provides fire protection and emergency medical services to the City of Highland through a cooperative agreement. The primary access to the Project site is from Base Line. The Project site is not located within a Fire Severity Zone (General Plan Safety Element Figure 6-6, Fire Hazards and Safety Overlay Areas). Even though this Project is not located within a Fire Severity Zone, the City's Fire Marshall will require specific Fire Prevention Measures be implemented as part of this Project. Development of the site would not involve street closures during construction or operations and would not impair implementation or interfere with an adopted emergency response plan within the City. Potential impacts (direct, indirect, or cumulative) are less than significant, and no mitigation measures are required.

20b Less Than Significant Impact: The Project site is not located within a Fire Severity Zone. Project development will comply with the City's Development Code and General Plan. The proposed Project is located adjacent to existing residential development to the north. The Project site is not located on steep slopes or immediately adjacent to the foothills of the San Bernardino Mountains. Due to the Project's location and with development in compliance with building and fire code standards, the Project would not be expected to significantly exacerbate wildfire risks. Therefore, potential impacts (direct, indirect, or cumulative) are less than significant, and no mitigation measures are required.

20c Less Than Significant Impact: The primary access to the Project site is from Base Line. The proposed Project does not require the installation of infrastructure (roads, power lines, etc.) in undeveloped natural areas that are susceptible to fire. Therefore, the proposed Project would not be expected to exacerbate fire risk and potential impacts (direct, indirect, or cumulative) are less than significant. No mitigation measures are required.

20d Less Than Significant Impact: The proposed Project is located adjacent to existing residential development to the north. The Project site is not located on steep slopes or immediately adjacent to the foothills of the San Bernardino Mountains. According to Figure 6-3 of the City's General Plan, the proposed Project is not located within a high liquefaction or landslide susceptibility area. The proposed site is relatively flat with no substantial hills, slopes nor drop offs. Due to the lack of significant topography, land sliding is not expected on the site. Implementation of the Water Quality Management Plan (WQMP, Appendix B) will also aid the proposed development to not increase off-site runoff or result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner which would cause flooding on site or off site. Therefore, the proposed Project is not expected to result in downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Potential impacts (direct, indirect, or cumulative) are less than significant, and no mitigation measures are required.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☑	☐

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)?	☐	☐	☑	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☑	☐

Explanation:

21a Less than Significant Impact: The proposed Project is the construction of two (2) new fast-food restaurants with drive thru. The Project site is highly disturbed, with disking on a regular basis for weed abatement and fire control, and is surrounded by existing development, Base Line a Primary Arterial roadway in the City to the south and the SR-210 freeway to the east. The project does not have the potential to significantly degrade the environment, substantially reduce the habitat of a fish or wildlife species, cause fish or wildlife population to drop below self-sustaining levels, or threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or plant or animal or eliminate important examples of the major periods of California history or prehistory.

21b Less than Significant Impact: As discussed in the respective issue areas of this Study, the proposed Project would not have cumulatively considerable environmental impacts.

21c Less than Significant Impact: As discussed in the respective issue areas of this Study, the proposed Project would not have cumulatively considerable environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly.

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☑ I find that 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.

☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that 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.

☐ I find that 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.

Ash Syed, Associate Planner — 11/5/2021 Date

Attachment 3:

Planning Commission

Resolution No. 2021 - ____

RESOLUTION NO. 2021 - ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 21-001), LOT LINE ADJUSTMENT (LLA 21-001), AND DESIGN REVIEW APPLICATION (DRA 21-001) FOR THE DEVELOPMENT OF TWO (2) DRIVE-THRU RESTAURANT PADS ON APPROXIMATELY 2.04 ACRES AT THE NORTHEAST CORNER OF BASE LINE AND BUCKEYE STREET, CERTIFYING A MITIGATED NEGATIVE DECLARATION (ENV 21-004), AND RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT (GPA 21-001) TO ALLOW DRIVE-THRU FACILITIES BETWEEN BUCKEYE STREET AND THE 210 FREEWAY WITHIN THE TOWN CENTER POLICY AREA.

ASSESSOR'S PARCEL NUMBERS: 1200-421-02 & -03

APPLICANT: MARINITA DEVELOPMENT

A. RECITALS

1. On January 4, 2021, the Applicant submitted applications for Conditional Use Permit (CUP 21-001), Design Review Application (DRA 21-001), and Lot Line Adjustment (LLA 21-001) for the development of two (2) drive-thru restaurant buildings on approximately 2.04 acres at the northeast corner of Base Line and Buckeye Street. Assessor's Parcel Numbers: 1200-421-02 & -03.

2. On January 4, 2021, the Applicant submitted an application for General Plan Amendment (GPA 21-002) to amend the General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) that prohibits the approval of commercial uses with drive-thru facilities and drive-thru style restaurants on the site. This affects Assessor's Parcel Numbers: 1200-421-02 & -03.

3. On February 25, 2021, Staff provided the Applicant with a Letter of Incompleteness and listed the various items that were missing from the initial submittal and provided direction on modifications to the exterior elevations of the site.

4. On September 15, 2021, the Application resubmitted revised plans addressing Staff's directives and the items listed in the Letter of Incompleteness.

5. Pursuant to the California Environmental Quality Act, the project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources for the habitat disturbance to state and federally protected nesting birds. However, a thorough analysis of the impacts was completed during the preparation of the Mitigated Negative Declaration and appropriate Mitigation Measures were provided for this project.

6. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.

2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the Planning Commission dated December 7, 2021, which is incorporated herein by this reference, does find and determine the following facts:

   a. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Highland.

3. Findings of Fact for **General Plan Amendment (GPA-21-001)**

   Based on the Findings below, the Planning Commission recommends the City Council does herby find:

   a. The proposed amendment is consistent with the goals, objectives, policies, and programs of the general plan, or the general plan as revised by the proposed amendment, and will not result in any inconsistencies within the plan:

      Response: Currently, General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) prohibits the establishment of any sort of business involving drive-thru service within the Town Center Policy Area. The General Plan's vision for this area of the City is for a non-drive thru environment with sit down restaurants, and walk-in commercial businesses. However, this site has remained vacant since prior to the City's incorporation and offers a prime location next to a freeway offramp for quick-serve restaurants. Thus, the Applicant has submitted a General Plan Amendment to allow drive-thru services between the Freeway and Buckeye Street. As such, the revised General Plan, specifically for the Town Center Policy Area, will not pose a detriment to the surrounding vicinity.

   b. The proposed amendment will not adversely affect the public health, safety or general welfare.

      Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department and certain conditions of approval that are necessary and proper to safeguard and

protect the public health, safety, and welfare have been implemented. That being the case, the approval of a General Plan Amendment for the proposed project is will not adversely affect the public health, safety, or general welfare.

c. The proposed amendment is consistent with the purposes and intent of this title, unless such amendment proposes to change, supplement, or alter any part of this title, whereas, said amendment must be consistent with all of the applicable sections including these findings.

Response: Title 16 of the Municipal Code includes the development standards and requirements pertaining to projects in the Mixed Use land use designation. As previously discussed, objective of the project is to create a visually appealing commercial lot just off the 210 freeway that provides two (2) mainstream, fast-food options for City residents as well as those traveling along the freeway and up to the mountains.

d. The potential environmental impacts of the proposed amendment are insignificant or there are overriding considerations which outweigh the potential impacts.

Response: The Initial Study prepared for the proposed development analyzed the potential for environmental impacts on Biological Resources related to the potential habitat disturbance to state and federally protected nesting birds All topics were found to have either "no impact" or "less than significant impact" with mitigation incorporated. The Initial Study incorporated mitigation measures to reduce any potential impacts to a less than significant level and, thus, the approved project is not likely to cause any detrimental environmental effects with or without the General Plan Amendment.

Exhibit 1 attached herein illustrates the proposed General Plan Amendment.

4. Findings of Fact for **Lot Line Adjustment (LLA 21-001)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-001), the Planning Commission herby finds:

a. The subdivision is consistent with applicable General and specific plans.

Response: The existing lot line between the two (2) parcels comprising the 2.04 acre site will be relocated to create two (2) 1.02 acre size lots. The proposed Lot Line Adjustment is in compliance with the City's requirement for subdivisions as listed in the Highland Municipal Code Section 16.68.220.

b. The design or improvement of the proposed subdivision is consistent with applicable general plan.

Response: The proposed Lot Line Adjustment is in compliance with the City's requirement for subdivisions. The lot sizes, lot coverage for each pad,

setbacks from respective lot lines, parking spaces, and vehicular access to primary roadways as well as interior drive-aisles each satisfy the development standards for Mixed-Use/Neighborhood Commercial projects as listed in the Highland Municipal Code Section 16.22.030.

c. The site is physically suitable for the type of development.

Response: The site is generally flat without any unusual features and is located within an urbanized area with existing services and infrastructure available to the Site. The proposed Lot Line Adjustment will relocate the existing lot line, currently on the eastern end of the site, more toward to the center of the property, creating two (2) approximately 1.02 acre size lots.

d. The site is physically suitable for the proposed density of development.

Response: The proposed project is in compliance with the Highland Municipal Code (Chapter 16.22, Neighborhood Commercial zone), as specified for single-use commercial projects within the Mixed-Use zoning designation. Currently, the site is vacant and has remained so since prior to the City's incorporation in 1987. While any sort of development on any site that was previously vacant will have an effect on the surrounding vicinity with regard to foot and vehicular traffic, the trip generation information was analyzed and appropriate mitigation measures for traffic along Base Line and Buckeye Street have been proposed. Further, the proposed site features adequate interior roadways, building setbacks, and onsite parking for the two (2) drive-thru restaurants to create a cohesive development that complements the surrounding vicinity.

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

Response: The project site is adjacent to the 210 freeway offramp to the east and the Smart & Final grocery store to the west, across Buckeye Street. Also, there are existing single family homes to the north and a Starbucks Coffee and Popeyes Chicken commercial lot to the south, across Base Line. This project was also subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. A thorough analysis of the project was done and potential impacts to Biological Resources related to the potential habitat disturbance of state and federally protected nesting birds were mitigated.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Response: The proposed Lot Line Adjustment provides the creates new parcels and a site layout required for the development to be constructed as planned. No public health problems are expected as a result of this subdivision.

g. 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.

Response: The design of the subdivision will not conflict with easements for access through, or use of, property within the proposed subdivision. There is an existing public utilities easement that extends from Buckeye Street and spans along entire northern property line of the development. Existing utility lines located within this easement are to remain overhead and will be incorporated into the project with new easements granted as required by the service providers. A new easement will also be provided for a private sewer main to serve the project and connect to the existing sewer along Base Line.

Exhibit 2 attached illustrates Lot Line Adjustment (LLA 21-001).

Exhibit 3 attached is the Mitigation Monitoring & Reporting Program (ENV 21-004)

Exhibit 4 attached includes the Lot Line Adjustment (LLA 21-001) Conditions of Approval.

5. Findings of Fact for **Conditional Use Permit (CUP 21-001)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-001), the Planning Commission herby finds:

a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland general plan, and with the applicable development policies and standards of the city:

Response: The proposed development is located on a 2.04 acre site designated by the General Plan and Zoning Map as Mixed Use. Per the Highland Municipal Code, Chapter 16.22.030, single use commercial projects located within the Mixed Use land use and zoning designation are subject to the Neighborhood Commercial development standards. Thus, according to the Neighborhood Commercial development standards, the approval of fast food restaurants is subject to a Conditional Use Permit. While the existing General Plan Town Center Area does not permit drive-thru uses, the site has remained vacant since prior to the City's incorporation and offers a prime location for quick-serve restaurants.

Thus, the Applicant is proposing a General Plan Amendment to modify the General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) from "*Prohibit freestanding drive-through commercial structures and convenience*

commercial uses, except at the major intersection of Palm Avenue and Base Line" to "*Prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line and between Buckeye Street and the 210 Freeway*". As noted above in section B(3), the Planning Commission supports the General Plan Amendment.

b. The proposed use would not impair the integrity and character of the district in which it is to be established or located:

Response: The proposed development would be very much in compliance with City's vision for commercial development along the Base Line frontage. The objective of the project is to create a visually appealing commercial lot just off the 210 freeway that provides mainstream, fast-food options for City residents as well as those traveling along the freeway and up to the mountains.

c. The site is suitable for the type and intensity of use or development which is proposed;

Response: The proposed project is in compliance with the development standards set in the Highland Municipal Code, Chapter 16.22, Mixed Use. Currently, the site is vacant and has remained so since prior to the City's incorporation in 1987. While any sort of development on any site that was previously vacant will have an effect on the surrounding vicinity with regard to foot and vehicular traffic, the trip generation information was analyzed and appropriate mitigation measures for the increased traffic along Base Line and Buckeye Street have been proposed. Further, the proposed site features adequate interior drive aisles, building setbacks, and onsite parking for the two (2) restaurants to create a cohesive development that complements the surrounding vicinity.

d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety;

Response: The project site will require provisions for water, sewer, public utilities, and public health and safety. As required by the Highland Municipal Code, a "will-serve" letter from the water and sanitation provider must be submitted to the City's Building Official prior to the issuance of building permits. Additionally, the project site will be served by the City of Highland Fire and Police Departments. As conditioned, the Applicant/Developer is required to pay Development Impact Fees which contribute to the additional infrastructure costs associated with these services. Furthermore, as conditioned, the Applicant/ Developer will be required to coordinate with the gas and electricity purveyors to ensure that the project site is adequately serviced. As such, there will be adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity;

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, Fire, and the Police Department and certain conditions of approval necessary to safeguard and protect the public health, safety, and welfare have been implemented. That being the case, the approval of this conditional use permit for the proposed project will not adversely affect the public health, safety, and welfare.

f. The proposed use would not result in a significant effect on the environment.

Response: This proposed project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources related to the potential habitat disturbance to state and federally protected nesting birds.

Nesting Birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the CEQA guidelines. In compliance with the MBTA and the California Department of Fish and Wildlife (CDFW) regulations for protecting nesting birds, all clearing, grubbing, tree trimming, and tree removals will be conducted outside of the February 1st to August 31st bird nesting season. Should grading, grubbing, or tree removal need to occur during the nesting bird season, a pre-construction nesting bird survey will be conducted by a qualified avian biologist prior to any site disturbance. If for any reason an active nest is identified outside of the February 1st to August 31st bird nesting season, avoidance of the nest will be required.

Exhibit 5 attached includes the Conditional Use Permit (CUP 21-006) Conditions of Approval.

6. Findings of Fact for **Design Review Application (DRA 21-001)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-001), the Planning Commission herby finds:

a. That the proposed project is consistent with the related Conditional Use Permit.

Response: The proposed drive-thru restaurant buildings are located on a 2.04 acre site designated by the General Plan as Mixed Use. Per Highland Municipal Code Section 16.22.030, single use commercial projects located within the Mixed Use land use and zoning designation are subject to the Neighborhood Commercial development standards. Thus, according to the

Neighborhood Commercial development standards, the approval of fast food restaurants is subject to a Conditional Use Permit, which the applicant has submitted. The two (2) restaurant buildings satisfy the setback requirements and onsite parking spaces necessary to comply with the City's general development standards for commercial projects.

b. That the proposed use is in accordance with the objectives of this title (Title 16), and the purposes of the land use district in which the site is located.

Response: As aforementioned, the proposed project is located on a vacant property located within the Town Center Policy Area and zoned for Mixed Use developments. The proposed project involves two (2) drive-thru fast food restaurants with vehicular access off of Base Line and Buckeye Street. The Design Review Application includes building elevations, appropriate height limits, setback requirements, and onsite parking spaces necessary to comply with the City's general development standards for commercial developments. Further, while the tenants for the two (2) restaurant buildings have not been finalized, the Applicant plans to construct the restaurant buildings to be fully compliant with the architecture envisioned as part of the General Plan Town Center Area regardless of the fast food tenant that eventually occupies the building.

c. That the proposed use is in compliance with city design and landscape standards and criteria.

Response: While the buildings on two (2) pads will likely have a corporate color and design scheme, the aesthetics for this location have been modified with additional cutouts and flat rooflines to complement the surrounding structures and accommodate the vision for the General Plan Town Center Area.

The proposed Conceptual Landscape Plan presents a variety of drought-tolerant trees, shrubs and vines, as well as groundcovers planted throughout the perimeter of the site as well as the parking lot area. The proposed Conceptual Landscape Plan, as conditioned, will comply with the City's drought tolerant landscaping regulations and complement the Base Line street improvements.

d. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or will not be materially injurious to properties or improvements in the vicinity of the site.

Response: This proposed project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. A thorough analysis of the project was done and potential impacts to Biological Resources related to the potential habitat disturbance of state and federally protected nesting birds were discovered. Appropriate mitigation measures to reduce the impacts to an acceptable, less than significant level were adopted. The project has also been reviewed by Planning, Engineering, Building and

Safety, Fire, and the Police Department. With implementation of certain conditions of approval that are necessary to safeguard and protect the public health, safety, and welfare, the approval of this Design Review Application for the proposed project will not adversely affect the public health, safety, and welfare.

Exhibit 6 attached includes the Design Review Application (DRA 21-001) Conditions of Approval.

7. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission approves Conditional Use Permit (CUP 21-001), Lot Line Adjustment (LLA 21-001), and Design Review Application (DRA 21-001), contingent upon the recommended City Council approval of General Plan Amendment (GPA 21-001).

C. ADOPTION OF RESOLUTION

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, **APPROVED** and **ADOPTED** this 7th day of December 2021.

ATTEST:

Randall Hamerly, Chairman Planning Commission	Lawrence A. Mainez Community Development Director

Exhibit 1:

Proposed General Plan Amendment

- There exists a significant social and economic interdependence and interaction between the City of Highland and the area proposed for annexation.

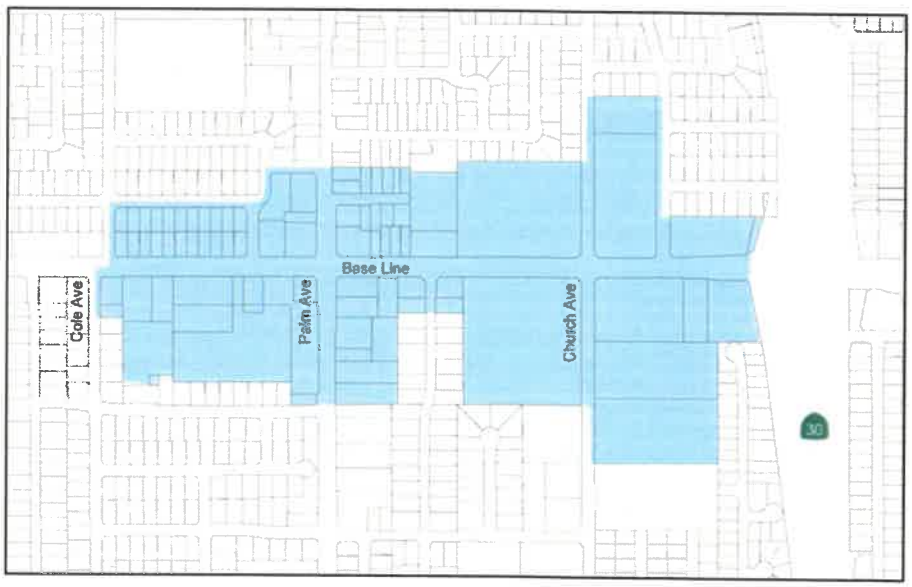
3) Work with the City of San Bernardino to provide buffers in areas where existing or planned land uses in one city are incompatible with adjacent areas in the other.

Community Policy Areas

This section provides goals and policies focused towards individual areas of the City. As part of the Land Use Element, these policies focus on land use issues. Together with the other Elements of the General Plan, the Development Code and ongoing neighborhood and capital improvement programs, these goals and policies will help create, preserve and enhance these community policy areas.

Town Center

There is one place, more than any other, where residents and visitors gain an impression of Highland. It is the land along Base Line on either side of SR-30. The reason is very simple: this is the primary entry to the center of the community. It isn't that other entry points are unimportant; it is just that this one is so prominent.



To the east, the contemporary suburban nature of the East Highlands Ranch area is well established and speaks for itself. To the west, a clear image is yet to emerge. Roughly between the freeway and the City Hall along Base Line is an area designated as the Town Center. It is not envisioned as a traditional downtown, largely because Base Line is so

wide and busy that it creates a barrier between opposite sides of the street. It is not a particularly pedestrian-friendly street. Moreover, there was no evolution of this area as a downtown. The early downtown was a quarter mile to the north. Yet, there is an emerging mixture of activities in this part of Highland, many of which are typically found in downtowns. They include retail businesses and offices, traveler-serving uses, places to eat, civic uses and institutional uses such as churches and schools (immediately adjacent).

Further north and south these uses merge with existing or potential residential neighborhoods. Each of the four quadrants formed by the intersection of Base Line and Palm Avenue contributes a unique set of opportunities for the future Town Center. The southeast quadrant is a mix of institutional, residential and commercial uses. The southwest quadrant emphasizes public uses. The northwest quadrant emphasizes retail uses. The northeast quadrant is a cluster of mostly vacant land, one of the City's most significant. The first three quadrants will achieve their potential through infill, intensification, rehabilitation and even redevelopment. The largely vacant quadrant will be the focus of totally new development.

The following policies specifically relate to the land use aspects of the Town Center. A host of design-related policies are provided in the Community Design Element.

GOAL 2.10

Create a new Town Center where Highland residents, employees and visitors can live, shop, work, recreate and socialize in a vibrant, safe and pedestrian-friendly environment.

Policies

1) Ensure quality design through adherence to the Town Center design guidelines and policies in the Community Design Element.

2) Ensure that the Town Center maintains a mix of uses attractive to broad segments of Highland's population and that stimulate activity during day and evening hours, every day of the week.

3) Provide access to multiple modes of travel, including pedestrian, bicycle, transit and automobile.

4) Work with property owners to implement the Town Center Vision.

5) Protect surrounding single-family neighborhoods from incompatible uses.

6) Provide transition areas/buffers between land uses within the Town Center and with surrounding neighborhoods.

7) Connect the Town Center physically and visually with the Historic Village District with pedestrian connections, historically compatible architecture, signage, landscaping and other streetscape elements.

8) Explore opportunities to relocate historic structures onto the Town Center site in prominent locations.

9) Require new development to provide for public plazas and other gathering places.

10) Prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line and between Buckeye Street and the 210 Freeway.

Base Line Corridor

Base Line is the principal east/west corridor through the City, and its primary commercial area. It is bounded by residential, commercial, public and industrial uses. The corridor suffers from poor visual quality. Commercial lots are shallow, often extending not more than 100 feet from the street frontage, and are generally narrow. Most parcels along Base Line are too small to effectively support a vibrant commercial operation. These factors have led to the development of small-scale freestanding business establishments that lack landscaping and adequate off-street parking. There are some multiple and single-family residential developments among the commercial uses.

To revitalize the corridor, the Land Use Plan redesignates many of the mid-block commercial uses to Medium Density residential uses. This change provides new housing opportunities in the western half of Highland and simultaneously provides additional retail support with new residents and added income to the area.

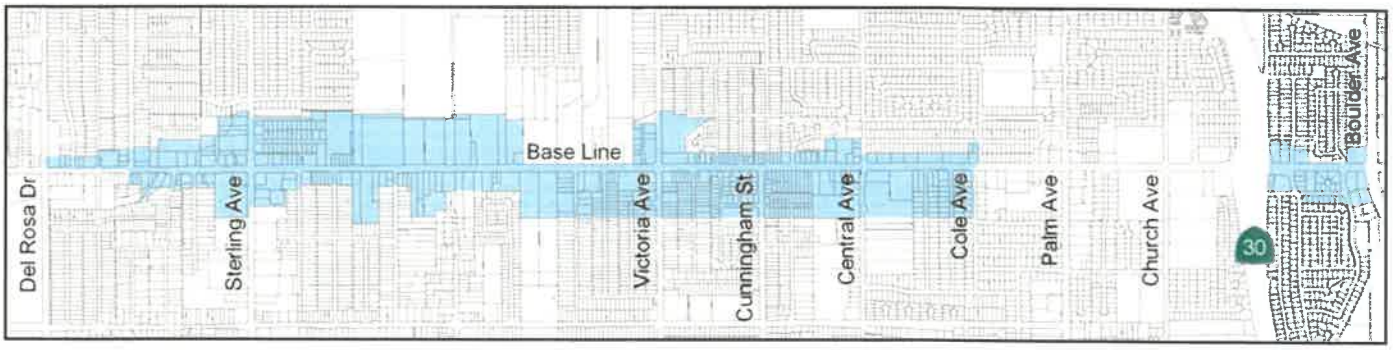


Exhibit 2:

Lot Line Adjustment (LLA 21-001)


Foster Ave
Foster Ave
210
210
Buckeye St
Baseline St
Baseline St
N

Exhibit 3:

Mitigation Monitoring & Reporting Program

(ENV 21-004)

MARINITA MIXED USE DEVELOPMENT PROJECT

Mitigation Monitoring Reporting Program

Mitigation Monitoring Reporting Program ENV 21-004 for: CUP 21-001 - DRA 21-001 - GPA 21-001 - LLA 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
Biological Resources	a) Have a substantial adverse effect, 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?	**MM BIO 4.1** Nesting Birds. All native breeding birds, (except game birds) regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the California Environmental Quality Act (CEQA). The MBTA and the California Department of Fish and Wildlife (CDFW) Code Regulations 3500 and 3503 which protect nesting birds. In order to comply with these regulations all future clearing, grubbing, tree trimming, and tree removals should be conducted outside the bird nesting season. The typical nesting season is often considered February 1st to August 31st however these dates are not a legal definition. A nest is protected during any time of the year when eggs or young are present. If grading/grubbing/tree trimming must occur during the nesting bird season, a pre-construction nesting bird survey should be conducted by a qualified biologist. If an active nest is encountered outside the breeding season, avoidance of the nest is required." Any nest permanently vacated for the season, as verified by a qualified biologist, would not warrant protection pursuant to the MBTA.	No more than 30 days prior to commencement ground disturbing activities	Planning Department	Qualified biologist/ nesting bird survey	

Mitigation Monitoring Reporting Program ENV 21-004 for: CUP 21-001 - DRA 21-001 - GPA 21-001 - LLA 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
Cultural Resources	d) Disturb any human remains, including those interred outside of formal cemeteries?	**MM CUL 5.1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. **MM CUL 5.2** If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. **MM CUL 5.3** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	During project construction			
Tribal Cultural Resources	a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American	**MM TCR 17.1** The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site. **MM TCR 17.2** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for	During project construction			

Mitigation Monitoring Reporting Program ENV 21-004 for: CUP 21-001 - DRA 21-001 - GPA 21-001 - LLA 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
	tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.				

Exhibit 4:

Conditions of Approval (LLA 21-001)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Marinita Development

File/Index: Lot Line Adjustment (LLA 21-001) – [Related Projects: General Plan Amendment (GPA 21-001), Design Review Application (DRA 21-001), and Conditional Use Permit (CUP 21-001)]

Proposal: Relocation of an existing lot line, currently on the eastern end of the site, toward to the center of the property, creating two (2) 1.02 acre size lots.

Location: Northeast corner of Base Line and Buckeye Street
Assessor's Parcel Numbers: 1200-421-02 and -03

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Lot Line Adjustment (TPM 21-001) is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Lot Line Adjustment (TPM 21-001) shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Lot Line Adjustment.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Lot Line Adjustment.

2) The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on December 7, 2021, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein and as exhibited on the Lot Line Adjustment included as Exhibit 3.

3) Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.

4) In compliance with the Highland Municipal Code, the Applicant/Owner shall, at his/her sole cost and expense and through counsel of the City's choosing, protect, defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants (collectively, "City indemnitees"), from all liability and monetary damages, and all claims, actions, or proceedings brought against the City indemnitees, arising from the issuance of the permit or approval, or the denial thereof, or arising from any action by any person seeking to have a permit or approval held void by a court of law. Owner/Applicant shall make a deposit of City's reasonably anticipated costs and attorneys' fees in advance, and shall promptly reimburse the City for any fees, costs, or damages City actually incurs in excess of the deposit.

5) No expansion of the project beyond the scope and nature described in the application (LLA 21-001), which would tend to increase the projected scale of the project, shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements therefore.

6) The applicant and recorded owner of the property shall submit to the Planning Division written evidence of agreement with all conditions of this approval before the approval becomes effective. Plan check cannot begin prior to receipt of this signed documentation.

7) The Applicant/Owner is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

8) Prior to issuance of permits, all proposed construction work shall be subject to plan check and approval with the Planning Division, Engineering Division, Building Division and Fire Department. The plans shall demonstrate compliance with the currently adopted California Building, Plumbing, Mechanical, Electrical, Fire,

Energy, and Green Codes, Highland Municipal Code, Engineering Directives and Standards, and all conditions contained herein.

9) Prior to the start of operations (i.e. construction), the developer shall obtain any necessary permits. The developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to the start of operations (i.e., occupancy). Any discrepancy between the approved plans and the field conditions shall be remedied prior to the start of operations (i.e., occupancy) such that the field condition is consistent with the approved plans. If the field condition cannot be reconfigured to match the approved plans, the Community Development Director shall consider any requested deviation and may refer the matter to the Planning Commission for review and consideration.

10) All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.

11) No further subdivision of any lot shall be permitted.

12) The Applicant/Developer shall obtain approval of a Design Review Application from the Planning Commission prior to the issuance of permits. The review shall include, but is not limited to, grading plans, interior and perimeter walls and fences plan, architectural elevations, colors/materials, plotting, and landscaping.

13) The Developer shall comply with all applicable mitigation measures specified within the Mitigated Negative Declaration for the project which are outlined within the Mitigation Monitoring and Reporting Program.

Exhibit 5:

Conditions of Approval (CUP 21-001)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Marinita Development

File/Index: Conditional Use Permit (CUP 21-001) – [Related Projects: General Plan Amendment (GPA 21-001), Lot Line Adjustment (LLA 21-001), and Design Review Application (DRA 21-001)]

Proposal: Entitlement of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on a vacant site of approximately 2.04 acres

Location: Northeast corner of Base Line and Buckeye Street
Assessor's Parcel Numbers: 1200-421-02 and -03

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Conditional Use Permit is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Conditional Use Permit shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Conditional Use Permit.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Conditional Use Permit.

2) The subject Conditional Use Permit pertains to the entitlement of two (2) drive-thru restaurant buildings on approximately 2.04 acres at the northeast corner of Base Line and Buckeye Street.

3) The project shall implement the development standards and uses approved for the Neighborhood Commercial land use and zoning designation, as single use commercial projects within the Mixed Use zone are subject to the Neighborhood Commercial development standards.

4) No storage of materials outside an enclosed building may be permitted unless expressly designed for such purpose and approved as a part of the site approvals.

5) The trash enclosures shall be screened on at least three sides from public view by a solid decorative wall not less than five feet in height as well as a solid roof. Permanent opaque panel gates shall be installed on all openings to the trash area.

   a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.

   b. Trash areas shall not be used for storage. The premises shall be kept in neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance.

6) Permanent automobile parking spaces shall be paved with asphalt, or concrete and painted with clearly painted lines.

   a. Each permanent parking space shall be no less than nine (9) feet wide and nineteen (19) feet deep, with adequate provisions for ingress and egress by a standard American passenger vehicle, except where compact car spaces have been authorized as follows:

   b. Compact car parking spaces shall be not less than seven and a half (7.5) feet wide and less than fifteen (15) feet deep and shall be clearly marked and/or posted with signs stating "Compact Cars Only". Compact spaces shall not exceed 25% of the required parking.

   c. All parking areas shall be provided with nighttime security lighting. Lighting shall be shielded and directed to reflect away from neighboring properties. Lighting should not exceed 0.5 foot candles of illumination beyond the property boundary.

   d. The handicapped parking spaces shall be properly signed and striped per the Americans with Disabilities Act.

   e. Loading Zones shall be properly striped and signed.

7) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining Building's architectural design.

8) All rooftop mounted mechanical equipment shall be screened from public view. This can be accomplished by Architectural Treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

9) The Applicant / Developer shall submit three (3) copies of a Final Landscape / Irrigation Plan along with appropriate fees, to the City Planning Division for plan check.

    a. All landscaping shall be provided with a permanently maintained irrigation system.

    b. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the Site.

    c. Landscape Plans shall exhibit any proposed walls or fences. All walls shall be designed and constructed to incorporate design features such as tree planter wells, variable setback, split-face block, columns, or other special features to provide visual and physical relief along the wall face.

10) Construction activities shall be restricted to weekdays and Saturdays between 7:00 a.m. and 7:00 p.m. only. No construction, other than interior finish work shall be conducted any time on Sundays. Construction equipment shall be muffled in accordance with manufacturer's specifications.

11) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.

12) All rooftop mounted mechanical equipment, with the exception of solar panels, shall be screened from public view. This can be accomplished by architectural treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

13) Open parking areas shall be screened from view from adjacent properties and public rights-of-way using berms (maximum 3:1 slope) and/or evergreen landscaping with an ultimate maximum height of three feet.

14) Off-street parking areas in commercial districts situated to be visible from any street, screening in the form of a three-foot high landscaped earthen berm or

decorative wall three feet in height shall be erected between the required landscape area and the parking area.

15) Prior to the issuance of Building Permits, a copy of the Utility Plan shall be submitted for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, fire department detector check valves, etc.

16) Revisions, modification, or deletions of associated Plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.

17) No permanent building construction shall commence until the tract map is recorded and the final grading and improvement plans have been approved, rough grading certified, and a building permit issued by the Building Division.

18) Design and construction of all subdivision improvements shall be completed in accordance with the approved plan.

19) If the property will remain undeveloped for longer than 18 months after initial grading has been completed, the applicant shall submit an interim landscape plan, consisting of temporary measures for screening, hydro-seeding, and dust control. Such plan shall include the timing of installation of necessary measures, and shall be approved by the Community Development Director.

20) The applicant shall be responsible for making arrangements with the City's franchised waste collection and hauling services provider for any/all construction debris or solid waste generated as a result of this project.

21) Prior to issuance of Building Permits, the Applicant/Contractor/Occupant shall submit and obtain approval from the Public Services Division, a Construction Waste Diversion Plan, in accordance with Section 8.12.285 of the Highland Municipal Code.

22) Prior to the start of operations (i.e. construction), the owner/developer shall obtain any necessary permits. The owner/developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to occupancy of each dwelling.

23) In compliance with City Ordinance, the Applicant shall agree to defend, at the Applicant's sole expense, any action brought against the City, its agents, officers, or employees, because if the issuance of 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 by a court to pay as a result of such action. The City may, at its sole discretion,

participate at his own expense in the defense of any such action, but such participation shall not relieve Applicant of his obligations under this Condition.

24) The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

Exhibit 6:

Conditions of Approval (DRA 21-001)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Marinita Development

File/Index: Design Review Application (DRA 21-001) – [Related Projects: General Plan Amendment (GPA 21-001), Lot Line Adjustment (LLA 21-001), and Conditional Use Permit (CUP 21-001)]

Proposal: Construction of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on a vacant site of approximately 2.04 acres.

Location: Northeast corner of Base Line and Buckeye Street
Assessor's Parcel Numbers: 1200-421-02 and -03

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Design Review Application is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Design Review Application shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Design Review Application.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Design Review Application.

2) The subject Design Review Application pertains to the construction of a 2,560 square foot and 4,050 square foot drive-thru restaurant building on a vacant site of approximately 2.04 acres.

3) The project shall implement the development standards and uses approved for the Neighborhood Commercial land use and zoning designation, as single use commercial projects within the Mixed Use zone are subject to the Neighborhood Commercial development standards.

4) No storage of materials outside an enclosed building may be permitted unless expressly designed for such purpose and approved as a part of the site approvals.

5) The Mixed Use site shall feature a minimum of 5 feet of landscaping along all streetside setbacks. Landscape planters shall be surrounded by masonry or concrete curbs and so arranged as to prevent motor vehicles from driving onto or over them.

   (a) Trees planted adjacent to existing overhead utility wires shall be subject to the height and clearance restrictions set in place by the applicable utility providers.

   (b) Tree species requiring hard pruning to maintain utility clearance once trees are mature shall be avoided.

   (c) Ensure that right-of-way trees are spaced in a manner where they do not obstruct clear sight lines.

   (d) On-site trash enclosures should incorporate overhead trellises (if permitted by the City's Public Services Division).

   (e) Planters between parking lot and storefronts shall be protected from foot traffic by a perimeter curb, or potentially, raised planters at seat wall height.

6) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining Building's architectural design.

7) All rooftop mounted mechanical equipment shall be screened from public view. This can be accomplished by Architectural Treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

8) Lighting shall meet the following HMC standards from Table 16.40.160.A for medium activity commercial uses or other similar Standards, as approved by the Planning Commission:

   a. In no case should illumination exceed 0.5 footcandles measured at the property line.

b. All lighting fixtures shall be adjusted or designed to shine downwards to avoid spillover and glare on the surrounding community.

c. No floodlights or other up-lighting shall be permitted to be attached to parking lot standards for the purpose of illuminating the building.

d. Security lighting shall be installed to adequately illuminate the Facility. All security lighting shall be shielded and directed away from surrounding residential uses, businesses, and public right-of-way, and not be of unusually high intensity.

e. No lighting shall blink, flash, or be of unusually high intensity or brightness.

f. Parking lot light standards and building mounted fixtures shall not extend above building eaves.

9) All trees in planter islands, or within six feet (6) of hardscape, shall be planted with root barriers.

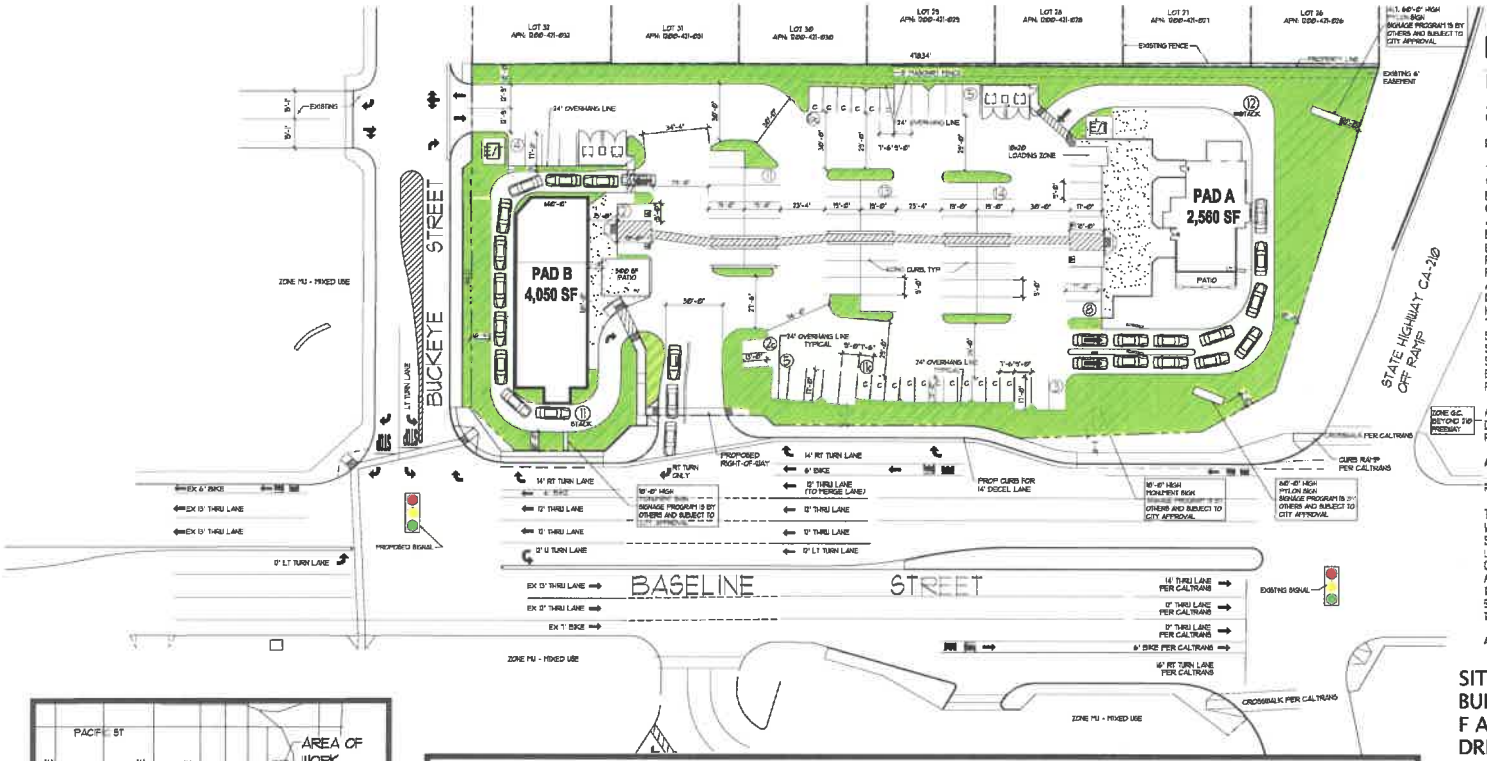
10) Shrubs located in front of parking stalls shall be planted approximately two feet (2) from the curb face to prevent possible damage from vehicle overhang.

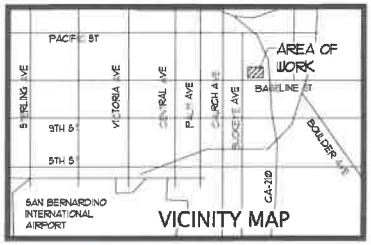
11) The Development Impact Fees shall be calculated and paid in accordance with City policy.

12) Prior to the issuance of Building Permits, a copy of the Utility Plan shall be submitted for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, fire department detector check valves, etc.

13) Revisions, modification, or deletions of associated Plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.

14) In compliance with City Ordinance, the Applicant shall agree to defend, at the Applicant's sole expense, any action brought against the City, its agents, officers, or employees, because if the issuance of 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 by a court to pay as a result of such action. The City may, at its sole discretion, participate at his own expense in the defense of any such action, but such participation shall not relieve Applicant of his obligations under this Condition.





HIGHLAND UTILITY

TIME WARNER CABLE
TELEVISION (500 SOUTH AUTO CENTER DRIVE, ONTARIO, CA 9176) PHONE: (909) 121-8583

AT&T (TELEPHONE PLANNING)
3531 ADAMS STREET, RIVERSIDE, CA 92504
PHONE: (951) 359-2511

SOUTHERN CALIFORNIA EDISON (DISTRIBUTION FACILITIES)
261 TENNESSEE STREET, REDLANDS, CA 92373
PHONE: (909) 307-6149

SOUTHERN CALIFORNIA GAS COMPANY
1981 WEST LUGONIA AVENUE, REDLANDS, CA 92374-9186
MAILING ADDRESS:
PO BOX 3303, REDLANDS, CA 92374-9186
PHONE: (909) 335-7772

SPECTRUM - RIVERSIDE
CHRIS MAZUCA
7331 CENTRAL AVE, RIVERSIDE, CA 92504
951-406-1606
CHRISMAZUCA@CHARTER.COM

EAST VALLEY WATER DISTRICT (WATER AND SEWER)
3654 HIGHLAND AVENUE, SUITE 10, HIGHLAND, CA 92346
PHONE: (909) 888-8586

VERIZON (TELEPHONE NETWORK ENGINEERING AND PLANNING)
1980 ORANGE TREE LANE, SUITE 100, REDLANDS, CA 92374-1880
PHONE: (909) 748-6649

SOUTHERN CALIFORNIA EDISON (TRANSMISSION FACILITIES)
3600 NORTH PEPPER AVENUE, BUILDING 13, RIALTO, CA 92376
PHONE: (909) 820-5532

SAN BERNARDINO VALLEY MUNICIPAL WATER DISTRICT
1350 SOUTH E STREET, SAN BERNARDINO, CA 92408-2125
MAILING ADDRESS:
P.O. BOX 5906, SAN BERNARDINO, CA 92412-5906
PHONE: (909) 381-9230

PROJECT SUMMARY:

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

THAT PORTION OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 32, TRACT NO. 6650, AS PER PLAT RECORDED IN BOOK 84, PAGES 33 AND 34 OF MAPS, RECORDS OF SAID COUNTY; THENCE SOUTH ALONG THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID LOT 32, ALSO BEING THE EAST LINE OF BUCKEYE STREET, AS SHOWN ON SAID MAP OF TRACT NO. 6650, A DISTANCE OF 192.02 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY WITH A RADIUS OF 20 FEET AND A CENTRAL ANGLE OF 89° 36'40"; THENCE SOUTHEASTERLY ALONG SAID CURVE, A DISTANCE OF 31.40 FEET TO THE POINT OF TANGENCY WITH THE NORTH LINE OF THAT CERTAIN 20 FOOT DEDICATION TO BASELINE AS SHOWN BY SAID MAP OF TRACT NO. 6650, HEREINABOVE MENTIONED; THENCE EASTERLY ALONG SAID 20 FOOT DEDICATION, 526.30 FEET TO ITS INTERSECTION WITH THE EASTERLY LINE OF SAID TRACT NO. 6650, PRODUCED SOUTHERLY; THENCE NORTH ALONG SAID EASTERLY LINE PRODUCED SOUTHERLY TO THE SOUTHEAST CORNER OF LOT 25 OF SAID TRACT NO. 6650; THENCE WESTERLY ALONG THE SOUTH LINE OF SAID TRACT NO. 6650, TO THE TO THE TRUE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA, BY DEED RECORDED APRIL 14, 1964 IN BOOK 6127, PAGE 669 OF OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED FEBRUARY 8, 1988 AS INSTRUMENT NO. 88-037550 OF OFFICIAL RECORDS.

APN: 1200-421-02-0-000

PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID FILED IN THE DISTRICT LAND OFFICE DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED APRIL 14, 1964 IN BOOK 6127, PAGE 669 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG THE NORTH LINE OF PARCEL NORTH 88° 40'02" EAST, 47.57 FEET; THENCE SOUTH 17° 09'10" WEST, 180.80 FEET; THENCE SOUTH 60° 28'54" WEST, 38.19 FEET; THENCE NORTH 11° 31'09" EAST, 195.22 FEET TO THE POINT OF BEGINNING.

APN: 1200-421-03-0-000

SITE AREA:	± 2.04 AC. 89,296 S.F.
BUILDING AREA:	6,610 S.F.
F A R:	0.074
DRIVE THRU STACKING:	23 STALLS

PARKING REQUIRED:

PAD A: 2560 SF (DINING)X50% = 1,280SF =17 STALLS
PAD A: 1,280 SF (OTHER)X50 @ 4/1,000 SF = 5 STALLS
PAD B: 4,050 SF (DINING)x60% = 2,430 SF =33 STALLS
PAD B: 1,620 SF (OTHER)X 40% @ 4/1,000 SF =7 STALLS

PARKING REQUIRED:	62 STALLS
PARKING PROVIDED:	84 STALLS
PARKING RATIO:	13.5/1,000 S.F.
COMPACT PARKING 25% ALLOWED:	21 STALLS
COMPACT PARKING PROVIDED:	19 STALLS
LANDSCAPE:	24%
AREA:	21,833 S.F.

LEGEND:
SIGNALIZED INTERSECTION
LANDSCAPE
CONCRETE PATH

GRAPHIC SCALE: 1" = 30'-0"
0 10' 30' 60' 120'

NORTH

Canaan Pacific Inc.

marinita DEVELOPMENT COMPANY

3835 Birch Street
Newport Beach, CA 92660
(949) 756-8677

DATE: 08.20.2021
PROJECT NUMBER: 549.2101.10

SITE PLAN K.5

NWC OF 210 & BASELINE ST.
HIGHLAND, CA 92346

DESIGN | ARCHITECTURE | PLANNING
RED Architectural Group
3436 N. VERDUGO ROAD, SUITE 200, GLENDALE, CA 91208
P 818.857.7785 | www.red-arch.com

PLANTING LEGEND

TREES

BOTANICAL NAME	COMMON NAME	QUAN.	SIZE	COLOR	REMARKS	WUCOLS
FOUQUIERA SPLENDENS	OCOTILLO	3	24" BOX		STRIKING FORM	L
LAGERSTROEMIA INDICA 'NATCHEZ'	WHITE CRAPE MYRTLE	8	24" BOX	WHITE		L
OLEA EUROPAEA WILSONII	FRUITLESS OLIVE	11	36" BOX		MULTI TRUNK	L
PARKINSONIA (CERCIDIUM) X	DESERT MUSEUM	21	24" BOX	BRIGHT YELLOW	THORNLESS	L
POLYSPORA LONGICARPA	NCN	28	15 GAL	WHITE	FLOWER SIZE	L
WASHINGTONIA FILIFERA	CALIFORNIA FAN PALM	29				
		4-8', 4-10', 3-12', 3-15', 4-16', 3-18', 6-20', 3-25'		BROWN TRUNK	EDIBLE FRUIT	L

SHRUBS

BOTANICAL NAME	COMMON NAME	QUAN.	SIZE	COLOR	REMARKS	WUCOLS
CALLISTEMON VIMINALIS 'SLIM'	'BOTTLEBRUSH'	----	15 GAL.	RED	TR. ROUND	L
EREMOPHILA GLABRA M.G.	'MINGENEW GOLD'	----	5 GAL.	YELLOW	SPR. GR.COVER	L
EMEROPHILA MACULATA	'VALENTINE'	----	15 GAL.	HOT PINK	WINTER/SPRING	L
JUSTICA CALIFORNICA	'CHUPAROSA'	----	15 GAL.	RED	SPR, SUM, FALL	L
PEDILANTHUS BRACTEATUS	'TALL SLIPPER PLANT'	----	5 GAL.	RED/ORANGE	SUMMER	L
SALVIA GREGGII	'PURMAN'S RED AUTUMN SAGE'	----	5 GAL.	MAGENTA RED	SUM., FALL	L
SALVIA LEUCOPHYLLA	'POINT SAL' LOW PURPLE SAGE	----	1 GAL.	PINK SP, SM.	EDIBLE/FRAGRANT	L
SALVIA SYLVESTRIS	'LITTLE NIGHT'	----	1 GAL.	DARK PURPLE	SPR, SUM,	L
SARCOCOCCA RUSCIFOLIA	'SWEET BOX'	----	15 GAL.	WHITE	WINTER/FRAGRANT	L

NOTES

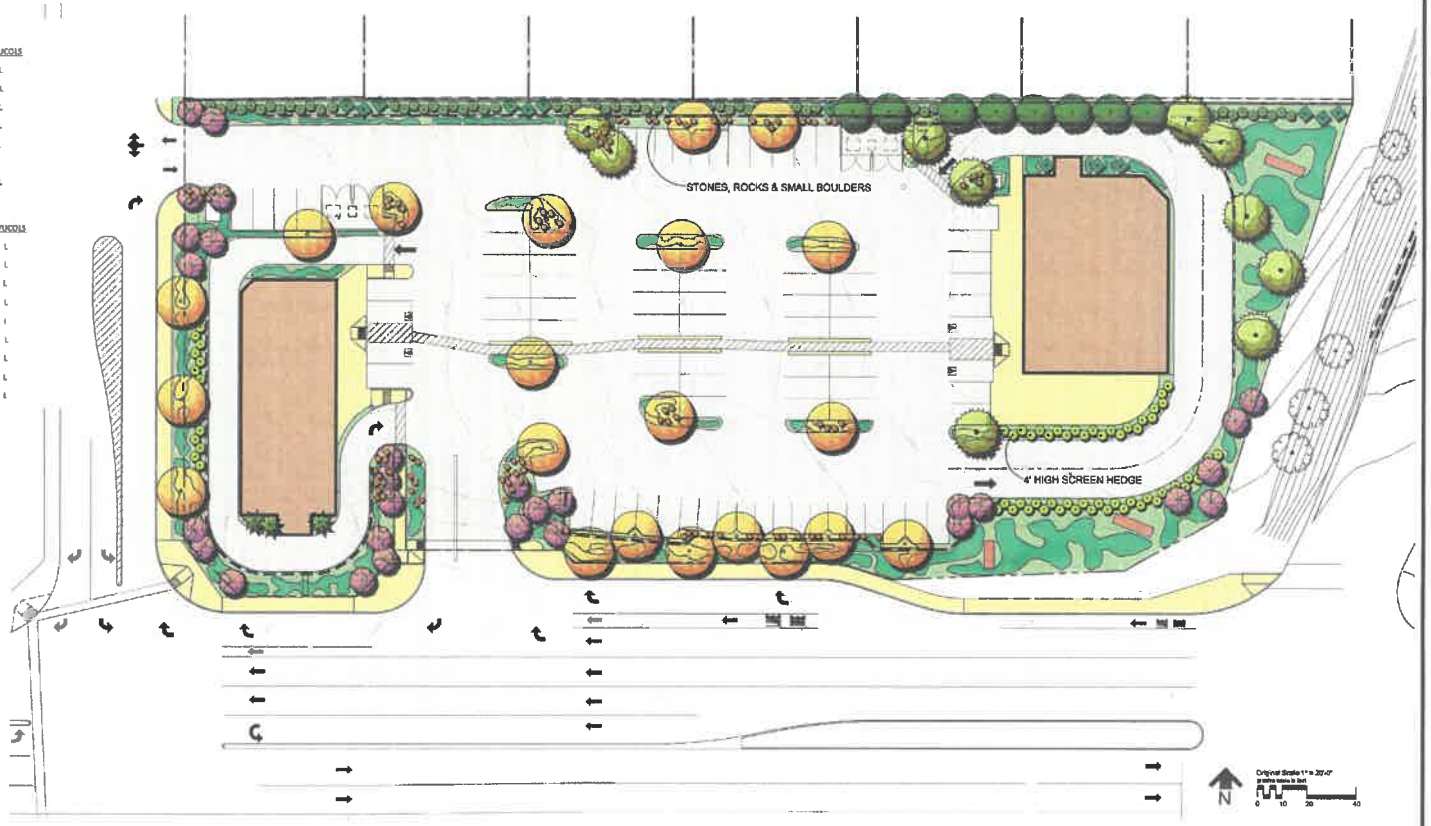
1 – TOTAL SITE – 2.4 AC.= 89,296 SF.
LANDSCAPE AREA – 24% = 21,833 S.F.

2 – ROCKS STOCKPILE, WASH AND PRESERVE ON SITE ROCKS 6"-8"-10" AND BOULDERS 12"- 3'(+) FOR LANDSCAPE USE.

3 – SOILS TEST AT THE COMPLETION OF ROUGH GRADING ACTIVITIES SUBMIT SOIL SAMPLES REPRESENTATIVE OF THE PRE-CONDITIONED SITE SOILS TO A CITY-APPROVED LABORATORY FOR SOIL FERTILITY ANALYSIS AND RECOMMENDATIONS.

4 – IRRIGATION ALL REQUIRED LANDSCAPING SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION CONTROLLER THAT UTILIZES EITHER EVAPOTRANSPIRATION OR SOIL MOISTURE SENSOR DATA WITH NON-VOLATILE MEMORY FOR SCHEDULING IN ALL IRRIGATION SYSTEMS.
SYSTEM COMPONENTS – LOW GALLONAGE AND LOW PRECIPITATION HEADS, DRIP SYSTEMS AND OTHER SUB-SURFACE TECHNIQUES, MINI-JET HEADS, MOISTURE SENSING DEVICES, CONTROLLERS WITH ABILITY OF VARIABLE PROGRAMMING.

5 - STREET TREE VARIETIES AND EXACT LOCATION WILL BE DETERMINED BY THE PUBLIC WORKS DEPARTMENT UNDER THE DIRECTION OF THE CITY'S LANDSCAPE ARCHITECT.



TREES


FOUQUIERA SPLENDENS
OCOTILLO


OLEA EUROPAEA WILSONII
FRUITLESS OLIVE


PARKINSONIA (CERCIDIUM) X
DESERT MUSEUM


POLYSPORA LONGICARPA
NCN


WASHINGTONIA FILIFERA
CALIFORNIA FAN PALM


LAGERSTROEMIA INDICA 'NATCHEZ'
WHITE CRAPE MYRTLE

NOTE:
ALL PLANT MATERIAL TO BE IRRIGATED WITH DRIP IRRIGATION AND/OR WATER EFFICIENT BUBBLERS. NO SPRAY IRRIGATION ANTICIPATED.

SHRUBS & GROUNDCOVER


CALLISTEMON VIMINALIS 'SLIM'
BOTTLEBRUSH


EREMOPHILA GLABRA M.G.
MINGENEW GOLD


EMEROPHILA MACULATA
VALENTINE


JUSTICA CALIFORNICA
CHUPAROSA


PEDILANTHUS BRACTEATUS
TALL SLIPPER PLANT


SALVIA GREGGII
PURMAN'S RED AUTUMN SAGE


SALVIA LEUCOPHYLLA
POINT SAL LOW PURPLE SAGE


SALVIA SYLVESTRIS
LITTLE NIGHT


SARCOCOCCA RUSCIFOLIA
SWEET BOX

STONES, ROCKS & SMALL BOULDERS


EXISTING STONES, ROCKS AND SMALL BOULDERS ON SITE TO BE STOCKPILED AND REUSED IN LANDSCAPE



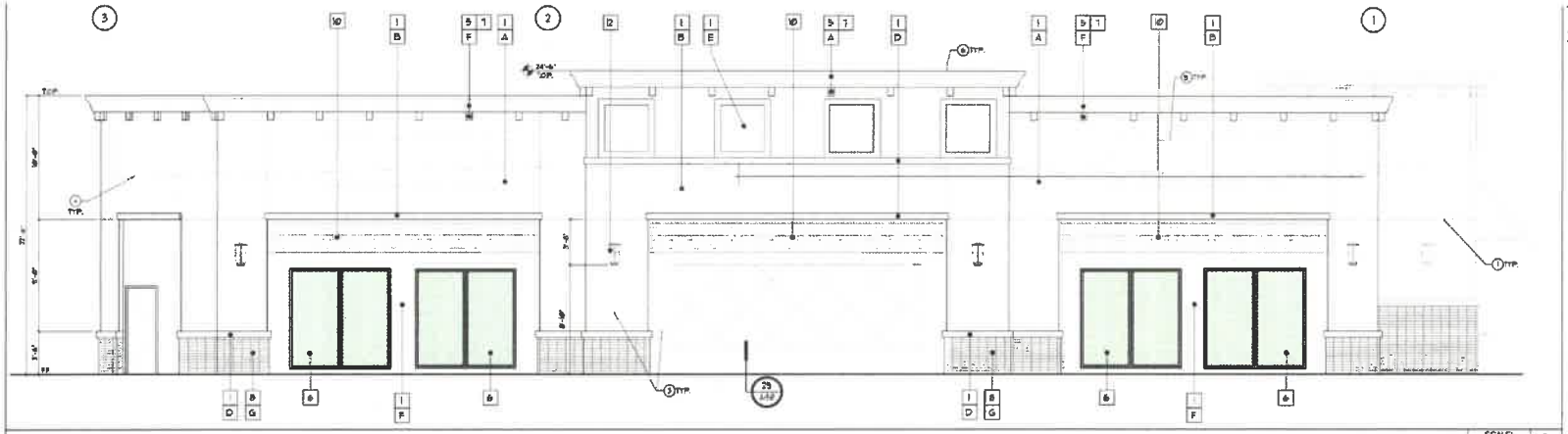


PRELIMINARY LANDSCAPE PLAN
HIGHLAND CENTER
NWC OF 210 & BASELINE ST., HIGHLAND, CA 92346PALMDALE, CALIFORNIA

Marinita Development Company
3835 Birch Street
Newport Beach, CA 92660 (949) 756-8677

VELLA & ASSOCIATES
LANDSCAPE ARCHITECTS AND PLANNERS
3185 'C' Airport Loop Dr., Costa Mesa, CA 92626
www.vellaassoc.com
714.883.4033 carl@vellaassoc.com

January 4, 2021



WEST ELEVATIONS SCALE: 1/4"=1'-0" 2



FRONT VIEW ELEVATION SCALE: 1/4"=1'-0" 1

KEY NOTES

1. PLASTER EXPANSION JOINT SEE DET. 7/A4-5.01
2. DRIVE THRU WINDOW W/ AIR SHIELD SEE PLAN
3. 7/8" EXTERIOR CEMENT PLASTER W/ MEDIUM SAND FLOAT/LIGHT DASH TEXTURE OVER LATH OVER MEMBRANE OVER WOOD SHEATHING. PROVIDE EXPANSION JOINTS WHERE OCCURS.
4. ROOF LINE BEYOND
5. TENANT SIGN N.I.C.
6. 26 GA. BONDERIZED COPING. PAINT TO MATCH ADJACENT SURFACE.

LEGEND

T.O.R.	TOP OF RIDGE
T.O.P.	TOP OF PARAPET
F.F.	FINISHED FLOOR
T	FULLY TEMPERED

FINISH LEGEND

- A SW 6082 "ESSENTIAL GRAY"
- B SW 6971 "POLISHED CONCRETE"
- C SW 7595 "MANOR HOUSE"
- D SW 6994 "INK"
- E SW 7614 "WATERWORKS"
- F SW 6994 "ENDURING"
- G TAN THINSET BRICK VENEER
- H DARK BRONZE ANODIZED
- I COLOR TO MATCH SW 6082 "ESSENTIAL GRAY"

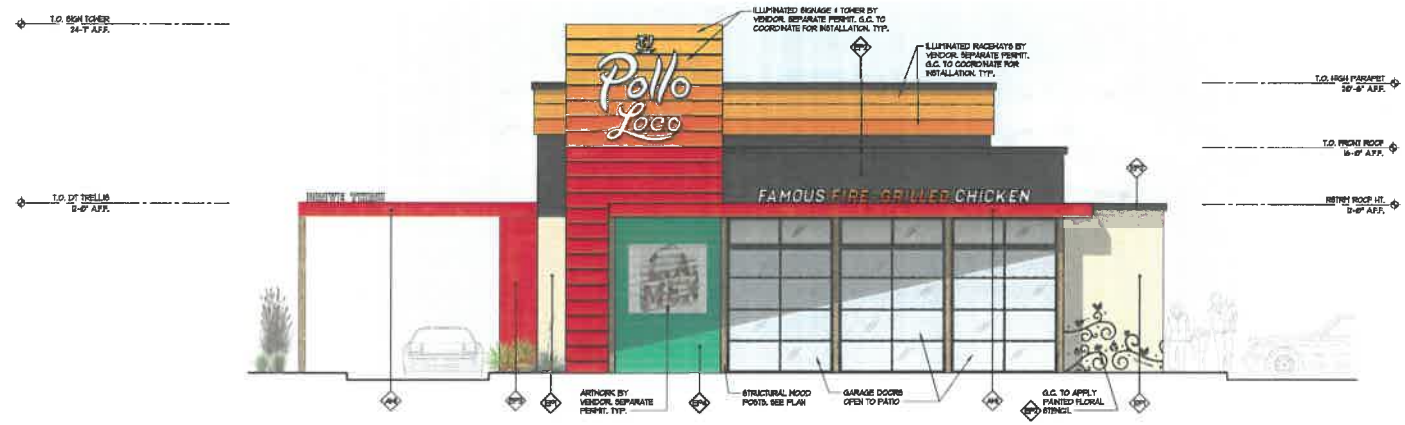
PAD BUILDING - B

NWC OF 210 & BASELINE ST.
HIGHLAND, CA 92346

NO	DESCRIPTION	DATE
1	PLAN CHECK SUBMITTAL	9-24-21

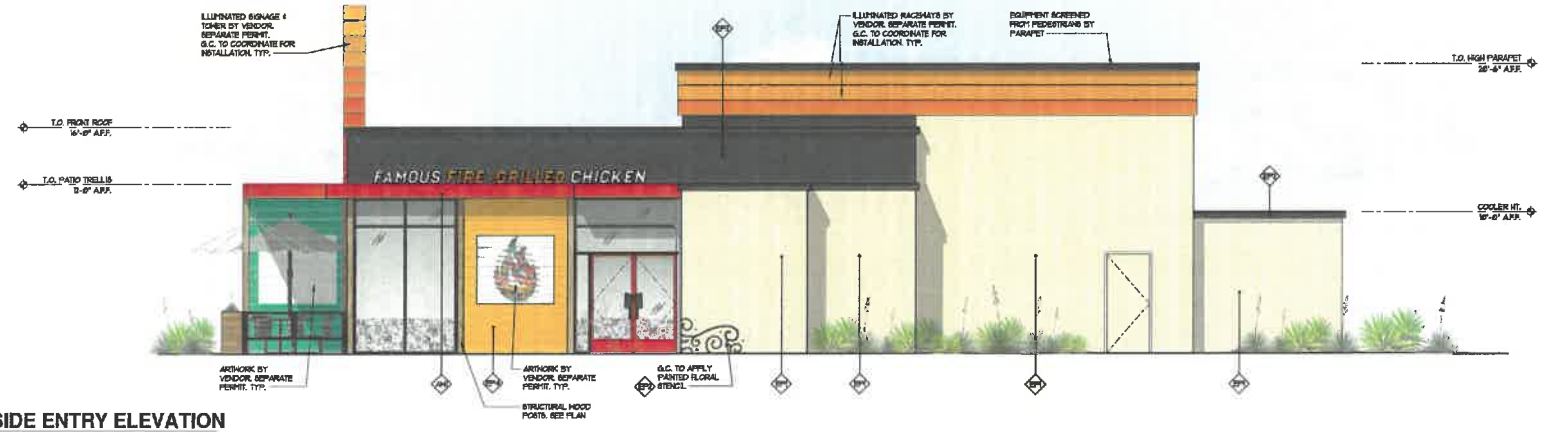
EXTERIOR ELEVATIONS

SHEET NUMBER A-3.0



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



SIDE ENTRY ELEVATION

SCALE: 1/4" = 1'-0"

LEGEND

- EP1 — MAIN BLDG.: SHERWIN-WILLIAMS - SUMMER WHITE SW7557 STUCCO 20/30 FINE SAND FINISH - EXTERIOR GRADE EGGSHELL FINISH
- EP2 — TRIM: BENJAMIN MOORE - BLACK 2133-10 STUCCO 20/30 FINE SAND FINISH - EXTERIOR GRADE EGGSHELL FINISH FLASHING - METAL PAINT FLAT
- EP3 — ACCENT: BENJAMIN MOORE - ORANGE 2011-10 STUCCO - EXTERIOR GRADE EGGSHELL FINISH
- EP4 — MURALS BY VENDOR
- AW — AWNINGS/TRELLIS: MATTHEWS PAINT MP24066 FIRE RED AWNINGS AND BANDING BY VENDOR
- AL1 — STOREFRONT WINDOWS: KAWNEER - BLACK ALUMINUM
- AL2 — STOREFRONT DOOR ONLY: ALUMINUM MATCH MATTHEWS PAINT MP24066 FIRE RED
- EPL — EPL: ILLUMINATED MULTI COLOR SIGNAGE TOWER. BY VENDOR. SEPARATE PERMIT.

ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS
1030 OLYMPIC BLVD.
SANTA MONICA, CALIFORNIA 90404
PH 310.452.1333 FAX 310.452.1342

REV. DATE DESCRIPTION

LICENSED ARCHITECT PAUL W. DEPPE C-28602 RENEWAL 8-31-2011 STATE OF CALIFORNIA

El Pollo Loco

LOCATION
L.A. MEX - MOD. 3
STORE 90000
1234 STREET
CITY, CA

DATE XX/XX/XXXX
JOB NO. 21-XXXX
BY CW
CHECKED BY PD/TF

NEW PROTOTYPE

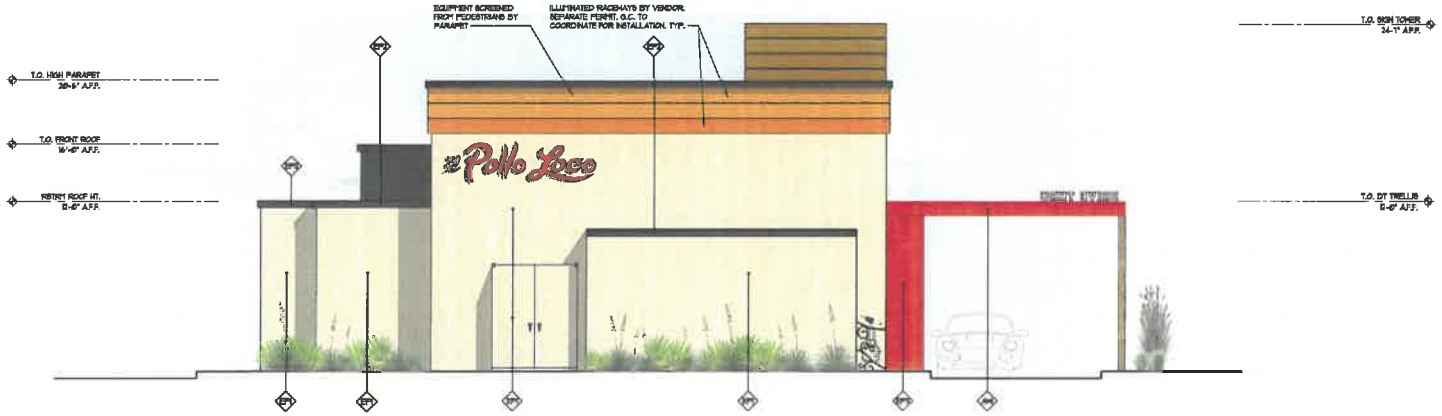
A4

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DRIVE THRU ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"

LEGEND

- EP1 — MAIN BLDG.: BENJAMIN MILLER'S - SUTTER WHITE SW7561 STUCCO 20/30 FINE SAND FINISH - EXTERIOR GRADE EGGSHELL FINISH
- EP2 — TRIM: BENJAMIN MOORE - BLACK 1551-10 STUCCO 20/30 FINE SAND FINISH - EXTERIOR GRADE EGGSHELL FINISH FLASHING - METAL PAINT FLAT
- EP3 — ACCENT: BENJAMIN MOORE - ORANGE 2015-10 STUCCO - EXTERIOR GRADE EGGSHELL FINISH
- EP4 — MURALS BY VENDOR
- AW — AWNINGS/TRELLIS: MATTHEWS PAINT MP54069 FIRE RED AWNINGS AND BANDING BY VENDOR
- AL1 — STOREFRONT WINDOWS: KAWNEER - BLACK ALUMINUM
- AL2 — STOREFRONT DOOR ONLY: ALUMINUM MATCH MATTHEW'S PAINT MP54069 FIRE RED
- EP5 — EP5: ILLUMINATED MULTI COLOR SIGNAGE TOWER. BY VENDOR. SEPARATE PERMIT.

ARMÉT DAVIS NEWLOVE & ASSOCIATES, AIA ARCHITECTS
1338 OLYMPIC BLVD.
SANTA MONICA, CALIFORNIA 90404
PH 310 452-0533 FAX 310 452-0452

REV. DATE DESCRIPTION

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REGISTERED ARCHITECT PAUL W. DAVIS C-28602 STATE OF CALIFORNIA

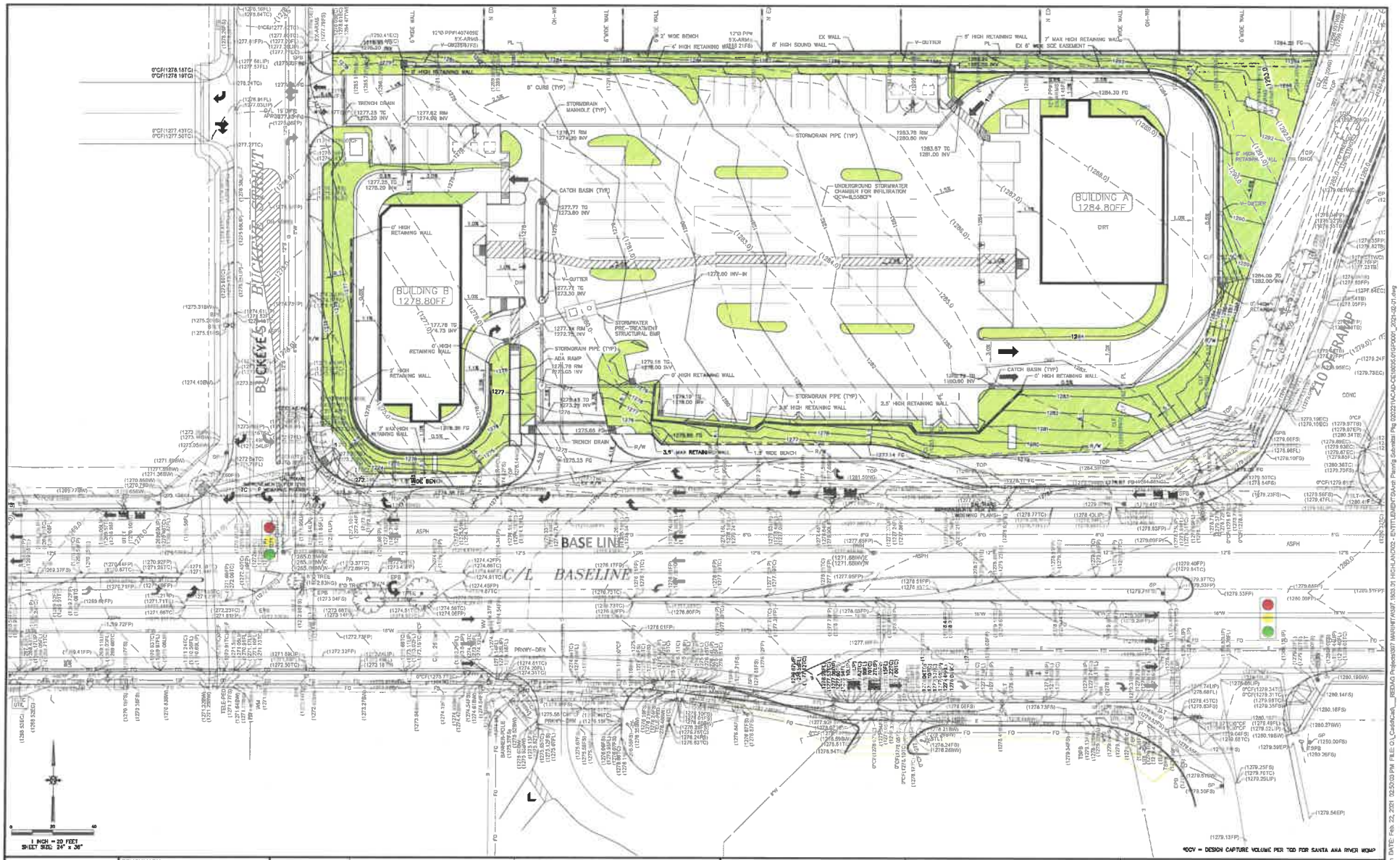
El Pollo Loco

LOCATION
L.A. MEX - MOD. 3
STORE 9XXXX
1234 STREET
CITY, CA

DATE XX/XX/XXXX
JOB NO. 21-XXXX
DRAWN BY CW
CHECKED BY PD/TF

NEW PROTOTYPE

A5



DIG ALERT
CALL BEFORE YOU DIG
811

BENCHMARK

SEAL

PLANS PREPARED UNDER THE SUPERVISION OF:

DATE: _____

PLANS PREPARED BY:

Cannon
15842 VON KARMAN AVE, SUITE 150
IRVINE, CA 92606
(949) 753-8111

REVISIONS

MARK	DESCRIPTION	APPR.	DATE

CITY OF HIGHLAND

PRELIMINARY
ONSITE IMPROVEMENT PLANS
NWC OF 210 & BASE LINE STREET

PRELIMINARY GRADING PLAN

DRAWER NO.

SHEET 1 OF 1

PLOTTED BY: Daniel Kolodzian DATE: Feb. 22, 2021 02:50:03 PM FILE: O:\Cadfiles__RESAG Projects\067 MAIN\ET\A067.1803.01 HIGHLAND\23 - ENTITLEMENT\Civil Planning Submittal Prg (02022021\CAD-Exhibits\01PD01_2021-02-01.dwg

STAFF REPORT

TO THE PLANNING COMMISSION

DATE: December 7, 2021

FROM: Lawrence A. Mainez, Community Development Director

REVIEWED BY: Kim Stater, Assistant Community Development Director

PREPARED BY: Ash Syed, Associate Planner

SUBJECT: Conditional Use Permit (CUP 21-006) for a Mixed-Use development consisting of five (5) commercial tenant buildings, one (1) 21-unit multi-family residential building, and one (1) single-family residence fronting Villa Avenue on approximately 9.06 acres at the northwest corner of Base Line and Church Avenue. Related entitlements include Tentative Parcel Map (TPM 21-001) to create seven (7) new lots, General Plan Amendment (GPA 21-002) to allow drive-thru uses in the General Plan Town Center Area, and Design Review Application (DRA 21-004) for a site plan, building elevations, conceptual landscape plan, grading plan for a retail use (Tractor Supply Company), and Mitigated Negative Declaration (ENV 21-003).

LOCATION: Northwest corner of Base Line and Church Avenue
Assessor's Parcel Numbers: 1200-381-05 and -43

APPLICANT: Woodcrest Real Estate Ventures

RECOMMENDATION: Staff recommends the Planning Commission:

1) Adopt Resolution 21-____, to approve Conditional Use Permit (CUP 21-006), Tentative Parcel Map (TPM 21-001), Design Review Application (DRA 21-004), subject to the Conditions of Approval and Findings of Fact, certify the Mitigated Negative Declaration and recommend the City

Approved _____	Motion _____	Second _____	Agenda Item No. 3
Denied _____	Ayes _____		
	Noes _____		File No. _____
Continue _____	Abstain _____		
	Absent _____		

Recording Secretary

Community Development Director

Council approve General Plan Amendment (GPA 21-002); and

2) Direct staff to file a CEQA Notice of Determination with the County Clerk of the Board of Supervisors.

FISCAL IMPACT: The Applicant submitted the required deposit fee for processing a Conditional Use Permit, Tentative Parcel Map, General Plan Amendment, and Design Review Application. Staff time spent working on the applications will be charged to this deposit.

PUBLIC NOTICE: As required by City Council Resolution, notice of the public hearing was posted at the City's three designated posting locations. The notice was posted on the City's website, mailed to property owners within 300 feet of the project site and to parties requesting notice. The notice was published in the Highland Community News on November 26, 2021. Notices were also mailed to all properties located within the Town Center Area advising them of the potential General Plan Amendment.

DESCRIPTION OF THE SITE: The project site is located at the northwest corner of Base Line and Church Avenue and comprises of two (2) adjacent parcels comprising 9.06 acres in total (Exhibit A – Area Map). The property is currently vacant, with little to no vegetation and has remained in this state since prior to the City's incorporation in 1987.

Surrounding Land Uses

North: Single Family Homes
South: Saint Adelaide Catholic Academy
East: Smart & Final Grocery Store
West: Single Family Homes / Family Dollar Discount Store

Location	General Plan	Zoning
Site:	Mixed Use (MU)	Mixed Use (MU)
North:	Low Density (LD)	Single Family Residential (R-1)
South:	Public (P)	Public/Quasi-Public (P/Q)
East:	Mixed Use (MU)	Mixed Use (MU)
West:	Mixed Use (MU)	Mixed Use (MU)

The project site is located approximately one (1) mile southwest of the San Andreas Earthquake Fault and does not fall within the Alquist-Priolo Earthquake Fault Zone. Additionally, the project site is not located within a FEMA flood zone.

PROJECT REVIEW/ANALYSIS:

The Applicant, Woodcrest Real Estate Ventures, is requesting the approval of Conditional Use Permit, Tentative Parcel Map, General Plan Amendment, and Design Review Application for a development consisting of five (5) commercial tenant buildings, one 21-

unit (1) multi-family residential building, and one (1) single family residence on an estimated 9.06 acre property at the northwest corner of Base Line and Church Avenue. The project site has a maximum density of 18 du/ac and is located in the Mixed Use General Plan Town Center Area and within the Mixed Use Zoning designation (HMC Chapter 16.22, Mixed Use District). The project will ultimately be constructed in four (4) total phases.

Conditional Use Permit (CUP 21-006)

The objective of the project is to create a visually appealing commercial center where the primary tenant (Tractor Supply Company) is complemented by various on-site drive-thru eateries in an effort to create a communal experience and 'family outing' feel for shoppers. Tractor Supply Company is a mid to large scale retail chain that offers products for home improvement, agriculture, lawn and garden maintenance, pet supplies, livestock, and equestrian care. Because its stores are slightly smaller than the larger scale home improvement chains, consumers typically receive a more personable experience with store employees and are able to walk-in and purchase items in a quicker fashion. A separate large commercial pad, located toward the northeast corner of the site, proposes a 27,000 square foot building but does not have a confirmed tenant. With additional portions of vacant property along Villa Avenue to the north and Foster Avenue to the west, the project also includes the build-out of the area with an apartment complex and single-family home that complement the adjacent residences to provide a safe and convenient environment for residents. As mentioned, the proposed layout of the site is in compliance with the standards established for the Mixed Use zone, specifically for Separated Multiple Use Projects.

Site Plan

The layout of the site will feature the 18,800 square foot Tractor Supply Company building toward the center of the site, just west of the continuation of Bonita Drive north of Base Line, with a designated parking area along the building frontage. At the southeast corner of the site are two (2) proposed drive-thru restaurants and a 3,175 square foot retail commercial building, each with designated spaces within a shared parking field that is accessible from the internal drive aisle to-be constructed off Church Avenue. The northeast corner for the site features a commercial building for retail users with a designated parking field along the eastern and southern frontage of the building. The residential portion of this Mixed Use development will feature an apartment complex with communal parking along the northern boundary of the site. The residential area also features a single-family home at the northern most section of the site, fronting Villa Avenue, and completes the vacant segment of that block. Each building within the proposed development, both residential and commercial, is in compliance with the Highland Municipal Code (Chapter 16.22, Mixed Use District) with regard to front, interior side, street side, and rear setback requirements (Exhibit B – Site Plan).

Plaza

One of the primary objectives of the General Plan Town Center Area is to provide a commonplace for visitors and residents to gather for social interaction. This concept has previously been implemented with the development of the commercial businesses west of this site, CVS Pharmacy, Baker's Drive-Thru restaurant, and the Family Dollar store, in the form of covered trellises along the connecting pathways between the businesses.

The Applicant has proposed an intersection adjacent Plaza that will mirror the one constructed as part of the Smart & Final development in 2017 that features specimen trees, a decorative trellis, benches, a stairway leading up to the parking lot, and a public sidewalk providing access from the adjacent streets.

The overall design of the proposed plaza will feature short walls on two sides separated by a walkway to the parking lot shared by the two (2) restaurant buildings and small retail store at the southeast corner of the site. Above each wall will be an overhanging trellis further defining the space, as seen on the Smart & Final plaza. Within the plaza will be a half moon raised planter with bench seating along the wall. The floor of the plaza will utilize the same style pavers found along the street intersection crosswalks.

Trash Enclosure

There are a total of six (6) trash enclosures proposed on the site, all located along primary drive aisles within the development to provide greater accessibility for garbage trucks. Each of the trash enclosures on the site shall feature disposal bins for general waste, recycling, and compost, and is located either outside a rear entrance or provides an ADA compliant path of travel to and from its location.

Access

Primary access to the commercial portion of the site would be from Base Line on the south, with secondary access from Church Avenue on the east and a connection to Foster Avenue on the west. The driveway along Church Avenue will allow both left and right turns from and onto the roadway while the driveway along Base Line will allow only right turns into and out of the shopping center due to the median. Both driveways are located 150 feet from the Base Line and Church Avenue intersection, satisfying the minimum requirement of 50 feet.

Residential Units

There is a 21-unit residential apartment complex proposed at the northwest corner of the development. With regard to the site development standards, the apartment complex is compliant with the standards for Mixed Use developments. With a lot size of 1.72 acres, the 21 units proposes a density of 12.2 du/ac, well below the maximum

limit of 18 du/ac. Additionally, with a total building area of 31,769 square feet and a lot size of 75,132 square feet, the lot coverage for the residential development falls under the maximum permitted floor area ratio of 50%. Lastly, the apartment complex is in compliance with the fifteen (15) foot building setbacks in all directions as required for multi-family residential complexes adjacent to commercial developments in the Mixed Use zone

Parking

The use of the site for residential development and a commercial shopping center with retail and dining space triggers a variety of different parking requirements.

At 18,800 square feet, the primary commercial building on the site (Tractor Supply Company) is subject to a parking requirement of 1 parking space per 250 square feet of interior space, pursuant to the City's Municipal Code. Additionally, Tractor Supply Company features a fenced outdoor area for garden supplies that is subject to a parking requirement of 1 space per 1,000 square feet of enclosed area. With a requirement of 75 spaces for the indoor portion and an additional 20 spaces for the outdoor section, the 87 dedicated spaces for Tractor Supply Company customers falls just short of, but reasonably within 10% of the 95 total spaces required for the site.

The large scale commercial building located at the northeast corner the site, at 27,250 square feet, is also subject to the parking requirement of 1 space per 250 square feet of interior space. With a total of 109 parking spaces required for the building, the 118 spaces that have been provided by the site layout satisfies this standard.

As previously mentioned, there are three (3) additional commercial buildings located at the southeast corner of the site that share a parking area but feature designated parking spaces. The first building, a 3,270 square foot drive-thru restaurant, is subject to the parking requirement of 1 space per 75 square feet of interior dining space. Considering the designated dining area is proposed at approximately 1,600 square feet, the 21 total spaces designated for the restaurant satisfies the 21 spaces required for the use. The second building, a 2,100 square foot drive-thru restaurant, is also subject to the parking requirement of 1 space per 75 square feet of interior dining space. With a designated interior dining area of approximately 1,050 square feet, the 14 total spaces designated for the restaurant satisfies the 14 spaces required. Lastly, the 3,175 square foot commercial building just east of the restaurants is subject to the parking requirement of 1 space per 250 square feet of interior retail space. With 13 parking spaces required for the specified use, the 13 remaining space available within this shared parking area satisfies this requirement.

Regarding the residential section of the development, the apartment complex features a 21, two-bedroom layout units. Per the Highland Municipal Code, each unit is required to offer two (2) dedicated parking spaces with an additional 0.5 parking spaces per unit reserved for guest parking. Thus, with a total of forty-two (42) parking spaces for residents and eleven (11) spaces provided for guest parking, the fifty-three

(53) spaces provided on site as part of the apartment complex satisfies the parking requirement. With regard to the single-family home that will be constructed north of the apartment complex and fronting Villa Avenue, a two-car attached garage with two additional guest parking space in the driveway will comply with the parking requirement for new single-family residences in the City.

A table defining proposed uses, respective parking spaces required per the Highland Municipal Code Section 16.52.030, and parking spaces proposed for each use has been provided below:

Proposed Use	Parking Spaces Required	Parking Spaces Proposed
18,800 sf Tractor Supply Co. Indoor Area	75	70
19,800 sf Tractor Supply Co. Outdoor Garden Center	20	17
Drive-Thru Restaurant with 1,600 sf of Dining Space	21	21
Drive-Thru Restaurant with 1,050 sf of Dining Space	14	14
3,175 sf Retail Commercial Building	13	13
21 Two-Bedroom Apartment Complex Units	42	42
Apartment Complex Guest Parking	11	11

Signs

The Applicant has proposed two (2) ten 10-foot tall monument signs as part of the proposed development. The first will be located at the entrance to the site along Base Line. This sign will feature the Tractor Supply Company name plate as well as the signage for the two (2) restaurants and small retail store at the southeast corner of the site. The second sign will be located at the entrance to the site along Church Avenue. This sign will feature the nameplate for the other large scale commercial tenant at the northeast corner of the site along with additional signage for the restaurants and small retail tenant. With regard to the building mounted signage, the Applicant has not determined size or sign area limits for the other four (4) non-residential buildings on the site. As conditioned, the Applicant will submit elevations and a completed Sign Program application in the future for Planning Commission review.

Utilities

All access to public utilities, such as water, sewer, electricity, and telecommunications are proposed along the project frontages. There is an existing public utilities easement that extends from Church Avenue, spans along the northern property line of the development, and continues northward toward Villa Avenue where the single family residence is proposed. Existing utility lines located within this easement are to remain overhead and will be incorporated into the project with new easements granted as required by the service providers. A new easement will also be provided for an onsite private sewer main to serve the project and connect to the existing sewer along Base Line.

Tentative Parcel Map (TPM 21-001)

The project site is approximately 9.06 acres of vacant land and comprises of two (2) contiguous parcels. As part of this four (4) phase development, the Applicant will subdivide the site into seven (7) separate parcels that will feature five (5) commercial lots, a residential lot for an apartment complex, as well as a lot for a single family home.

The proposed Parcel Map is in compliance with the City's requirement for subdivisions. As proposed and conditioned, the lot sizes, lot coverage for each pad, setbacks from respective lot lines, parking spaces, and vehicular and pedestrian access to primary roadways as well as interior roadways satisfy the development standards for Mixed-Use projects as listed in the Highland Municipal Code.

Water Quality Management Plan

Considering this development will be constructed over four (4) total phases, as aforementioned, and consists of seven (7) separate parcels, there are five (5) separate stormwater basins proposed at various locations throughout the project area. At the southwest corner of the site is a drainage basin dedicated to the stormwater runoff from the Tractor Supply Company parking area and outdoor storage facility. At the southeast corner of the site are two (2) additional stormwater basins for the drainage from the two (2) restaurants and small retail convenience store proposed within the shared parking area. Just north of the internal access aisle to be constructed off of Church Avenue is another stormwater basin dedicated to the runoff from the other large scale commercial retail store at the northwest corner of the site. The fifth water quality management basin is located at the northwest corner of the site and is dedicated to the residential portion of this project. Each of the five (5) stormwater basins have been proposed within the parking lots of the respective developments and the projects preliminary Water Quality Management Plan (WQMP) has been approved by the City's Public Works Division.

General Plan Amendment (GPA 21-002)

The General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) prohibits the approval of commercial uses with drive-thru facilities and drive-thru style restaurants as the vision for this portion of the City is aimed toward walk-in style stores and sit down restaurants. However, as times evolve and faster pace curbside pick-up services and to-go style eateries have become the norm, the Applicant has proposed a General Plan Amendment to remove this Policy. Currently, Policy No. 10 states that within the Town Center Area, the City shall "*prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line*". By removing the policy entirely, would the number of potential eateries and restaurants chains willing to expand and open locations along Base Line greatly increase? Removal of the policy affects all properties fronting Base Line between Palm Avenue and the 210 freeway. Staff is seeking input from the Planning Commission regarding the proposal. The Planning Commission's recommendation will be presented to the City Council for consideration.

Design Review Application (DRA 21-004)

The development of this site will occur in four (4) separate phases: 1) Tractor Supply Company, 2) Parcel R1, 3) Parcel C2, 4) Parcels C3, C4 and C5. Each phase shall require the approval of a separate Design Review Application. Each Design Review Application will be reviewed by Staff for compliance with the Conditional Use Permit as well as the general development standards for Mixed Use projects and presented to the Planning Commission for approval prior to the submittal of a Precise Grading Plan.

The first phase of the project, Design Review Application (DRA 21-004), is regarding the construction of an 18,800 sq ft one-story commercial retail building, Tractor Supply Company. Adjacent to the west side of the building will be approximately 19,800 sq ft of ancillary space to be utilized for gardening supplies and additional outdoor displays. Referred to as Phase 1A, the outdoor storage and display area will be divided into a 12,100 sq ft fenced-in general storage area, a 3,300 sq ft animal feed and storage enclosure, and a 4,400 sq ft fenced in greenhouse. Additional items to be stored within the areas mentioned above include tractor supplies, animal fencing, posts, gates, water troughs, seasonal plants and fruit trees, etc. Also included within the fenced-in outdoor area will be a 1,000-gallon propane tank for the sale of bulk propane.

Located outside the Tractor Supply Company building and between the store entrance and parking lot will be an additional 7,300 sq ft outdoor display area. This space features 4,300 sq ft of permanent sidewalk display area that include plants, ATV's, pedal cars, paddle boats, potting soil, and various seasonal items on sale. The remaining 3,000 sq ft will be used for the display of various flatbed utility trailers.

At the rear of the building will be a loading dock for merchandise delivery, a trash enclosure, and all associated mechanical equipment for the business. The proposed house of operation for Tractor Supply Company will be 8:00 am to 10:00 pm, seven (7) days a week, with holiday season and promotional hours of 6:00 am to 12:00 am. There will be approximately four to six employees working the floor during any given shift.

Building Elevations

The Tractor Supply Company building features an overall flat roof at 21 feet in height and various architectural facade enhancements that have a peak height of just under 33 feet. Overall, the store facade is designed to architecturally complement parcels and businesses that have been recently developed within the Town Center Policy Area along Base Line.

The building is visible to the general public from all directions and primarily features a "Desert Gray" stucco exterior with a red "Hot Jazz" painted trim round the perimeter of the roofline and along the lower portion of the building. The primary storefront, facing Base Line, as well as the raise parapet and faux entrance along the east side of the building, are accentuated by "La Habra Fallbrook" taupe stucco and embellished with a "Deep Brown" painted CMU blocks around the bottom portion. The eastern front also features several trellises with a variety of vines for additional visual adornments. Lastly, the metal awnings placed alongside the primary entrance and store frontage will be comprised of steel sheets with an aluminum-zinc coating. While the Tractor Supply Company has a corporate color and design scheme for the elevations, the architectural elements have been altered to complement the features from other commercial structures in the Town Center and comply with the vision for the Town Center Policy Area, as aforementioned (Exhibit C – Building Elevations).

Conceptual Landscape Plan

The Conceptual Landscape Plan presents a variety of drought-tolerant trees, shrubs and vines, as well as groundcovers will be planted throughout the perimeter of the building as well as the parking lot area. Along the Base Line frontage are a combination of Dwarf Olive, Dwarf Nandina, and Rosemary plants accented by California Fan Palm trees spaced accordingly. Meanwhile, the interior of the parking lot, landscape islands, and curbside planters feature various shrubs and groundcover that include Pine Muhly, Dwarf Hedda Hawthorne, Iceberg Rose, and Varigated Mock Orange plants. Located along the perimeter of the parking area are 24-inch box African Sumac trees with 36-inch box Chinese Pistache trees planted at each interior landscape island. Lastly, dispersed amongst the landscape planters within the parking lot are Little John Bottle Brush along with Mundi Westringia plants for additional floral variety (Exhibit D – Conceptual Landscape Plan). The Conceptual Landscape Plan has been reviewed by the City's Landscape Architect and conditions have been included as part of the Conditions of Approval.

Photometrics

The Applicant provided a comprehensive photometric and lighting fixture plan that was reviewed by Staff and found to be compliant with the City's established standards (Exhibit E – Photometric Plan).

Fencing

The proposed project is adjacent to the existing residential homes to the north and the Family Dollar discount store and a few residences along Foster Avenue to the west. As previously mentioned, there is an existing six (6) foot wide utility easement that extends from Church Avenue, spans along the northern property line of the development, and continues northward toward Villa Avenue where the single family residence is proposed. The Applicant has thus proposed a six (6) foot tall masonry block wall along this portion, leaving the existing block walls of the residences along Villa Ave and the six (6) foot wide utility easement as-is. Likewise, the portions of the 21-unit apartment complex that are adjacent to existing home along Foster Avenue and Villa Avenue will also feature a six (6) foot tall masonry block wall.

ENVIRONMENTAL REVIEW: This proposed project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources related to the potential habitat disturbance to state and federally protected nesting birds, and to Transportation related to the potential increase of traffic along Base Line.

Nesting Birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the CEQA guidelines. In compliance with the MBTA and the California Department of Fish and Wildlife (CDFW) regulations for protecting nesting birds, all clearing, grubbing, tree trimming, and tree removals will be conducted outside of the February 1st to August 31st bird nesting season. Should grading, grubbing, or tree removal need to occur during the nesting bird season, a pre-construction nesting bird survey will be conducted by a qualified avian biologist prior to any site disturbance. If for any reason an active nest is identified outside of the February 1st to August 31st bird nesting season, avoidance of the nest will be required.

With regard to the increased vehicular traffic in the surrounding vicinity as a result of the proposed development, the Palm Ave and Foster Ave intersection will be restriped to include one (1) left-turn lane and one (1) right-turn lane at the Foster Avenue westbound approach. The existing width of Foster Avenue will be able to accommodate this proposed improvement. Additionally, the Church Ave and Base Line intersection will be restriped to include two (2) left-turn lanes and one (1) thru traffic/right lane at the Church Avenue southbound approach. Likewise, the existing width of Church Avenue will be able to accommodate this proposed modification. Lastly, a signalized intersection or restriction on left turn/ through movements out of Bonita Drive during the PM peak hour will be considered at the Base Line entrance.

PUBLIC COMMENT: At the time of preparing this staff report, Staff has received two (2) comment letters from surrounding property owners in response to the Project Notice. (Attachment 1 – Comment Letters). Both comment letters expressed general concern

regarding privacy, noise, and traffic. A thorough analysis of the impacts was completed during the preparation of the Mitigated Negative Declaration for this project. The Applicant has included specific mitigation measures in the Mitigation Monitoring and Reporting Program to address these concerns such as the constructing six (6) foot tall block walls along the northern and western property boundaries to maintain the privacy of adjacent neighbors and reducing excessive sound production from the commercial properties and internal roadways. Additionally, concerns regarding increased vehicular traffic on Church Avenue and Foster Avenue will be mitigated with the dedication of specific right/thru and left turn lanes along both roadways, as discussed.

ANALYSIS: This Mixed-Use development is a permitted use and proposes a logical project layout for a vacant site that is adjacent to residential homes along Villa Avenue to the north and a primarily commercial frontage along Base Line. With appropriate building placements, dedicated parking spaces in compliance with the Municipal Code, adequate setbacks and interior roadway dimensions, the site plan presents satisfactory vehicular circulation and pedestrian access. The exterior elevations of the Tractor Supply Company building offer contemporary architectural treatments such as stucco, anodized metal and painted CMU blocks that fit the vision for the Town Center Policy Area and still comply with the corporate standards. Staff recommends approval of this proposed project, subject to the Conditions of Approval and Findings of Fact.

EXHIBITS:

A) Area Map
B) Site Plan
C) Building Elevations
D) Conceptual Landscape Plan
E) Photometric Plan
F) Preliminary Grading Plan

ATTACHMENTS:

1) Public Comments
2) Initial Study / Mitigated Negative Declaration
3) Planning Commission Resolution No. 2021 - ____
   Exhibit 1: Proposed General Plan Amendment
   Exhibit 2: Tentative Parcel Map No. 20403 (TPM 21-001)
   Exhibit 3: Mitigation Monitoring & Reporting Program (ENV 21-003)
   Exhibit 4: Conditions of Approval (TPM 21-001)
   Exhibit 5: Conditions of Approval (CUP 21-006)
   Exhibit 6: Conditions of Approval (DRA 21-004)

Exhibit A:

Area Map

N
Church Ave
Saint Adelaide Catholic Academy
Bonita Dr
Palm Ave
Baseline St
Church Ave
Foster Ave
210
Cienega Dr
Foster Ave
Villa Ave
Villa Ave
82
14th St
Braemar Ave
Villa Ave
Bradford Ave
Bessant St
Bessant St
Palm Ave

Exhibit B:

Site Plan

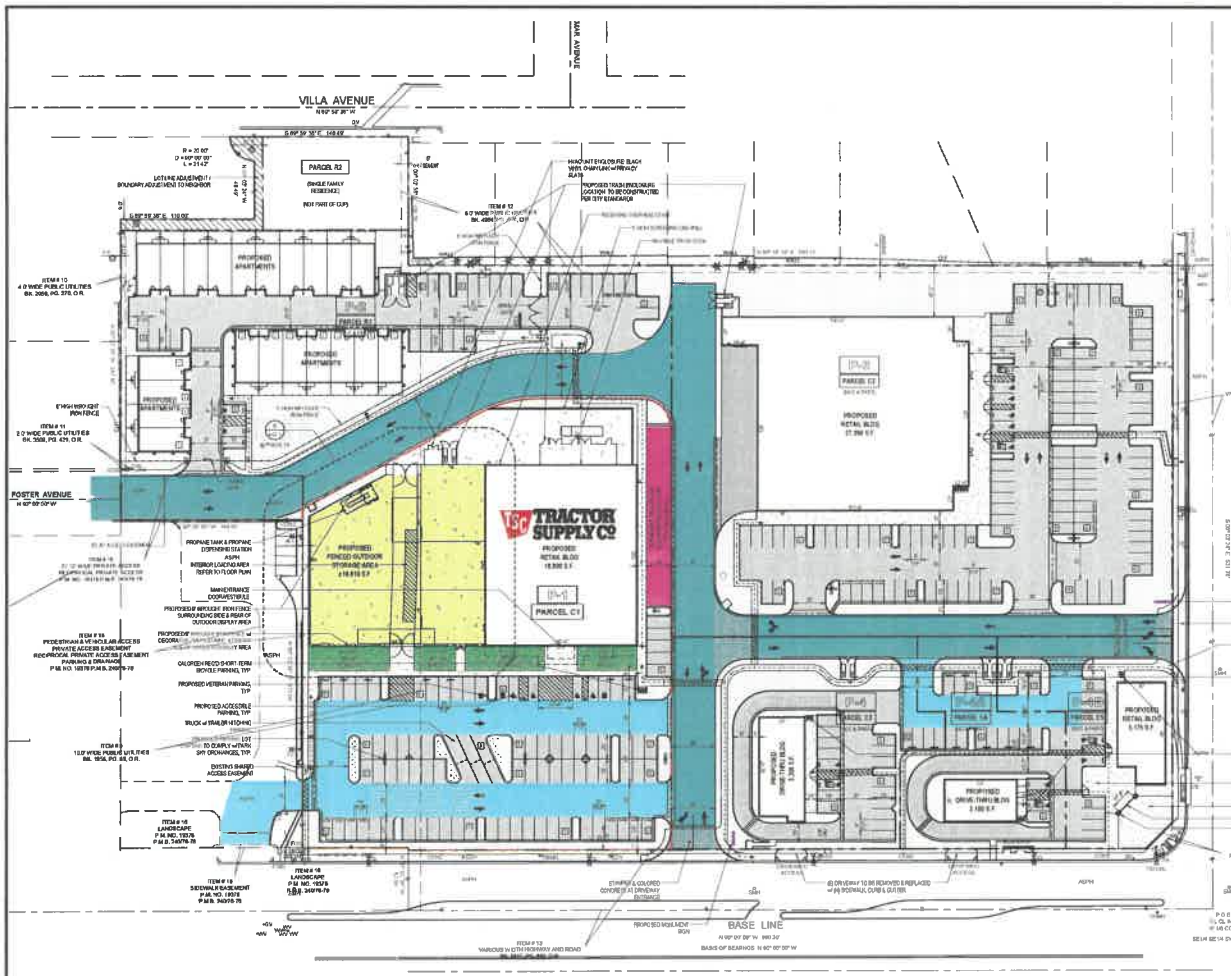

VILLA AVENUE
MAIN AVENUE
POSTER AVENUE
CHURCH AVENUE
BASE LINE
PARCEL R2
SINGLE FAMILY RESIDENCE (NOT PART OF CUP)
PROPOSED APARTMENTS
PROPOSED FENCED OUTDOOR STORAGE AREA
PROPOSED RETAIL BLDG
PARCEL C1
TRACTOR SUPPLY CO
PROPOSED RETAIL BLDG
PARCEL C2
PROPOSED RETAIL BLDG
PARCEL C3
PROPOSED RETAIL BLDG
PARCEL C4
PROPOSED DRIVE-THRU BLDG
PROPOSED RETAIL BLDG
PARCEL C5
PROPOSED RETAIL BLDG
PARCEL C6
PROPOSED RETAIL BLDG
PARCEL C7
PROPOSED RETAIL BLDG
PARCEL C8
PROPOSED RETAIL BLDG
PARCEL C9
PROPOSED RETAIL BLDG
PARCEL C10
PROPOSED RETAIL BLDG
PARCEL C11
PROPOSED RETAIL BLDG
PARCEL C12
PROPOSED RETAIL BLDG
PARCEL

Exhibit C:

Building Elevations



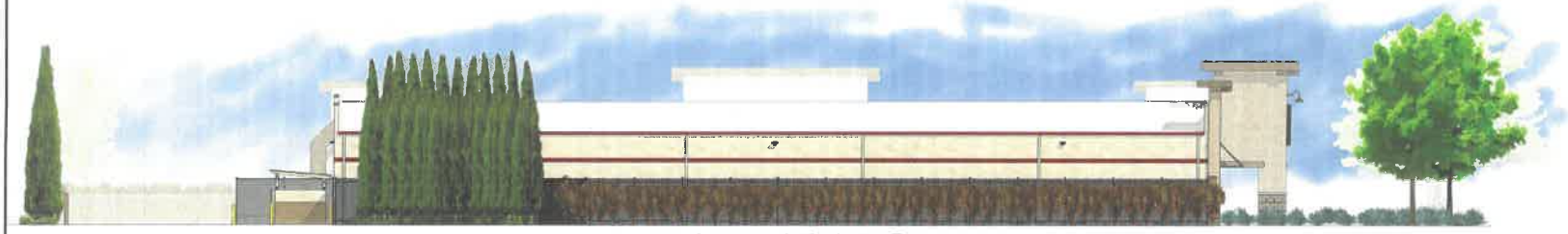
FRONT ELEVATION (SOUTH SIDE) 1



REAR ELEVATION (NORTH SIDE) 2



LEFT SIDE ELEVATION @ BLDG. (WEST SIDE) 3



LEFT SIDE ELEVATION @ F.O.D. (WEST SIDE) 3



RIGHT SIDE ELEVATION (EAST SIDE) 4

3578 30th Street
San Diego, CA 92104
V. 619.238.6595
F. 619.238.6557

CLIENT

WOODCREST
1419 MAIN STREET, SUITE G
RAMONA, CALIFORNIA 92065
CONTACT: WADE WYLIE
P: 760-788-5480
e-mail: wade@woodcrestbar.com

PROJECT

TSC

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

TRACTOR SUPPLY CO.

NEC BASELINE ST. & CHURCH AVE.
HIGHLAND, CA 92346

REVISIONS

SHEET TITLE

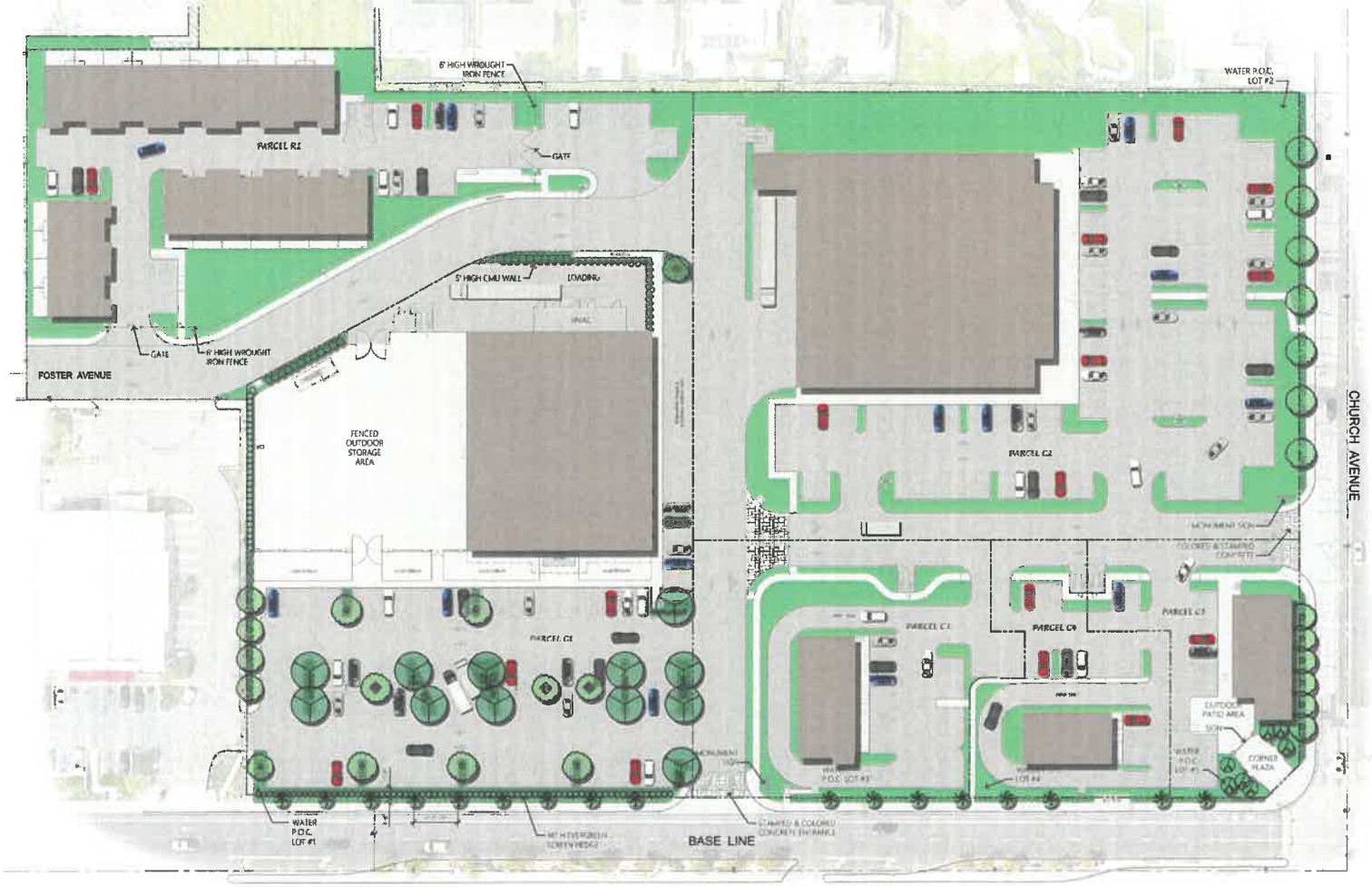
COLORED ELEVATIONS - PHASE 1

	AS NOTED
	03/05
	A2.0C

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Exhibit D:

Conceptual Landscape Plan



TREE LEGEND

SYMBOL	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	CUPRESSUS SEMPERVIRENS 'GLAUCA' - ITALIAN CYPRESS	STAKING PER DTL	24" BOX	L
	ERIOBOTRYA JAPONICA - LOQUAT TREE		24" BOX	M
	PINUS ELDARICA - AFGHAN PINE		24" BOX	M
	PISTACIA CHINENSIS - CHINESE PISTACHE		36" BOX	M
	RHUS LANCEA - AFRICAN SUMAC		24" BOX	L
	WASHINGTONIA FILIFERA - CALIFORNIA FAN PALM			L

SHRUBS & GROUNDCOVERS LEGEND

SYM.	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	ARBUTUS UNEDO 'COMPACTA' - DWARF STRAWBERRY TREE		15 GAL	L
	CALLISTEMON VIMINALIS 'LITTLE JOHN' - LTL JOHN BOTTLE BRUSH		5 GAL	L
	HEMEROCALLIS 'STELLA D'ORO' - DAYLILY		1 GAL	M
	MUHLENBERGIA DUBIA - PINE MUHLY		1 GAL	L
	NANDINA DOMESTICA 'FIRESTORM' - DWARF NANDINA		5 GAL	M
	OLEA EUROPAEA 'LITTLE OLLIE' - DWARF OLIVE		5 GAL	L
	PITTOSPORUM TOBIRA 'VARIEGATA' - VARIGATED MOCK ORANGE		5 GAL	M
	RHAPHIOLEPIS JAPELLATA 'MINOR' - DWARF INDOA HAWTHORNE		5 GAL	M
	ROSA FLORIBUNDA 'ICEBERG' - ICEBERG ROSE		5 GAL	M
	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' - ROSEMARY		1 GAL	L
	WESTRINGIA FRUTICOSA 'MORNING LIGHT' - MORN LT WESTRINGIA		5 GAL	L
	WESTRINGIA FRUTICOSA 'WUNDY' - WUNDY WESTRINGIA		5 GAL	L

SHRUBS & GROUNDCOVERS LEGEND

SYM.	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	DISTICTIS 'RIVERSY' - ROYAL TRUMPET VINE	ATTACH TO ARCHITECTURAL TRELLIS	15 GAL	M

SITE ANALYSIS

APN	1205-281-05 & 1205-281-43
GROSS SITE AREA	442 157.0 SF (10.15 AC)
NET SITE AREA	393 005.0 SF (9.02 AC)

LANDSCAPE AREA CALCULATION

TOTAL SITE AREA	378 000.0 SF
TOTAL SITE LANDSCAPE AREA	64 144.81 SF
PERCENT TOTAL LANDSCAPE AREA	16.9 %

JMD LANDSCAPE ARCHITECTURE

Landscape Architect
JMD LANDSCAPE ARCHITECTURE
330 Arden Avenue, Ste 130
Glendale, CA 91203

Applicant/Developer:
WOODCREST REAL ESTATE VENTURES
1410 Main Street, Ste. C
Ramona, CA 92065

N

RETAIL DEVELOPMENT
BASE LINE STREET | HIGHLAND, CA

PRELIMINARY LANDSCAPE PLAN

10/11/2021

Exhibit E:

Photometric Plan

Luminaire Schedule

Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	LLF	Description
	1		RA[illegible]-L-[illegible]-[illegible]-4W	SINGLE	[illegible]	[illegible]	[illegible]
	3		TWIN RAR2-320L-165-4K7-4W	BACK-BACK	[illegible]	[illegible]	BUG: B3-U0-G
	1		2@90 RAR2-320L-165-4[illegible]-4W	4 AT DIAGONALS	[illegible]	[illegible]	BUG: B1-U0-[illegible]
	2		RA[illegible]-L-[illegible]-[illegible]-W	SINGLE	[illegible]	[illegible]	BUG: B3-U0-G3

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Object : Planar	Illuminance	fc	[illegible]	[illegible]	[illegible]	[illegible]	N.A.

NOTES:

- POLE LIGHT FIXTURE MOUNTING HEIGHT: 25'-0" A.F.F.

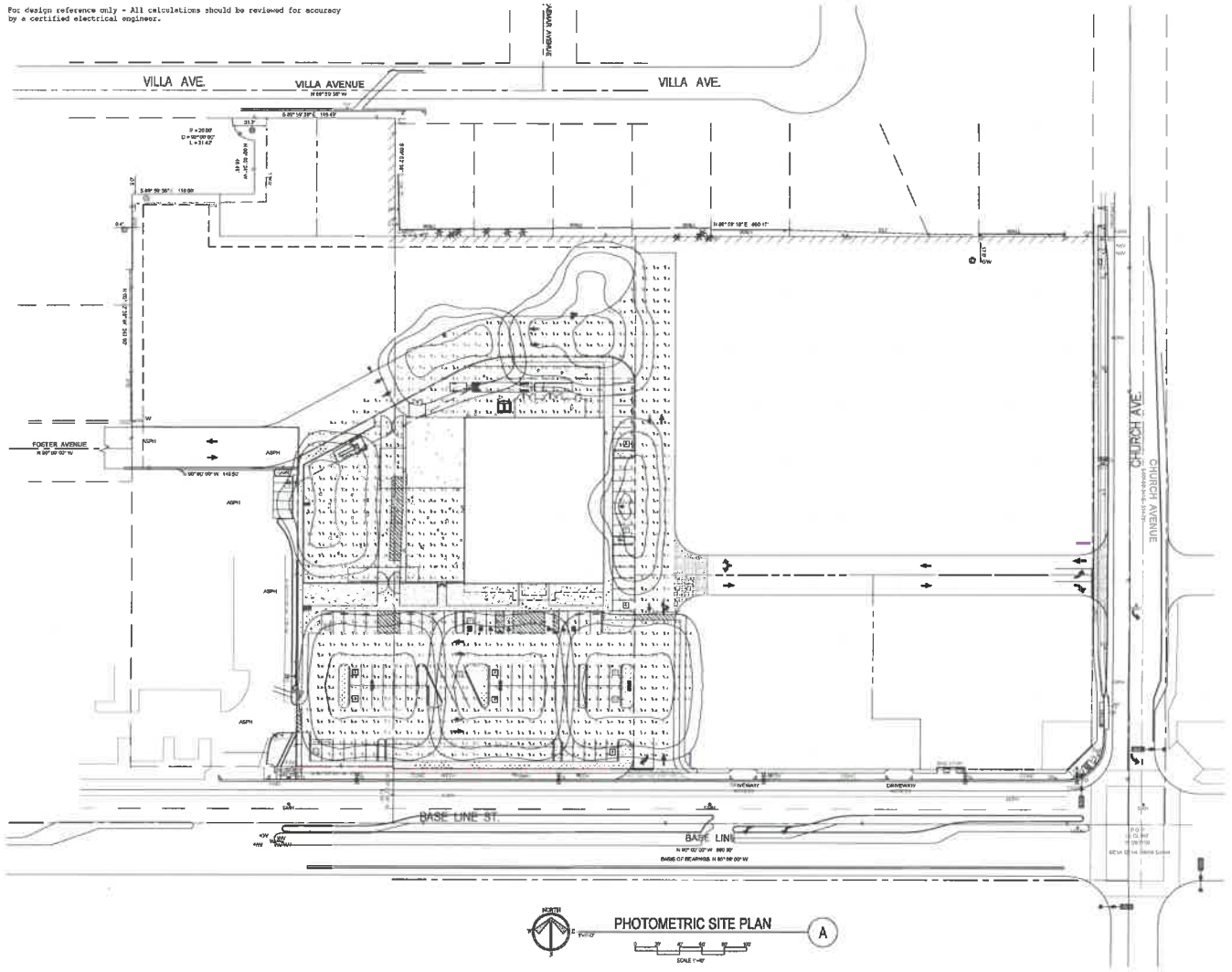
- CALCS PTS @ GROUND: 0'-0" A.F.F.

Calculations have been performed according to information provided regarding room dimensions, reflectances, furniture and architectural element placement. Some differences between measured values and calculated results may occur if the real environment conditions do not match the input data.

Photometric Data used as input for these calculations is based on established IES procedures and published lamp & ballast ratings.

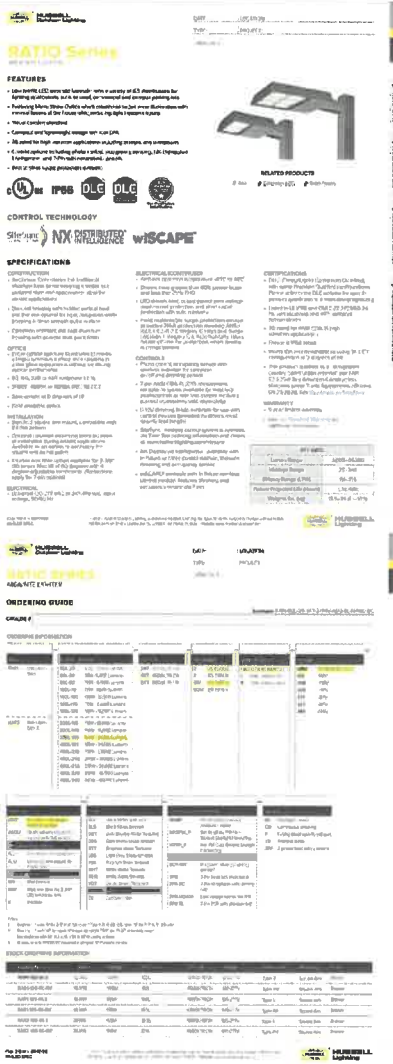
Field Performance will depend on actual lamp, ballast, electrical and site characteristics.

For design reference only - All calculations should be reviewed for accuracy by a certified electrical engineer.



PHOTOMETRIC SITE PLAN (A)

SCALE 1"=40'



3578 30th Street
San Diego, CA 92104
V. 619.238.0595
F. 619.238.9557

CLIENT
WOODCREST
14100 MAIN STREET, SUITE C
RANCHA, CALIFORNIA 92336
CONTACT: WADE WYLIE
P. 760-788-8423
e-mail: wade@woodcrestmv.com

PROJECT

TSC

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

TRACTOR SUPPLY CO.

NEC BASE LINE ST. & CHURCH AVE.
HIGHLAND, CA 92346

REVISIONS

#	DESCRIPTION	DATE

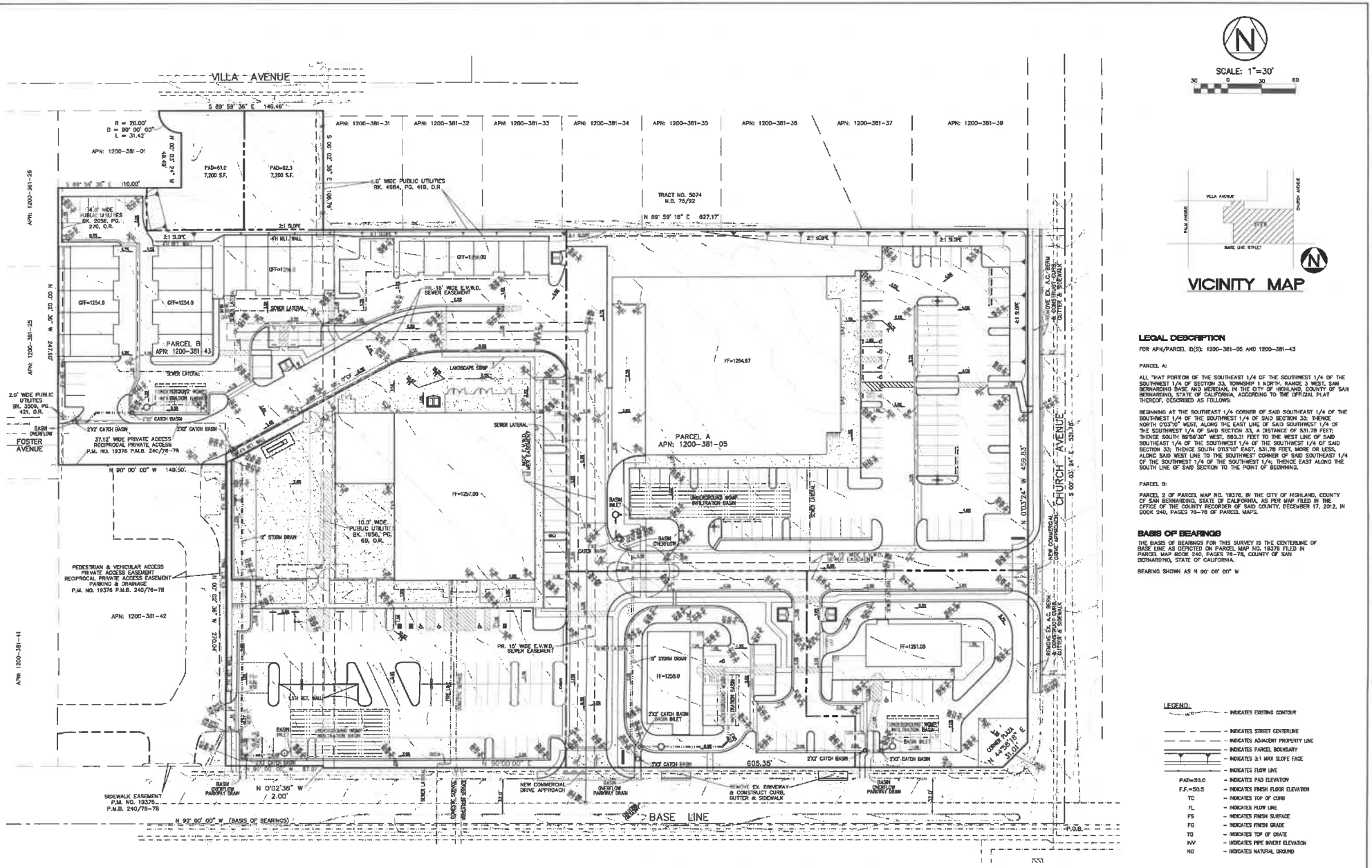
SHEET TITLE

PHOTOMETRIC SITE PLAN

AS1.2

Exhibit F:

Preliminary Grading Plan



SCALE: 1"=30'

30 0 30 60

VICINITY MAP

LEGAL DESCRIPTION

FOR APN/PARCEL ID(S): 1200-381-05 AND 1200-381-43

PARCEL A:

ALL THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST 1/4 CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE NORTH 0°03'10" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 531.78 FEET; THENCE SOUTH 89°56'30" WEST, 660.31 FEET TO THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE SOUTH 0°03'10" EAST, 531.78 FEET, MORE OR LESS, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.

PARCEL B:

PARCEL 2 OF PARCEL MAP NO. 19376, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DECEMBER 17, 2012, IN BOOK 240, PAGES 76-78 OF PARCEL MAPS.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF BASE LINE AS DEPICTED ON PARCEL MAP NO. 19376 FILED IN PARCEL MAP BOOK 240, PAGES 76-78, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

BEARING SHOWN AS N 90° 00' 00" W

LEGEND:

———	– INDICATES EXISTING CONTOUR
———	– INDICATES STREET CENTERLINE
———	– INDICATES ADJACENT PROPERTY LINE
———	– INDICATES PARCEL BOUNDARY
———	– INDICATES 3:1 MAX SLOPE FACE
———	– INDICATES FLOW LINE
PAD=50.0	– INDICATES PAD ELEVATION
F.F.=50.5	– INDICATES FINISH FLOOR ELEVATION
TC	– INDICATES TOP OF CURB
FL	– INDICATES FLOW LINE
FS	– INDICATES FINISH SURFACE
FG	– INDICATES FINISH GRADE
TG	– INDICATES TOP OF GRATE
INV	– INDICATES PIPE INVERT ELEVATION
NG	– INDICATES NATURAL GROUND

PLAN PREPARED UNDER THE SUPERVISION OF:

RICHARD J. MAYER R.C.E. 36866 DATE

SEAL:

SITETECH INC.

808 CHURCH ST., HIGHLAND CA 92346 PO BOX 592
PH: (909) 864-3180, FAX: (909) 864-0850

BENCH MARK:

CITY OF HIGHLAND BENCHMARK NO.: 00585

DESIGNATION/STAMPING/DATUM: 00585 14-2 NAVD29

DESCRIPTION: SAN BERNARDINO COUNTY BENCH MARK RESET 1982 IN T.C. 1 FOOT WEST OF ECR: NORTHWEST CORNER OF BASE LINE AND PALM AVENUE
ELEVATION=1,231.407

REVISIONS

CITY OF HIGHLAND

DRAWN: B.A.M. DESIGNED: J.B.M. CHECKED: B.K.M.

RECOMMENDED BY:

MATTHEW S. BENNETT DATE
RCE 65510, EXP. 6/30/13

APPROVED BY:

PLANNING DEPARTMENT DATE

BUILDING & SAFETY DATE

CHRISTI WONG, CITY ENGINEER DATE
RCE 37411, EXP. 6/30/13

PRELIMINARY GRADING PLAN

A.P.N. 1200-381-05 & 43

BASE LINE AT CHURCH AVE.
HIGHLAND, CA. 92346

W.O.

SCALE:

FILE NO.

SHEET 1 OF 1

Attachment 1:

Public Comments

City of Highland

27215 Base Line, Highland, CA. 92346
Phone: (909) 864-8732, x 259 Fax: (909) 862-3180
Contact: Salvador Quintanilla, Associate Planner, squintanilla@cityofhighland.org
Kim Stater, Assistant Community Development Director, kstater@cityofhighland.org

PROJECT NOTICE

The proposal listed below has been filed with the City of Highland Planning Department. You are invited to comment because you may own property or have a regulatory interest in development in the area.

FILE/INDEX: Design Review Application (DRA) No. 21-004, General Plan Amendment (GPA) No. 21-002, Conditional Use Permit (CUP) No. 21-006, Tentative Parcel Map No. (TPM) No. 21-001 and Accessory Sign Review (ASR) No. 21-006 (Sign Program) for Tractor Supply Shopping Center.

APPLICANT: Woodcrest Real Estate Ventures, Wade Wylie

LOCATION: NWC of Base Line and Church Avenue, Highland, CA. (APNs: 1200-381-05 & 1200-341-08)

PROPOSAL: The Applicant is requesting to establish a Mixed-Use Development within the General Plan, Town Center Policy Area. The proposal includes the construction of two (2) retail buildings (one being a Tractor Supply), two (2) drive-thru restaurants, two (2) single homes, and a 21-unit multi-family residential complex. The proposal also includes the subdivision of two (2) parcels into four (4) commercial parcels and three (3) residential parcels. Finally, the Applicant will establish a Sign Program for the commercial shopping center. The project site is located within two (2) vacant parcels of approximately 9.06-acres. The project site is located north of Base Line and west of Church Avenue.

COMMENTS REGARDING DESIGN REVIEW NO. 21-004 (TRACTOR SUPPLY SHOPPING CENTER):

Your comments must be received by this office no later than **August 4, 2021**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary.

We deny permission to build any additional complexes. More noise, break-ins and more traffic. We have already turned in to have a stop sign on our street and still nothing.

Alicia Hardesty
PRINTED NAME

07-19-21
DATE

SIGNATURE

(Location Map on reverse.)

RECEIVED
JUL 22 2021
CITY OF HIGHLAND

City of Highland

741

27215 Base Line, Highland, CA. 92346
Phone: (909) 864-8732, x 259 Fax: (909) 862-3180
Contact: Salvador Quintanilla, Associate Planner, squintanilla@cityofhighland.org
Kim Stater, Assistant Community Development Director, kstater@cityofhighland.org

PROJECT NOTICE

The proposal listed below has been filed with the City of Highland Planning Department. You are invited to comment because you may own property or have a regulatory interest in development in the area.

FILE/INDEX: Design Review Application (DRA) No. 21-004, General Plan Amendment (GPA) No. 21-002, Conditional Use Permit (CUP) No. 21-006, Tentative Parcel Map No. (TPM) No. 21-001 and Accessory Sign Review (ASR) No. 21-006 (Sign Program) for Tractor Supply Shopping Center.

APPLICANT: Woodcrest Real Estate Ventures, Wade Wylie

LOCATION: NWC of Base Line and Church Avenue, Highland, CA. (APNs: 1200-381-05 & 1200-341-08)

PROPOSAL: The Applicant is requesting to establish a Mixed-Use Development within the General Plan, Town Center Policy Area. The proposal includes the construction of two (2) retail buildings (one being a Tractor Supply), two (2) drive-thru restaurants, two (2) single homes, and a 21-unit multi-family residential complex. The proposal also includes the subdivision of two (2) parcels into four (4) commercial parcels and three (3) residential parcels. Finally, the Applicant will establish a Sign Program for the commercial shopping center. The project site is located within two (2) vacant parcels of approximately 9.06-acres. The project site is located north of Base Line and west of Church Avenue.

COMMENTS REGARDING DESIGN REVIEW NO. 21-004 (TRACTOR SUPPLY SHOPPING CENTER):

Your comments must be received by this office no later than **August 4, 2021**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary.

PLEASE SEE ATTACHED

PRINTED NAME

DATE

SIGNATURE

(Location Map on reverse.)

Smart&Final
600 Citadel Drive | Commerce CA 90040

Casey Lynch
Director of Construction
O: 323-869-7923
C: 323-793-2514
Casey.Lynch@smartandfinal.com

July 23, 2021

City of Highland
Planning Department
27215 Base Line
Highland, CA 92346
909-864-8732 ext. 259
squintanilla@cityofhighland.org
Salvador Quintanilla, Associate Planner

RE: SMART & FINAL – COMMENTS OF ADJACENT DEVELOPMENT
741 HIGHLAND
27550 BASE LINE ST.
HIGHLAND, CA 92346

Mr. Quintanilla

I am sending you this letter in response to the attached project notice that was received by our office concerning Design Review 21-004 (Tractor Supply Shopping Center).

While we are excited to welcome new neighbors and the proposed development, we have concern for the safety and convenience for our customers and associates that will be utilizing Church Avenue to access our parking lot as well as the cascading affects to Baseline Street. Church Avenue is the premier intersection for both Smart & Final and the proposed development as it is the only signalized access to make a left turn. The proposed ingress/egress on Church Avenue is directly across from the ingress/egress to Smart & Final, which is going to create a battle for our customers attempting to get into the southbound left turn lane to allow them to travel east on Baseline Avenue. This prevents a sizable portion of our customer base from conveniently driving east to their home, place of business, or accessing the freeway.

In reviewing the provided traffic study, there are recommendations to increase the number of left turn lanes on southbound Church Avenue to accommodate more traffic. While we agree that something needs to be done along Church Avenue, we are not in agreement that the proposed widening can be achieved nor are we in agreement that having an additional left turn lane will solve the issue. There is real concern the cars attempting to make a left onto Baseline Street will create gridlock for the new shopping center patrons attempting enter from Church Avenue and for our customers attempting to exit. It will also create a backup for northbound traffic on Church Avenue for that section has less than 200' feet from the intersection to be able to navigate, preventing access to either property.

Compounding this issue will be the proposed two drive thru buildings, which are assumed quick serve restaurants (QSRs). Westbound traffic along Baseline Street will most likely see the highly visible buildings and signage for these establishments, turn into their first opportunity to access them along Church Avenue, and create more traffic to the

aforementioned left turns to Church Avenue from Baseline Street. There is also risk associated with the singular vehicular access bottleneck to the drive thru area whereas any congestion attempting to access those restaurants could back up onto Church Avenue.

We implore the City to review alternative traffic ideas and site plans design, including but not limited to requiring an additional ingress/egress further north along the proposed development to offer patrons an alternative way to access the property and take pressure off the single entrance, requiring the proposed ingress/egress intersection along Church Avenue to be painted with a "KEEP CLEAR" designation, painting a turn median along Church Avenue to allow for stacking of left turn customers into the new development, modifying the access for the drive thru buildings, and so forth.

Thank you for taking our comments into consideration when reviewing the proposed development. I would appreciate that I be added to any future communication that is distributed regarding this development. I would appreciate a confirmation of this letter and comments at your earliest convenience.

Sincerely,



Casey Lynch
Director of Construction
Smart & Final Stores LLC

Attachment 2:

Initial Study / Mitigated Negative Declaration

CITY OF HIGHLAND

27215 Base Line, Highland, CA 92346
Telephone (909) 864-6861 FAX: (909) 862-3180

INITIAL STUDY

1.	Case No:	Conditional Use Permit (CUP 21-006), Design Review Application (DRA 21-004), Tentative Parcel Map (TPM 21-001), & Accessory Sign Review (ASR 21-006)
	Project title:	Tractor Supply Mixed Use Development
2.	Lead agency:	City of Highland, 27215 Base Line, Highland, CA 92346
3.	Contact person:	Ash Syed, Associate Planner City of Highland, Community Development Department 27215 Base Line, Highland, CA 92346 Tel: (909) 864-6861 Ext. 210
4.	Project location:	Northwest corner of Base Line and Church Avenue (APN: 1200-381-05 and -43)
5.	Project applicant:	Woodcrest Real Estate Ventures, Lauren Schulte
6.	Description of project:	See attached "Appendix A – Project Description
7.	Present Land Use: Vacant Land	
8.	General Plan designation: Mixed Use / Low Density	
9.	Zoning: Mixed Use / R-1	
10.	Is the proposed action a "project" as defined by CEQA? (See Section 2.6 of State CEQA Guidelines. If more than one project is present in the same area, cumulative impact should be considered)	Yes ☑ No ☐
11.	If "yes" on 10, does the project fall into any of the Emergency Projects listed in Section 15269 of the State CEQA Guidelines?	Yes ☐ No ☑
12.	If "no" on 10, does the project fall under any of the Ministerial Acts listed in Section 15268(b) of the State CEQA Guidelines?	Yes ☐ No ☑

13. If "no" on 12, does the project fall under any of the Statutory Exemptions listed in Article 18 of the State CEQA Guidelines? Yes ☐ No ☑

14. If "no" on 13, does the project qualify for one of the Categorical Exemptions listed in Article 19 of the State CEQA Guidelines? (Where there is a reasonable probability that the activity will have a significant effect due to special circumstances, a categorical exemption does not apply). Yes ☐ No ☑

15. Surrounding land uses and setting (briefly describe the project's surroundings):

North: Residential, single-family dwellings
South: School, Church, and single-family residences.
East: Commercial Store (Smart & Final)
West: Commercial Store (Family Dollar) and single-family residences at N

16. Surrounding General Plan and Zoning:

North: LD & R-1
South: P / MU & P/Q / MU
East: MU & MU
West: MU / LD & MU / R1

17. Is the proposed project consistent with (if answered "yes" or "n/a", no explanation is required):

City of Highland General Plan	Yes ☐ No ☑ N/A ☐
Applicable Specific Plan	Yes ☐ No ☐ N/A ☑
City of Highland Zoning Code	Yes ☑ No ☐ N/A ☐
South Coast Air Quality Management Plan	Yes ☐ No ☐ N/A ☑
San Bernardino International Airport Master Plan	Yes ☐ No ☐ N/A ☑
Other: East Highlands Ranch Planned Unit Development, Development Standards Report	Yes ☐ No ☐ N/A ☑

18. Are any of the following studies required?

Soils Report	Yes ☑ No ☐
Slope Study	Yes ☐ No ☑
Geological Report	Yes ☑ No ☐
Traffic Study	Yes ☑ No ☐
Air Quality Study	Yes ☑ No ☐
Greenhouse Gases Study	Yes ☑ No ☐
Hydrology	Yes ☑ No ☐
Sewer Study	Yes ☐ No ☑
Biological Study	Yes ☑ No ☐
Noise Study	Yes ☑ No ☐
Hazardous Materials Study	Yes ☐ No ☑
Housing Analysis	Yes ☐ No ☑
Archaeological Report	Yes ☑ No ☐
Groundwater Analysis	Yes ☐ No ☑
Water Quality Report	Yes ☑ No ☐
Other	Yes ☐ No ☑

19. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement). Only required at the time of development.

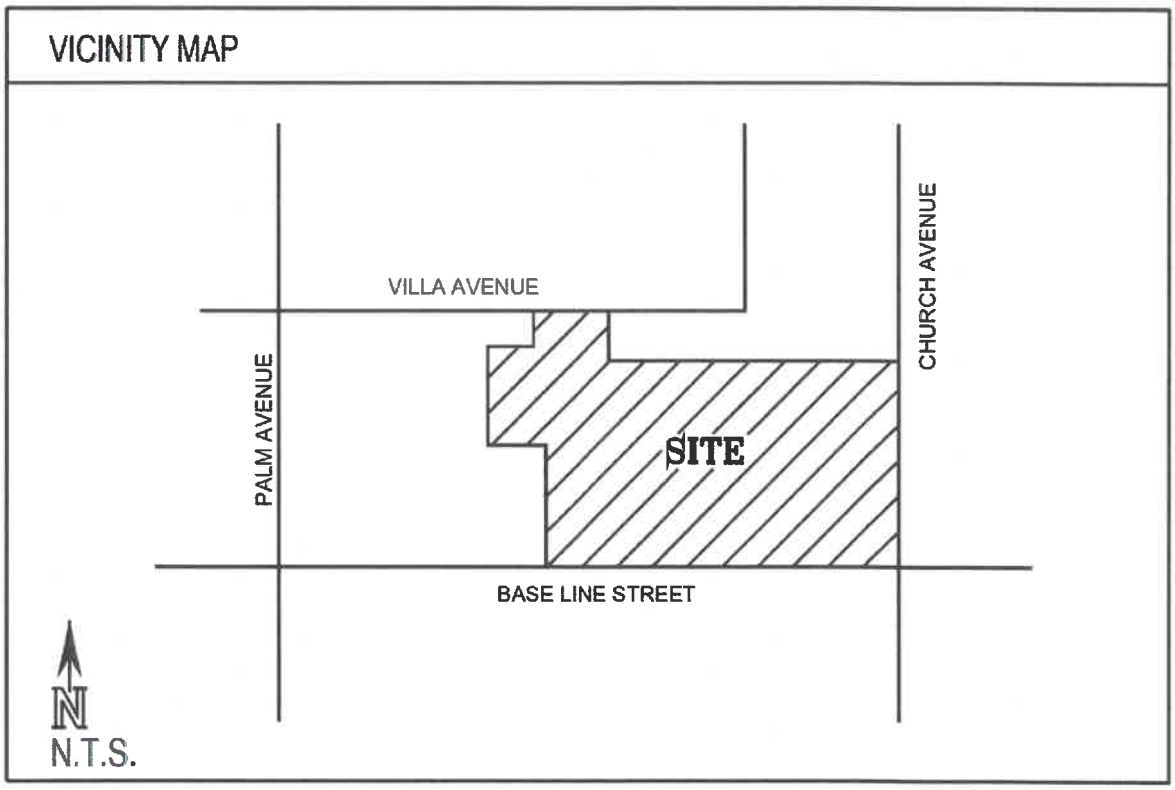
East Valley Water District;
Southern California Edison Company;
SoCal Gas Company;
San Bernardino City Unified School District;
Highland Fire Department;

Responses to:

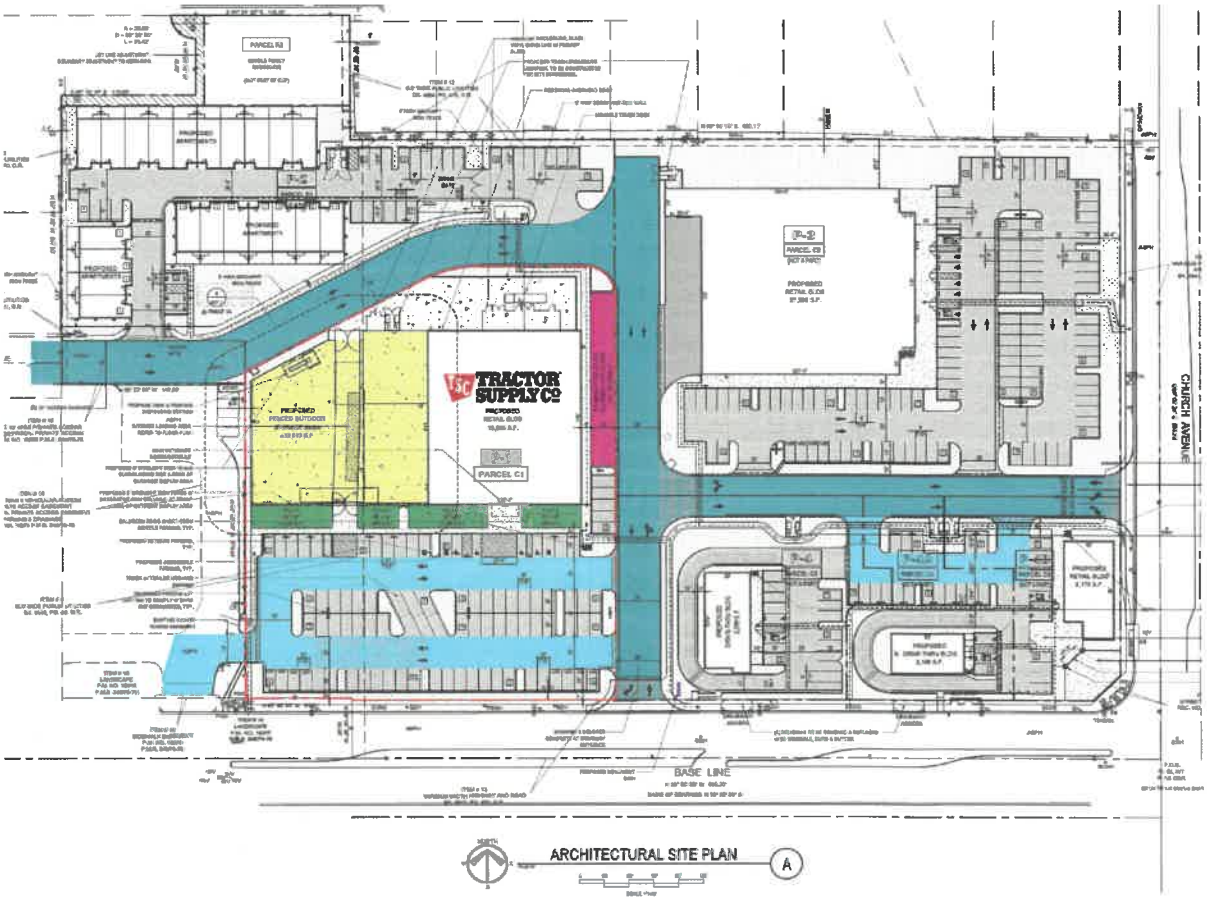
INFORMATION SOURCES CITED: The documents below are cited or incorporated herein by reference and are available for review at the Planning Division's Public Service Counter at Highland City Hall, located at 27215 Base Line, California.

1. Vehicle Miles Traveled Memorandum – May 3, 2021
2. Parking Memorandum – May 3, 2021
3. Traffic Impact Analysis – October 6, 2021
4. Air Quality Assessment – May 13, 2021
5. Greenhouse Gas Assessment – May 13, 2021
6. Noise Study – May 13, 2021
7. Geotechnical Investigation – January 15, 2021
8. Biological Resource Assessment – January 31, 2021
9. Phase I Cultural Resource assessment – April 30, 2021
10. Preliminary Water Quality Management Plan – April 15, 2021
11. Phase One Environmental Site Assessment – October 5, 2020

Attachment 1
Project Site and Vicinity



Attachment 2
Proposed Site Plan



1. 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.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology /Soils
☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality	☑ Land Use / Planning
☐ Mineral Resources	☐ Noise	☑ Population / Housing
☐ Public Services	☐ Recreation	☑ Transportation/Traffic
☐ Tribal Cultural Resources	☐ Utilities / Service Systems	☐ Mandatory Findings of Significance

EVALUATION OF ENVIRONMENTAL IMPACTS

1. AESTHETICS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☑	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☑
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	☑

Explanation:

1a Less Than Significant Impact:

The proposed project is located within an area of primarily commercial buildings to the east, west, and south, and single-family residential development to the north. According to the City's General Plan, unique visual features within the City include topographic features, local flora, and historic buildings. There are no scenic resources present at the site. The view into the project site is clear. No City or State designated significant visual resources are located within or adjacent to the project limits. The proposed commercial structures, multi-family apartments would be designed consistent with the area and are subject to a Design Review

Permit. The remainder single-family residences would be designed consistent with R-1 development standards; and thus, would not exceed the heights or general size of surrounding single-family residential development. While the project would change views into the site from surrounding property, it would not significantly obstruct views of the general area. Due to the general lack of scenic resources at the project site, the impact is considered less than significant. No mitigation is required.

1b No Impact:

The proposed project is not located along a state scenic highway and there are no state scenic highways located within the project vicinity. The proposed site is currently vacant and does not contain any protected trees, rock outcroppings, historic buildings or features of significance, or other feature that have been identified as a scenic resource; therefore, no impact is expected. No mitigation is required.

1c Less Than Significant Impact:

Views into the Project Site are clear as the site is currently vacant with no significant trees or rock outcroppings. These views would be replaced by a commercial development along Base Line Road and Church Avenue, with Multi-Family Apartments behind and along Foster Ave, and a Single-Family Residence along Villa Avenue. Surrounding development is similar to what is proposed; thus, the new project would be consistent the existing visual character of neighboring properties. The proposed project would be required to comply with development standards for the MU and R-1 zoning designation. Therefore, the size and scale of the proposed development would be consistent with surrounding properties and the impact would be less than significant. No Mitigation is required.

1d Less Than Significant Impact:

The existing Project Site is currently vacant and is not a source of substantial light or glare. Development of Commercial buildings, Multi-Family Apartments, and a Single-Family Residence would create a new source of nighttime lighting from the use of lighting by residents, vehicle lights, as well as parking lot and building lighting. The development is currently surrounded by similar commercial uses and proposes various forms of screening, as well as downward shielding fixtures to prevent any overspill of light that would potentially impact the residential properties to the north, both existing and future. All lighting would comply with applicable City standards related to the installation and operation of lighting features. Because lighting will comply with applicable City design requirements and will be similar to existing lighting in the project vicinity, the project is not expected to generate lighting to the extent that it would substantially alter nighttime views in the area. Therefore, the project would have a less than significant impact associated with lighting and glare. No mitigation is required.

Mitigation Measures: None Required

2. AGRICULTURE RESOURCES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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?	☐	☐	☐	☑
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 511104(g)?	☐	☐	☐	☑
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

2a No Impact:

The California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), compiles Important Farmland maps pursuant to the provisions of Section 65570 of the California Government Code. The Project Site is vacant. Based on the California Important Farmland Finder (https://maps.conservation.ca.gov/DLRP/CIFF/), the project site is designated as "Urban and Built-Up Land" (metadata source of "San Bernardino County Important Farmland").

The General Plan land use designation for the project site is Mixed Use (commercial/residential). The zoning for the site is MU Mixed Use and R-1 Residential Single Family. According to the City's General Plan Conservation and Open Space Element, high demand for housing and high-water costs have made agricultural uses less cost effective. Thus, there has been a steady loss in agricultural land throughout the City. The General Plan maintains an area for Agriculture/Equestrian uses in the eastern part of the City. Impacts to Prime Farmland, Unique Farmland, and Farmland of Statewide Importance and general agricultural uses within the City of Highland were identified and mitigated in the City of Highland General Plan EIR. The project will not have new or undisclosed impacts to farmlands. No mitigation is required.

2b No Impact:

The Williamson Act is a procedure authorized under state law to preserve agricultural lands as well as open space. Property owners entering into a Williamson Act contract receive a reduction in property taxes in return for agreeing to protect the land's open space or agricultural values. The contracts typically limit land use to agriculture, recreation, and open space, unless otherwise stipulated. The property is not in the Williamson Act Conservation Contract database (Department of Conservation, Division of Land Resource Protection, Williamson Act Program metadata, 2004). Because the project site is not part of a Williamson Act contract database, no impacts associated with this issue will occur with development of the proposed project. No mitigation is required.

2c No Impact:

There are no parcels within the City that are zoned as forest land or timberland. Therefore, the proposed project would have no impact on forest or timberland. No mitigation is required.

2d No Impact:

There is no forest land or any land that is designated for the purposes of conserving forest land within the City of Highland. Therefore, the proposed project would have no impact on forest or timberland. No mitigation is required.

2e No Impact:

The Project Site is currently vacant land located within an urbanized area. The Development is consistent with the General Plan and Zoning of the Project Site. Because the Project Site is not designated as farmland, nor used as such, the project would not result in the conversion of Farmland to a non-agricultural use and no impact would occur with respect to this issue. The project will not have new or undisclosed impacts to farmlands. No mitigation is required.

Mitigation Measures: Not Required

3. AIR QUALITY	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☑
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☑	☐
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)?	☐	☐	☑	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☑
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐

Explanation:

3a No Impact:

The proposed project is located within the South Coast Air Basin (Basin) and is within the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. It includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties.

Under state law, the SCAQMD is required to prepare a plan for air quality improvement for pollutants for which the District is in non-compliance. The SCAQMD updates the plan every three years. Each iteration of the SCAQMD's Air Quality Management Plan (AQMP) is an update of the previous plan and has a 20-year horizon. SCAQMD adopted the 2016 AQMP in March 2017. The 2016 AQMP incorporates new scientific data and notable regulatory actions that have occurred since adoption of the 2012 AQMP.

The 2016 AQMP was prepared to ensure continued progress towards clean air and comply with state and federal requirements. This AQMP builds upon the approaches taken in the 2012 AQMP for the South Coast Air Basin for the attainment of State and federal ozone air quality standards. The 2016 AQMP incorporates the 2016 Regional Transportation Plan/Sustainable Communities Strategy and updated emission inventory methodologies for applicable source categories. The 2016 AQMP also includes the new and changing federal requirements, implementation of new technology measures, and the continued development of economically sound, flexible compliance approaches. The 2016 AQMP is available to download at http://www.aqmd.gov/home/library/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp.

The 2016 AQMP assumes that development associated with general plans, specific plans, residential projects, and wastewater facilities will be constructed in accordance with the population growth projections identified by SCAG. The AQMP incorporates local General Plan land use assumptions and regional growth projections developed by SCAG to estimate stationary and mobile source emissions associated with projected population and planned land uses. If a new land use is consistent with the local General Plan and the regional growth projections adopted in the AQMP, then the emissions generated by the new project have been evaluated, are contained in AQMP. Thus, individual projects would not conflict with or obstruct implementation of the regional AQMP. The existing General Plan designates the project site for Mixed Use and low density residential uses, which is consistent with the proposed project. Implementation of the proposed project would not require the rezoning of the project site. A General Plan Amendment (GPA) is being processed to allow Drive-Thru restaurants located at the corner of Base Line Road and Church Avenue, but the GPA will have no impact on Air Quality implementation. Since the proposed project will be consistent with the General Plan and would follow / implement design features consistent with South Coast Air Quality Management District (SCAQMD) as outlined in the Air Quality Assessment, no cumulative impact associated with this issue would occur. No mitigation is required.

3b Less Than Significant Impact:

On-site grading and construction activities would result in localized increased levels of short-term emissions and particulates. After construction, operation of the project would generate increased vehicle trips in the project area leading to increased long-term emissions. Additionally, the consumption of electricity and natural gas by the proposed on-site uses would also generate long-term air pollutant emissions.

Short-Term. The most recent version of the CalEEMod model (Version 2016.3.2) (Appendix A) was used to calculate the construction emissions for the proposed project. Emissions calculated include VOC, NO_X, CO, SO_2, PM_{10}, and $PM_{2.5}$. As shown in Table 4.1 below, all peak daily construction emissions were determined to be lower than SCAQMD thresholds. Since no exceedances of any criteria pollutants are expected, no significant impacts would occur for project construction. Construction would be required to comply with regional fugitive dust reduction practices (SCAQMD Rule 403) that assist in reducing short-term air pollutant emissions. Among the requirements under this rule, fugitive dust must be controlled so that the presence of such dust does not remain visible beyond the property line of the emission source. This is achieved by requiring actions to prevent, reduce, or mitigate dust emissions. Adherence to Rule 403 is a standard requirement for any construction activity occurring within the Basin. With compliance with Rule 403, short-term emissions are considered less than significant. No mitigation is required.

Table 4.1: Expected Construction Emissions Summary

Year	ROG	NO_x	CO	SO_2	PM_{10} (Dust)	PM_{10} (Exhaust)	PM_{10} (Total)	$PM_{2.5}$ (Dust)	$PM_{2.5}$ (Exhaust)	$PM_{2.5}$ (Total)
2022 (lb/day)	3.26	33.13	20.38	0.04	8.33	1.61	9.94	4.52	1.48	6.01
2023 (lb/day)	41.61	10.23	15.11	0.02	0.18	0.51	0.68	0.05	0.47	0.51
Significance Threshold (lb/day)	**75**	**100**	**550**	**150**	-	-	**150**	-	-	**55**
Exceeds Screening Threshold	**No**	**No**	**No**	**No**	-	-	**No**	-	-	**No**

Long-Term. Long-term project emissions were also calculated using the CalEEMod model (Version 2016.3.2). See Appendix A of Air Quality Assessment. Sources include vehicular emissions, architectural coatings, consumer products, and landscaping. Energy sources include natural gas consumption for heating. Long-term emissions were calculated for VOC, NO_X, CO, SO_2, PM_{10}, and $PM_{2.5}$. As shown in Table 4.2 below, no calculated project-related criteria pollutants would exceed the corresponding SCAQMD daily emission thresholds for any criteria pollutants. Therefore, project-related long-term air quality impacts would be less than significant. No mitigation is required.

Table 4.3: Expected Daily Pollutant Generation

	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Summer Scenario						
Area Source Emission Estimates (Lb/Day)	2.14	0.05	1.45	0.00	0.01	0.01
Energy Source Emissions (Lb/Day)	0.07	0.59	0.47	0.00	0.05	0.05
Operational Vehicle Emissions (Lb/Day)	6.95	37.57	41.78	0.16	9.34	2.56
Total with Design Features (Lb/Day)	**9.15**	**38.21**	**43.70**	**0.17**	**9.39**	**2.61**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Significant?	**No**	**No**	**No**	**No**	**No**	**No**
Winter Scenario						
Area Source Emission Estimates (Lb/Day)	2.14	0.05	1.45	0.00	0.01	0.01
Energy Source Emissions (Lb/Day)	0.07	0.59	0.47	0.00	0.05	0.05
Operational Vehicle Emissions (Lb/Day)	5.84	36.87	40.70	0.15	9.34	2.56
Total with Design Features (Lb/Day)	**8.04**	**37.51**	**42.62**	**0.15**	**9.39**	**2.61**
Significant?	**No**	**No**	**No**	**No**	**No**	**No**
Daily pollutant generation assumes trip distances within CALLEEMOD 2016.3.2						

3c Less Than Significant Impact:

The cumulative area for air quality impacts is the South Coast Air Basin. The South Coast Air Basin is in nonattainment for PM_{10}, $PM_{2.5}$, and ozone. As stated in Checklist Response 3b), the project's short-term air quality impacts would be less than significant. In evaluating the cumulative effects of the project, Section 21100(e) of CEQA states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis." In addressing cumulative effects for air quality, the AQMP utilizes approved general plans and therefore, is the most appropriate document to use to evaluate cumulative impacts of the project. This is because the AQMP evaluated air quality for the entire South Coast Air Basin using a future development scenario based on population projections and set forth a comprehensive program that would facility compliance with all Federal and State air quality standards. Since the project is in compliance with the AQMP and with adherence to Rule 403, both short-term and long-term air quality impacts are less than significant, the project's cumulative impact to air quality is considered less than significant. No mitigation is required.

3d No Impact:

Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term healthcare facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. The proposed project is bordered by residential and commercial receptors to the north, west, south, and east. Additionally, there is a school and church located across Base Line Road to the south.

The SCAQMD has published a "Fact Sheet for Applying CalEEMod to Localized Significance Thresholds" (South Coast Air Quality Management District 2011). CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily disturbance activity possible for each piece of equipment. Construction-related emissions reported by CalEEMod are compared to the localized significance threshold lookup tables. The CalEEMod output in Appendix A shows the equipment assumed for this analysis.

Construction operations would be considered short term events and would not be considered an impact. the proposed Project would not be expected to generate offensive odors and would therefore not impact any sensitive receptors. No impact is expected to sensitive receptors. No mitigation is required.

3e Less Than Significant Impact:

During construction, temporary odors may be generated through the various diesel-powered vehicles and equipment in use on the site as well as the installation of asphalt. However, these odors are not considered long term and likely not noticeable beyond the project boundary. The proposed project is constructing a new commercial and multi-residential development, which is not anticipated to generate long-term objectionable odors. Therefore, impacts related to creation of objectionable odors affecting substantial numbers of people would to be less than significant. No mitigation is required.

Mitigation Measures: Not Required

4. BIOLOGICAL RESOURCES Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☑	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☑	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☑
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☑	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☑	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☑

Explanation:

Information presented herein is quoted and/or summarized from the Biological Resource Assessment prepared by Kidd Biological, Inc. (January 31, 2021) and provided for reference in Appendix B.

4a Less than Significant with Mitigation:

The construction of a new shopping center and residential structures will result in the loss of approximately 9 acres of non-native grassland habitat and the loss of a single coast live oak tree. Only one sensitive species has a potential to be impacted by the project: the horned lark. This bird is vulnerable to harm as it forages and nests on the ground in grasslands. This and other bird species are protected under State and Federal laws protecting nesting birds, specifically Section 3500 and 3503 of the CDFW game code and the Migratory Bird Treaty Act. Impacts to the horned lark and other nesting birds can be reduced by conducting clearing

and grubbing of the site outside of the bird nesting season, which is generally considered February 1- September 15, with a peak between March and June.

Because potential habitat is present within the proposed area of potential effect and project construction may occur within the nesting cycle, potentially significant impacts to migratory bird species may occur. Implementation of **BIO-1** will reduce the potential for significant adverse impacts to those below a level of significance. Impacts for this issue are considered less than significant with mitigation incorporated.

4b Less than Significant Impact:

"There are no drainage features, streams, wetlands, vernal pools, waters of the U.S. or Riparian vegetation within the project site; however, there is an unnamed blue line stream that appears to have possibly run through or near the site in the past. Presently, this feature has been moved to an underground culvert that runs south under Church Street and west under Baseline. These features' locations can be seen in Figure 5. They are classified as R5UBFx by the USFWS. Classification code: R5UBFx. The descriptions are below:

System Riverine (R) : The Riverine System includes all wetlands and deepwater habitats contained within a channel, with two exceptions: (1) wetlands dominated by trees, shrubs, persistent emergents, emergent mosses, or lichens, and (2) habitats with water containing ocean-derived salts of 0.5 ppt or greater. A channel is an open conduit either naturally or artificially created which periodically or continuously contains moving water, or which forms a connecting link between two bodies of standing water.
Subsystem Unknown Perennial (5) : This Subsystem designation was created specifically for use when the distinction between lower perennial, upper perennial, and tidal cannot be made from aerial photography and no data is available.
Class Unconsolidated Bottom (UB) : Includes all wetlands and deepwater habitats with at least 25% cover of particles smaller than stones (less than 6-7 cm), and a vegetative cover less than 30%.
Water Regime Semipermanently Flooded (F) : Surface water persists throughout the growing season in most years. When surface water is absent, the water table is usually at or very near the land surface.
Special Modifier Excavated (x) : This Modifier is used to identify wetland basins or channels that were excavated by humans.

Impacts to these features are not anticipated from this project; however, Best Management Practices (BMPs) are recommended to ensure compliance with local authorities who ensure compliance with the Clean Water Act." Impacts are considered less than significant for this issue. No mitigation is required.

4c No Impact:

No jurisdictional water features occur within the subject parcel, however there are modified drainage features just off site and additional BMPs or avoidance measures will be imposed by the City.

Therefore, development of the project site, with site specific BMP additions and / or avoidance measures, will not result in impacts to Corps, Regional Board, or CDFW jurisdiction and regulatory approvals will not be required.

4d Less than Significant with Mitigation:

Habitat linkages provide links between larger undeveloped habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet inadequate for others. Wildlife corridors are significant features for dispersal, seasonal migration, breeding, and foraging. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The project site has not been identified as a wildlife corridor or linkage. The proposed development will be confined to existing areas that have been heavily disturbed by existing commercial and residential development activities.

No impacts to wildlife movement corridors or critical habitat are expected. It is not expected that this project will conflict with any local ordinances or policies protecting biological resources and the site dies not fall within a Natural Community Conservation Plan or Habitat Conservation Plan.

Only one sensitive species has a potential to be impacted by the project: the horned lark. This bird is vulnerable to harm as it forages and nests on the ground in grasslands. This and other bird species are protected under State and Federal laws protecting nesting birds, specifically Section 3500 and 3503 of the CDFW game code and the Migratory Bird Treaty Act. Impacts to the horned lark and other nesting birds can be reduced by conducting clearing and grubbing of the site outside of the bird nesting season, which is generally considered February 1-September 15, with a peak between March and June.

Because potential habitat is present within the proposed area of potential effect and project construction may occur within the nesting cycle, potentially significant impacts to migratory bird species may occur. Implementation of **BIO-1** will reduce the potential for significant adverse impacts to those below a level of significance. Impacts for this issue are considered less than significant with mitigation incorporated.

4e Less Than Significant Impact:

The Highland Municipal Code defines a "Heritage tree" as any live tree, shrub or plant which meets at least one of the following criteria:

A. All woody plants in excess of 15 feet in height and having a single trunk circumference of 24 inches or more, as measured four and one-half feet above ground level; or
B. Multitrunk tree(s) having a total circumference of 30 inches or more, measured four and one-half feet from ground level; or
C. A stand of trees, the nature of which makes each dependent upon the others for survival; or
D. Any other tree as may be deemed historically or culturally significant by the community development director or designee because of size, condition, location, or aesthetic qualities.

A single coast live oak (Quercus agrifolia) was identified onsite during the field survey. This oak is approximately 15-feet in height, is in poor health, and does not meet the definition of a

Heritage Tree. The removal of this oak would not have any impact under this threshold as the disturbed nature of the site does not warrant a healthy environment for sustainable growth. As such, the impact would be considered less than significant for this issue. No mitigation is required.

4f No Impact:

The proposed project site is not affected by a Multiple Species Habitat Conservation Plan (MSHCP) or Natural Community Conservation Plan (NCCP). This threshold does not apply to the project site. No impact would occur. No mitigation is required.

Mitigation Measures:

BIO-1: Nesting Birds. All native breeding birds, (except game birds) regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the California Environmental Quality Act (CEQA). The MBTA and the California Department of Fish and Wildlife (CDFW) Code Regulations 3500 and 3503 which protect nesting birds. In order to comply with these regulations all future clearing, grubbing, tree trimming, and tree removals should be conducted outside the bird nesting season. The typical nesting season is often considered February 15th to August 31st however these dates are not a legal definition. A nest is protected during any time of the year when eggs or young are present. If grading/grubbing/tree trimming must occur during the nesting bird season, a pre-construction nesting bird survey should be conducted by a qualified biologist. If an active nest is encountered outside the breeding season, avoidance of the nest is required."

5. CULTURAL RESOURCES **Would the project:**	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☑
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☑
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☑
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☑

Explanation:

Information presented herein is quoted and/or summarized from the Phase I Cultural Resource Assessment, prepared by Heritage Resources (April 30, 2021) and provided for reference in Appendix C.

5a No Impact:

The property is currently vacant land that has been previously graded and contains no natural topography or vegetation. In compliance with the California Environmental Quality Act (CEQA), Section 21083.2 and 15064.5 of the Guidelines, a Phase I cultural resource assessment was completed by Sue A. Wade who meets Secretary of the Interior Professional Qualification standards for Archaeology and for History. The tasks completed consisted of a 0.25-mile radius record search conducted by the South-Central Coastal Information Center (EIC), a Sacred Lands File search conducted by the Native American Heritage Commission (NAHC) and "project scoping" with tribes recommended by the Commission, a field survey, and preparation of a report documenting the negative survey findings.

The record search revealed that no cultural resources have been recorded on the Project property and only historic structures have been recorded within the 0.25-mile record search area. Historic map and aerial photographs indicated that structures and an orchard existed on the Project property as early as 1938, but they were demolished by 1980 and the property is currently graded vacant land. The field survey encountered no prehistoric or historic archaeological resources.

The Cultural Resource Assessment concluded that there will be no adverse change in the significance of a historical or archaeological resource (per CEQA §15064.5). Due to the negative results, no mitigation measures are recommended or warranted.

Based on this information, this threshold does not apply to the project site and no impact would occur. Should a previously unidentified historical resource be encountered during ground-disturbing activities, implementation of recommendations from the Phase I Cultural Resource Assessment would apply.

5b No Impact:

As a result of the Sacred Lands File search, the NAHC stated that the search was negative. In summary, as of April 30, 2021, three responses to the mailed letters and follow-up emails were received. The Agua Caliente Band of Cahuilla Indians and Quechan Tribe of the Fort Yuma Reservation responded stating that they defer to other tribes in the area. The San Manuel Band of Mission Indians (SMBMI) responded stating that the Project is at least one mile from known sacred land files/known cultural resources.

There will be no adverse change in the significance of a historical or archaeological resource (per CEQA §15064.5). Due to the negative results, no mitigation measures are recommended or warranted. Given the extensive disturbance to the property through the 20th century, no archaeological monitoring is recommended."

As noted in item 5a, this threshold does not apply to the project site and no impact would occur. Should a previously unidentified archaeological resource be encountered during ground-disturbing activities, implementation of recommendations from the Phase I Cultural Resource Assessment should apply.

5c No Impact:

The Project property is flat vacant land bounded by subdivision residences to the north and northwest, commercial to the southwest and east, and a church complex to the southeast.

The lot has been graded and disked and otherwise disturbed by mechanical equipment. There was very limited visibility due to weed cover although there were occasional open areas where it appears soils test pits had been excavated. There were also occasional large pieces of concrete and building debris on the surface as well as several boulders dumped in the northeast corner. Given the extensive disturbance and occasional opportunities to view the surface, the survey was deemed adequate to conclude that there is no intact evidence of previously existing structures. No prehistoric cultural materials were located. Although the visibility was limited, the extensive disturbance from the early 20th-century structure and orchard development and their subsequent demolition and clearing makes it highly unlikely that any intact prehistoric resources would be present.

The project area is not identified by the City of Highland as containing unique paleontological resources or geologic features. Soils with characteristics favorable for supporting paleontological (Pleistocene deposits) are not known to occur on the site and therefore this threshold does not apply to the project site and no impact would occur. No mitigation is warranted or recommended.

5d No Impact:

The potential for encountering human remains at the project site is low due to the disturbed nature of the proposed project site as well as the proximity to the nearest sacred land as indicated by the notified tribes within the area. No known burial sites have been identified on the site or in the vicinity. Therefore, the threshold does not apply, and no impact would occur. Should human remains be identified during ground-disturbing activities, procedures outlined in the State of California Health and Safety Code (7050.5) and Public Resources Code (5097.98) mandate procedures to be followed as defined in Mitigation Measure **CUL-1**. In such a case, compliance with Mitigation Measure **CUL-1** would reduce potential impacts to less than significant.

Mitigation Measures: Not Required unless human remains are found during ground-disturbing activities.

CUL-5. Should any human remains be encountered during project implementation, ground disturbing activities shall be suspended 100 feet around the resource(s) and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. The Lead Agency and the landowner shall immediately contact the San Bernardino County Coroner and the SMBMI Cultural Resources Department. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c). The NAHC-identified Most Likely Descendant (MLD), shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and funerary objects shall be treated and disposed of with appropriate dignity. The MLD shall complete its inspection and make recommendations within forty-eight (48) hours of receiving notification from the landowner or the NAHC, as required by California Public Resources Code § 5097.98. The MLD, Lead Agency, and landowner agree to discuss in good faith what constitutes "appropriate dignity", as that term is used in the applicable statutes, and the MLD shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains and funerary objects.

Reburial of human remains and/or funerary objects shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). All parties are aware that the MLD may wish to rebury the human remains and associated funerary objects, as well as ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The landowner should accommodate on-site reburial in a location mutually agreed upon by the Parties.

The term "human remains" encompasses more than human bones because some local Tribes' traditions periodically necessitated the ceremonial burning of human remains and funerary objects. Funerary objects are those artifacts associated with any human remains or funerary rites. These items, and other funerary remnants and their ashes, are to be treated in the same manner as human bone fragments or bones that remain intact.

It is understood by all Parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, affected parties, and Lead Agencies will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

6. GEOLOGY AND SOILS -- Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☑
ii) Strong seismic ground shaking?	☐	☐	☑	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☑
iv) Landslides?	☐	☐	☐	☑
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☑	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial risks to life or property?	☐	☐	☑	☐

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?	☐	☐	☐	☑

Explanation:

Information presented herein is quoted and/or summarized from the Geotechnical Investigation, prepared by Southern California Geotechnical (January 15, 2021) and provided for reference in Appendix D.

6a) i No Impact:

Research of available maps indicates that the subject site is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, SCG did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered to be low. No impact would be expected in regards to this issue. No mitigation is required.

6a) ii Less Than Significant Impact:

The subject site is located in an area which is subject to strong ground motions due to earthquakes. The performance of a site-specific seismic hazards analysis was beyond the scope of this investigation. However, numerous faults capable of producing significant ground motions are located near the subject site. Due to economic considerations, it is not generally considered reasonable to design a structure that is not susceptible to earthquake damage. Therefore, significant damage to structures may be unavoidable during large earthquakes. The proposed structures should, however, be designed to resist structural collapse and thereby provide reasonable protection from serious injury, catastrophic property damage and loss of life.

The 2019 California Building Code (CBC) provides procedures for earthquake resistant structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters presented within the Geotechnical Investigation are based on the soil profile and the proximity of known faults with respect to the subject site.

Based on standards in place at the time of this report, the proposed development is expected to be designed in accordance with the requirements of the 2019 edition of the California Building Code (CBC), which was adopted on January 1, 2020.

Adherence to these existing Uniform Building Code and the California Building Code standards would ensure potential ground shaking impacts are reduced to a less than significant level. No mitigation is required.

6a) iii No Impact:

Liquefaction is the loss of strength in generally cohesionless, saturated soils when the pore-water pressure induced in the soil by a seismic event becomes equal to or exceeds the overburden pressure. The primary factors which influence the potential for liquefaction include

groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface.

The California Geological Survey (CGS) has not yet conducted seismic hazard mapping in the area of the subject site. The San Bernardino County Land Use Plan, Geologic Hazard Overlays, Redlands Quadrangle, FH31C, indicates that the subject site is not located within a zone of liquefaction susceptibility. In addition, the subsurface conditions at the boring locations are not considered to be conducive to liquefaction. These conditions generally consist of medium dense to very dense, well graded, granular soils, and no evidence of a long-term groundwater table within the depths explored by the borings. Based on these considerations, liquefaction is not considered to be a design concern for this project.

Based on this investigation, the project would not be subject to potential soil liquefaction hazard. No impact is expected in regards to this issue. No mitigation is necessary.

6a) iv No Impact:

The proposed project is within an area developed with urban uses and is not located adjacent to or near any geographical feature identified by the City that would be susceptible to landslides. Because the proposed project is not located within proximity to any geographical feature that would be susceptible to producing landslides, the occurrence of a landslide on or near project site is low. Therefore, no impact is expected in regards to this issue as a result of the development. No mitigation is required.

6b Less Than Significant Impact:

Soils are classified by the United States Natural Resource Conservation Service into four hydrologic soils groups based on the soil's runoff potential. "Hydrologic soil group" is a term that represents a group of soils having similar runoff potential under similar storm and cover conditions. Soil properties that influence runoff potential are those that influence the minimum rate of infiltration for bare soil after prolonged wetting. Per the soils report, surface soils are comprised of alluvial soils at the ground surface at all of the boring locations, extending to at least the maximum depth explored of 19± feet below ground surface. The near surface alluvial soils, within the upper 7 to 9½± feet, generally consist of silty fine sands, well-graded sands, and silty well-graded sands with varying gravel and cobble content. These soils are considered to have moderate infiltration and runoff erosion potential.

Although the project site soils have a low runoff or erosion potential, the proposed project would require the excavation and movement of on-site soils, which could result in runoff or erosion issues. However, construction projects resulting in the disturbance of 1.0 acre, or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB).

The project's developer would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project construction. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP would ensure that potential impacts related to this issue are less than significant. No mitigation is required.

6c Less Than Significant Impact:

Subsidence is the sudden sinking or gradual downward settling of the earth's surface with little or no horizontal motion. Subsidence is caused by a variety of activities, which include (but are not limited to) withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydro-compaction. The project does not require use of groundwater. Based on the soil composition, minor ground subsidence is expected to occur in the soils due to the removal of on-site soils and replacement with compacted fill. The actual amount of subsidence is expected to be low with implementation of recommendations contained in the soils report.

The San Bernardino County Land Use Plan, Geologic Hazard Overlays, Redlands Quadrangle, FH31C, indicates that the subject site is not located within a zone of liquefaction susceptibility. In addition, the subsurface conditions at the boring locations are not considered to be conducive to liquefaction. These conditions generally consist of medium dense to very dense, well graded, granular soils, and no evidence of a long-term groundwater table within the depths explored by the borings. Based on these considerations, liquefaction is not considered to be a design concern for this project.

The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low.

The recommended remedial grading will remove the near-surface alluvial soils from the proposed building areas. The excavated soils will be replaced as compacted structural fill. The native soils that will remain in place below the recommended depth of over-excavation will not be subject to significant load increases from the foundations of the new structures and possess higher strengths and more favorable consolidation characteristics. Provided that the recommended remedial grading is completed, the post-construction static settlements of the proposed structure are expected to be within tolerable limits."

Adherence to City and engineering requirements and standards would reduce potential impacts associated with this issue to a less than significant level. No mitigation is required.

6d Less Than Significant Impact:

Expansive soils generally have a significant amount of clay particles which can expel water (shrink) or absorb water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed and they can occur in hillside areas as well as low-lying alluvial basins.

According Geotechnical/Soils Report the near-surface soils generally consist of sands and silty sands with gravel. Based on their composition and lack of any appreciable plasticity, these soils are considered to be non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for this site. All imported fill soils should also possess very low expansive characteristics."

Development of the proposed project site will be required to adhere to City design and engineering standards and impacts associated with this issue are considered less than

significant. No mitigation is required.

6e No Impact:

The proposed commercial and residential project are utilizing the connection to the existing sewer system. Therefore, the project will not include septic tanks or alternative wastewater disposal systems. No impact is expected in regards to this issue. No mitigation is required.

Mitigation Measures: Not Required.

7. GREENHOUSE GAS EMISSIONS – Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☑	☐

Explanation:

Information presented herein is quoted and/or summarized in the Greenhouse Gas Assessment, prepared by LDN Consulting, Inc. (May 13, 2021) and provided for reference in Appendix E.

7a-b Less Than Significant Impact:

The City of Highland does not have specific City defined GHG thresholds of significance however, the City does suggest that GHG thresholds recommended by SCAQMD should be followed. The SCAQMD threshold, which was adopted in December 2008, considers emissions of over 10,000 metric tons CO2E /year to be significant. However, the SCAQMD's threshold applies only to stationary sources and is expressly intended to apply only when the SCAQMD is the CEQA lead agency. Note that lead agencies retain the responsibility to determine significance on a case-by-case basis for each specific project.

Although not formally adopted, the SCAQMD has developed a draft quantitative threshold for all land use types of, following Tier 3 screening standards. Under this methodology, Tier 3 screening values are established at 3,000 MT/year CO_2E for residential/commercial mixed uses (South Coast Air Quality Management District, 2013).

The proposed project will emit GHGs directly through burning of carbon-based fuels such as gasoline and natural gas as well as indirectly through usage of electricity, water and from the anaerobic bacterial breakdown of organic solid waste. On-site grading and construction activities would generate greenhouse gas (GHG) emissions. After construction, operation of the project would generate increased vehicle trips in the project area, leading to generation of GHG emissions. Additionally, the consumption of electricity and natural gas by the proposed on-site

uses would generate GHG emissions. However, as shown in Table 5.1, short-term (construction) GHG emissions were determined to be less than the threshold and as shown in Table 5.2, long-term (operational) GHG emissions were also determined to be less than the threshold.

Table 5.1: Expected Annual Construction CO_2e Emissions Summary MT/Year

Year	Bio-CO_2	NBio-CO2	Total CO_2	CH_4	N_2O	CO_2e
2022	0.00	481.86	481.86	0.09	0.00	484.00
2023	0.00	25.20	25.20	0.01	0.00	25.36
					Total	**509.37**
					Yearly Average Construction Emissions (Metric Tons/year over 30 years)	**16.98**
Expected Construction emissions are based upon CalEEMod modeling assumptions for equipment and durations listed in Table 4.1 above.						

Table 5.2: Expected Operational Emissions Summary MT/Year

Year	Bio-CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Area	0.00	0.78	0.78	0.00	0.00	0.79
Energy	0.00	303.82	303.82	0.01	0.00	305.24
Mobile	0.00	2589.74	2589.74	0.19	0.00	2594.49
Waste	27.71	0.00	27.71	1.64	0.00	68.64
Water	2.04	23.66	25.70	0.21	0.01	32.52
					Amortized Construction Emissions (Table 5.1 above)	**16.98**
					51 KW Solar	**-27.71**
					8 EV Charging Stations	**-149.69**
					Total Operations	**2,841.26**
Expected Construction emissions are based upon CalEEMod modeling assumptions for equipment and durations listed in Table 1 above. Data is presented in decimal format and may have rounding errors.						

The proposed project would implement Project Design Features (PDFs) specifically chosen to reduce both greenhouse gas and air quality emissions. These PDFs would promote sustainability through site design that would conserve energy, water, open space, and other natural resources, and would become specific Conditions of Approval (COA) by the City of Highland:

1. In accordance with SCAQMDs Rule 403. All soil will be wetted twice daily during earthwork activities.
2. The project would install low flow water fixtures in all residential units and retail areas.
3. All lighting within the project will be designed using LED technology for both indoor and outdoor areas.
4. The project would provide separate waste containers to allow for simpler material separations, or the project would pay for a waste collection service that recycles the materials in accordance with AB 341 to achieve a 75% waste diversion for both retail and residential uses. 100% of all green waste will be diverted from landfills and recycled as

mulch and used onsite.
5. The project would not install hearth (fireplace) options within multi-family residential units.
6. The project would install Natural Gas hearth units within the single-family residential units.
7. The project shall install water efficient/drought tolerant and/or native landscape, use smart evapotranspiration controllers and would limit conventional turf.
8. The project would meet all solar development requirements for solar and would offset residential electrical energy usage. The project would install 51 kilowatts (kW) of solar or roughly 162 (315 Watt) solar panels.
9. The project would install eight (8) Electric Vehicle (EV) Charging Stations within the retail areas of the project.

Based on the analysis, the proposed project buildout with included PDFs 1-9 would generate fewer emissions than the requisite 3,000 MT CO2e per year screening threshold and would have a less than significant GHG impact under CEQA. In addition, because the project generates fewer emissions than the applicable screening threshold, the project would not conflict with any local or state plans, policies, or regulations and would be consistent with SCAQMD's requirements. Impacts are considered less than significant for this issue. No mitigation required.

Mitigation Measures: Not Required

8. HAZARDS AND HAZARDOUS MATERIALS – Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐
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?	☐	☐	☐	☑
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?	☐	☐	☑	☐

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?	☐	☐	☐	☑
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐
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?	☐	☐	☐	☑

Explanation:

8a Less Than Significant Impact:

The proposed project would result in the construction of a Mixed-Use development consisting of five commercial tenant buildings, three multi-family residential buildings, and a single-family residence, along with associated driveways, parking lots, trash enclosures, and landscape areas. Potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction of the proposed project. One of the Commercial Stores proposed will be a Tractor Supply Company store, which typically involves the sale of bulk propane. In addition, the only hazardous waste expected after construction of the buildings maybe small amounts of domestic chemicals such as lawn products or household cleaning products for landscape and building maintenance. The transport, use, storage, and sale of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable State and Federal laws.

Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level. No mitigation is required.

8b Less Than Significant Impact:

The project applicant completed a Phase I Environmental Site Assessment on October 5, 2020, and concluded that "there are no areas of concern regarding the current or former operations on-site" and that "there are no recommended areas of action currently". Furthermore, "this assessment has revealed no evidence of Recognized Environmental Conditions (REC) or Historical Recognized Environmental Conditions (HREC) in connection with the property". Although potentially hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during the construction of the proposed project, and potentially hazardous materials such as propane, cleaning solutions and lawn products will be either for sale or used for maintenance throughout the life of the project, the transport, use, storage, and sale of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable State and Federal laws. Compliance with all applicable laws and regulations would reduce the potential impact associated with the routine transport, use, storage, or disposal of hazardous materials to a less than significant level. No mitigation is required.

8c Less Than Significant Impact:

St Adelaide School is the nearest school to the Project Site , located to the south at the southwest corner of Base Line Road and Church Avenue. While the proposed mixed-use project will inevitably produce mild fumes and residual materials (i.e. cleaning agents, solvents, propane, etc.) due to daily living and services rendered, the transport, use, storage, and sale of hazardous materials during the construction and operation of the site would be conducted in accordance with all applicable State and Federal laws. Compliance with all applicable laws and regulations would ensure the proposed project will not emit a significant hazardous affect or influence the schools within proximity, reducing the potential impacts to less than significant. No mitigation is required.

8d No Impact:

An "EPA ID Number" identifies a facility to the State and Federal governments as a hazardous waste generator. The project site has never had any uses requiring an EPA RCRA generator number for the subject property and none for this report according to the Phase I Environmental Site Assessment. A hazardous waste manifest file is maintained when hazardous materials are transported and disposed of from a site and there are no regulated materials currently being generated or disposed of from the Project Site. In addition, no hazardous sites are located in the immediate vicinity of the project site. Therefore, no impact would be expected in regards to this issue. No mitigation is required.

8e Less Than Significant Impact:

The closest airport to the project site is San Bernardino International Airport (SBIA) located to the southwest. The SBIA is located in the City of San Bernardino, adjacent to the southwestern boundary of the City of Highland and approximately 1.5 miles southwest of the project site. The project site is within the Airport Overlay Zone "E – Airport Influence Zone – Negligible Risk Level" for SBIA. Safety Zone E has no density limit in people per acre and no maximum lot coverage (100) as set forth in Table 16.40.410.A of the Highland Municipal Code. Additionally, the proposed commercial, multi-family, and single-family uses are denoted as "SR" within Table 16.40.410.A. Where the symbol "SR" appears in the column beneath an airport safety zone, the use is compatible. Use is acceptable without safety-related conditions (noise, airspace protection, and/or overflight limitations may apply). Therefore, the project would not result in a safety hazard for people residing or working in the project area and the impact would be considered less than significant. No mitigation is required.

8f No Impact:

The project is not located within the vicinity of a private airstrip or heliport. Resultantly, no impacts associated with this issue would occur. No mitigation is required.

8g Less Than Significant Impact:

The proposed project would be designed, constructed, and maintained in accordance with applicable standards associated with vehicular access, resulting in adequate emergency access and evacuation. As the offsite construction is restricted to restriping and driveway entrances and not considered significant, any road closures would have adequate monitoring

and directional guides to help facilitate the flow of traffic. Adherence to these measures would reduce potential impacts related to this issue to a level of less than significant. No mitigation is required.

8h No Impact:

Due to the lack of vegetation and extensive development in close proximity of the project site, the area surrounding the proposed project does not support wildfire habitat. Implementation of the most recent California Building Code standards further defend the proposed development from fire and minimize the likelihood of susceptibility. Additionally, the Project Site is located in a Non-VHFHSZ (Non-Very High Fire Hazard Severity Zone) and is not located within a Wildland Urban Interface (WUI) Intermix, Interface, or Influence Zone according to CalFire maps (https://osfm.fire.ca.gov/media/5946/highland.pdf and https://frap.fire.ca.gov/media/10300/wui_19_ada.pdf). Thus, proposed project would result in no impact in respect to this issue. No mitigation is required.

Mitigation Measures: Not Required

9. HYDROLOGY AND WATER QUALITY -- Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☑	☐
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)?	☐	☐	☑	☐
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, which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
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?	☐	☐	☑	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐

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?	☐	☐	☐	☑
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

9a – f Less than Significant Impact:

Construction projects resulting in the disturbance of 1.0 acre or more require a National Pollutant Discharge Elimination System (NPDES) permit. The project proponent is required to file a Notice of Intent (NOI) to comply with the NPDES Construction Activity General Permit. A component of the NPDES permit is the preparation of a Storm Water Pollution Prevention Plan (SWPPP). The purpose of an SWPPP is to identify and implement Best Management Practices (BMPs) to reduce impacts to surface water from contaminated stormwater discharges.

Compliance with the project specific SWPPP would reduce construction impacts related to this issue to less than significant.

Once the proposed project is completed, operation or ongoing activities of the project may contribute to long-term water quality impacts. To prevent such impacts, the project must implement a Water Quality Management Plan (WQMP). New development is required to meet or exceed pre-project conditions for storm water discharge, and the proposed project would be required to retain any additional runoff on site and discharge it to the storm drain system at rates that do not exceed pre-project conditions. An approved Preliminary WQMP, prepared by SiteTech, Inc. (February 11, 2021) is provided as Appendix F.

The WQMP identifies BMPs (including design criteria for treatment control) that should be implemented to minimize adverse water quality impacts during construction and post-construction. The project specific WQMP addresses management of urban runoff with respect to the quantity and quality of water leaving the project site. The primary objective of the WQMP, by addressing site design, source control, and treatment control BMPs applied on a project-specific and/or sub-regional or regional basis, is to ensure that the land use approval and permitting process of each City would minimize the cumulative regional impact of urban runoff. The WQMP would be required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan.

Because adherence to the requirements of the NPDES permit, the SWPPP, and WQMP would be required by the City prior to, during, and after construction, the project's potential water quality impacts would be reduced to less than significant. No mitigation is required.

9g – j No Impact:

The proposed project is not within 100-year flood hazard areas as identified in Federal Emergency Management Agency Flood Insurance Rate Map 06071C8707J (September 2, 2016). Therefore, the project would not place housing within a 100-year flood hazard area. No impact related to this issue is anticipated to occur and no mitigation is required.

The proposed project is not within the inundation area associated with the Seven Oaks Dam located roughly 5.7 miles away and therefore would not expose people or structures to any risks associated with a dam failure. No impact is anticipated in relation to this, and no mitigation is required.

The proposed project site is not located adjacent to any enclosed bodies of water, no seiche-related flooding is anticipated to occur on site; resultantly the probability for a mudslide is very unlikely. The Geotechnical Investigation concluded that the potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Additionally, the distance from any mapped landslide areas, as well as the flat nature of the parcel, makes the likelihood of a landslide or mudflow affecting the property very low. No impact is anticipated as a result of the project in regards to this issue and no mitigation is required.

Mitigation Measures: Not Required

10. LAND USE AND PLANNING - Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☑	☐
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?	☐	☐	☑	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑

Explanation:

10a Less Than Significant Impact:

The project site is surrounded by residential to the north and commercial to the east, west, and south. Construction of a residential and commercial project is consistent with the existing uses and would not divide an established community, but rather enhance the fluidity of the community by connecting various uses and creating the missing piece between existing and planned development. Any impacts in relation to the existing community for this issue would be

considered less than significant. No mitigation is required.

10b Less Than Significant Impact:

Implementation of a portion of the commercial aspect of the project will require an amendment to the General Plan to allow any Drive-Thru Restaurants located at the proposed site. The General Plan limitation of Drive-Thru Restaurants is not for the purpose of mitigating an environmental effect, and therefore the GPA is not considered in conflict in regards to this issue. The project applicant proposes to process a General Plan Amendment to allow drive-thru (Quick Serve Restaurants [QSRs]) within Parcel -05. Aside from this amendment, the remaining proposed uses are consistent with the General Plan designations. Because the project is not consistent with the General Plan, in terms of the allowability of QSRs, but the GPA is not considered in conflict, the impact is deemed less than significant. No mitigation is required beyond the applicable processing, entitlement, and possible conditions associated with the General Plan Amendment.

10c No Impact:

There is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan applicable to the project site. The project site is not subject to any adopted habitat conservation plan or natural community conservation plan and therefore no impact would result from the project. No mitigation is required.

Mitigation Measures: None required.

11. MINERAL RESOURCES -- Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☑	☐
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?	☐	☐	☐	☑

Explanation:

11a Less Than Significant Impact

Mineral resources present in the City of Highland include iron, decorative rocks, clay, limestone, sand, and gravel construction aggregate. Based on the City of Highland General Plan, the project site is identified as being within Mineral Resource Zone 3 (MRZ-3). Per the Phase I Cultural Resource Assessment, "...extensive disturbance from the early 20th century structure and orchard development and their subsequent demolition and clearing makes it highly unlikely that any intact prehistoric resources would be present." Impacts related to this issue would be less than significant impact for the proposed project. No mitigation is required.

11b No Impact

The proposed project site is not classified as an area of locally important mineral resource recovery. No impact related to this issue will occur and no mitigation is required.

Mitigation Measures: Not Required

12. NOISE Would the project result in:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☐	☑
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☑
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☑
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?	☐	☐	☐	☑
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?	☐	☐	☐	☑

Explanation:

Information presented herein is quoted and/or summarized from the Noise Study, prepared by LDN Consulting, Inc. (May 13, 2021) and provided for reference in Appendix G.

12a-d No Impact:

Noise is defined as unwanted or annoying sound which interferes with or disrupts normal activities. Exposure to high noise levels has been demonstrated to cause hearing loss. The individual human response to environmental noise is based on the sensitivity of that individual, the type of noise that occurs and when the noise occurs.

Sound is measured on a logarithmic scale consisting of sound pressure levels known as a decibel (dB). The sounds heard by humans typically do not consist of a single frequency but of a broadband of frequencies having different sound pressure levels. The method for evaluating all the frequencies of the sound is to apply an A-weighting to reflect how the human ear responds to the different sound levels at different frequencies. The A-weighted sound level adequately describes the instantaneous noise whereas the equivalent sound level depicted as Leq represents a steady sound level containing the same total acoustical energy as the actual fluctuating sound level over a given time interval.

The Community Noise Equivalent Level (CNEL) is the 24-hour A-weighted average for sound, with corrections for evening and nighttime hours. The corrections require an addition of 5 decibels to sound levels in the evening hours between 7 p.m. and 10 p.m. and an addition of 10 decibels to sound levels at nighttime hours between 10 p.m. and 7 a.m. These additions are made to account for the increased sensitivity during the evening and nighttime hours when sound appears louder.

A vehicles noise level is from a combination of the noise produced by the engine, exhaust and tires. The cumulative traffic noise levels along a roadway segment are based on three primary factors: the amount of traffic, the travel speed of the traffic, and the vehicle mix ratio or number of medium and heavy trucks. The intensity of traffic noise is increased by higher traffic volumes, greater speeds and increased number of trucks.

Because mobile/traffic noise levels are calculated on a logarithmic scale, a doubling of the traffic noise or acoustical energy results in a noise level increase of 3 dBA. Therefore, the doubling of the traffic volume, without changing the vehicle speeds or mix ratio, results in a noise increase of 3 dBA. Mobile noise levels radiant in an almost oblique fashion from the source and drop off at a rate of 3 dBA for each doubling of distance under hard site conditions and at a rate of 4.5 dBA for soft site conditions. Hard site conditions consist of concrete, asphalt and hard pack dirt while soft site conditions exist in areas having slight grade changes, landscaped areas and vegetation. On the other hand, fixed/point sources radiate outward uniformly as it travels away from the source. Their sound levels attenuate or drop off at a rate of 6 dBA for each doubling of distance.

The most effective noise reduction methods consist of controlling the noise at the source, blocking the noise transmission with barriers or relocating the receiver. Any or all of these methods may be required to reduce noise levels to an acceptable level.

The Noise Element of the City of Highland General Plan provides exterior noise standards for the indicated land uses as laid out in Table 3-1 below. Although the metric indicated for exterior noise standards is a CNEL, because by definition CNELs are a 24-hour average and the land use table assigns varying CNEL thresholds based on time of day it is likely that an hourly Leq might be more appropriate. Nevertheless, these standards are presented below with the caveat that construction activities are exempt as Section 8.50.060 (L) of the City of Highland Municipal Code exempts construction noise generated in the performance of work consistent with City permits or approvals.

Table 3-1: Sound Level Limits in Decibels (dBA)

Type of Land Use	Time Interval	CNEL (dBA)
Residential	10:00 p.m. – 7:00 a.m.	55
	7:00 a.m. – 10:00 p.m.	60
Agricultural/Equestrian	10:00 p.m. – 7:00 a.m.	60
	7:00 a.m. – 10:00 p.m.	65
Commercial	10:00 p.m. – 7:00 a.m.	65
	7:00 a.m. – 10:00 p.m.	70
Manufacturing or Industrial	Any Time	75
Open Space	Any Time	75
Source: Chapter 8.50, Noise Control, City of Highland Municipal Code.		

Although the City of Highland guidelines allow residential exterior noise levels of up to 70 dB CNEL, a noise level of 65 dB is the level at which ambient noise begins to interfere with one's ability to carry on a normal conversation at reasonable separation without raising one's voice. The City of Highland General Plan Goal 7.1 recommends an exterior threshold of 65 dBA CNEL as the compatibility guideline for new residential dwellings in Highland and is used as the guideline for this analysis. However, exterior noise attenuation features could include, but are not limited to, setbacks to place structures outside the 65 dB CNEL noise contour, orienting structures so no windows open to the noise source, and /or installing noise barriers such as berms or solid walls.

Exterior standards apply to normally used recreational exterior space (patio, porch, pool/spa, etc.). They are also a guide to likely interior noise exposure based on the structural attenuation normally achievable with various types of construction.

The City of Highland interior noise standard uses a weighted noise exposure of 45 dBA CNEL as the guideline level for single and multi-family dwelling units. Conventional construction with closed windows and a fresh air supply will normally suffice. Normal noise attenuation within residential structures with closed windows is about 25-30 dB. Therefore, an exterior noise level of up to 70-75 dB CNEL could allow for the interior threshold to be met with no special noise attenuation features.

The City of Highland is pre-empted from regulating on-road traffic noise. However, when traffic noise exceeds the planning standard for an affected land use, CNEL-based standards are the accepted significance threshold for any CEQA environmental analysis.

In accordance with CEQA, a project should not have a noticeable adverse impact on the surrounding environment. Noise level changes greater than 3 dBA, or a doubling of the acoustic energy, are often identified as audible and considered potentially significant, while changes less than 1 dBA are not discernible. In the range of 1 to 3 dBA, humans who are very sensitive to noise may perceive a slight change. For the purposes for this analysis, a direct and cumulative roadway noise impact would be considered significant if the project increases noise levels at a noise sensitive land use 3 dBA CNEL and if the noise level increases above an unacceptable noise level per the City's General Plan.

Existing Noise Environment: Monitoring location 1 (M1) was located roughly 140-feet from the centerline of Base Line Street. The results of the noise level measurements are presented in Table 4-1. The noise measurements were monitored for a time period of 15 minutes. The existing noise levels in the project area consisted primarily of traffic along Base Line Street.

Table 4-1: Measured Ambient Noise Levels

Measurement Identification	Description	Time	Noise Levels (dBA)					
			Leq	Lmax	Lmin	L10	L50	L90
M1	Base Line Street	11:00-11:15 a.m.	55.8	69.7	43.9	58.6	54.1	47.7
Source: Ldn Consulting, Inc. April 15, 2021								

Future On-Site Operational Noise Levels: Sound from a small, localized source (a "point" source) radiates uniformly outward as it travels away from the source. The sound level attenuates or drops-off at a rate of 6 dBA for each doubling of distance. A drop-off rate of 6 dBA per doubling of distance was used for this piece of equipment.

The Project must meet the most restrictive daytime and evening standards of 60.0 dBA and 55.0 dBA at the residential property lines as shown in Table 3-2 above. Each anticipated noise source is provided in more detail in Tables 5-2, 5-3, and 5-4 below to determine if direct noise impacts will occur. A cumulative noise level analysis with associated distances, noise reductions and calculations of the proposed sources is provided in Table 5-5 below showing the individual noise sources and their associated property line noise levels.

Table 5-2: Operational Noise Levels (Tractor Supply)

Source	Reference Noise Level (dBA)	Reference Distance (Feet)	Minimum Distance to Property Line (Feet)	Duty Cycle (Seconds/Hour)	Resultant Noise Level at Property Line (dBA Leq)
Delivery Trucks	87	4	150	150	**42**
Propane forklift	77	5	150	600	**40**
Vertical Baler	90	5	70	300	**56**
CUMULATIVE NOISE LEVEL @ PROPERTY LINE (dBA)					**57**
Property Line Standard					**60**
Complies with Noise Ordinance					**Yes**

For Table 5-2 the combined noise levels at the adjacent property lines based upon distance separation and limited duty-cycles were projected to be below the City's Noise Ordinance standards with no barriers or shielding of the equipment. Therefore, no impacts are anticipated, and no mitigation is required for the continued operations.

Table 5-3: Delivery Truck Noise Levels (Grocery Store)

Distance to Observer (Feet)	Reference Noise Level (dBA)	Noise Source Reference Distance (Feet)	Noise Reduction Due to Distance (dBA)	Noise Level at Property Line (dBA)	Quantity per hour	Property Line Cumulative Noise Level (dBA)
65	60.5	25	-8.3	52.2	1	52.2*
*Complies with the nighttime Noise Standard of 55 dBA.						

For Table 5-3, there is one loading dock proposed at the grocery facility approximately 65 feet from the closest residential property line to the north. A truck will take approximately 5 minutes to drive in the site and position itself into a bay, 30-45 minutes to be unloaded or loaded, and another 5 minutes to exit the bay secure doors, complete necessary paperwork and drive out of the site. This equates to 40-55 minutes it would take for one truck to complete a delivery or pickup, therefore only one truck at the most could deliver to this facility in one hour. During the loading/unloading of the truck the engine can only idle for five (5) minutes in compliance with State air quality requirements. To be conservative, it was assumed the truck engine could be operating for 15 minutes of the total time required during the delivery process (5 minutes at arrival, 5 minutes of idle and 5 minutes at departure).

Noise levels drop 3 decibels each time the duration of the source is reduced in half. Therefore, hourly truck noise level over a 15-minute period would be reduced 6 decibels to 60.5 dBA at a distance of 25-feet based on the limited time of operation. The nearest loading dock at the grocery facility is roughly 65 feet from the nearest residential

Fast Food Restaurant: In order to examine the potential stationary noise source impacts associated with the operation of the proposed fast-food restaurants, reference noise levels were used for the menu board and speaker post (Source: HME Electronics, Inc., HME SPP2 Speaker Post). The reference noise level of the speaker board is 54 dBA CNEL at 32 feet. The future drive-thru speakers are located approximately 350 from the nearest residential property line to the north resulting in an anticipated noise level of approximately 36 dBA. Therefore, the proposed operations of the fast-food restaurants and drive-thru would not exceed the City's daytime threshold of 60 dBA and the most restrictive nighttime threshold of 55 dBA. Therefore, no additional noise reductions would be required.

Table 5-4: Project HVAC Noise Levels (Nearest Residential Property Line)

Building	Distance to Observer Location (Feet)	Hourly Reference Noise Level (dBA)	Noise Source Reference Distance (Feet)	Noise Reduction Due to Distance (dBA)	Noise Level at Property Line (dBA)	Quantity	Property Line Cumulative Noise Level (dBA)*
Tractor Supply 10-ton	140	76.0	3.0	-33.4	42.6	2	**45.6**
Tractor Supply 3-ton	35	67.0	6.0	-21.3	45.7	1	**48.7**
Tractor Supply 3-ton	160	67.0	6.0	-34.5	32.5	1	**32.5**
Grocery 10-ton	70	76.0	3.0	-27.4	48.6	1	**48.6**
Grocery 3-ton	70	67.0	6.0	-21.3	45.7	1	**45.7**
Drive-Thru 3-ton	370	67.0	6.0	-35.8	31.2	4	**37.2**
Drive-Thru 3-ton	370	67.0	6.0	-35.8	31.2	4	**37.2**
					Combined Cumulative Noise Level at Property Line:		**52.9**
*Complies with the nighttime Noise Standard of 55 dBA.							

For Table 5-4, To predict the worst-case future noise environment, a continuous reference noise level of 67 dBA at 6-feet was used to represent the mechanical ventilation system for the smaller units and a reference noise level of 76.0 dBA at 3-feet (or 70 dBA at 6-feet) for the larger units. Even though the mechanical ventilation system will cycle on and off throughout the day, this approach presents the worst-case noise condition. In addition, these units are designed to provide cooling during the peak summer daytime periods, and it is unlikely that all the units will be operating continuously.

The noise levels associated with the roof-top mechanical ventilation systems will be limited with the proposed parapet walls on each building that will vary in height but will be roughly 1-foot higher than the HVAC units to shield them both visually and acoustically. Hence, the parapet wall will block the line-of-sight from the adjacent residential units. No additional reductions were taken for the parapet walls. The noise level reductions due to distance for the nearest residential uses located to the north is provided in Table 5-4 below for each building. The number of HVAC units that are proposed for each building is also provided in Table 5-4 along with the cumulative noise levels.

Cumulative Project Noise Levels: Table 5-5 below presents the cumulative noise levels at the nearest residential property line from the proposed commercial development during the daytime hours.

Table 5-5: Cumulative Daytime Noise Levels (Nearest Residential Property Line)

Source	Distance to Observer Location (Feet)	Hourly Reference Noise Level (dBA)	Noise Source Reference Distance (Feet)	Noise Reduction Due to Distance (dBA)	Reduction Due to Duty Cycle (dBA)	Noise Level at Property Line (dBA)	Quantity	Property Line Cumulative Noise Level (dBA)*
Tractor Supply Deliveries	150	87.0	4	-31.5	-13.8	41.7	1	**41.7**
Propane Forklift	150	77.0	5	-29.5	-7.8	39.7	1	**39.7**
Vertical Baler	70	90.0	5	-22.9	-10.8	56.3	1	**56.3**
Grocery Delivery	65	60.5	25	-8.3	0.0	52.2	1	**52.2**
Speaker Board	350	54.0	32	-20.8	0.0	33.2	2	**36.2**
Tractor Supply 10-ton	140	76.0	3	-33.4	0.0	42.6	2	**45.6**
Tractor Supply 3-ton	35	67.0	3	-21.3	0.0	45.7	1	**45.7**
Tractor Supply 3-ton	160	67.0	3	-34.5	0.0	32.5	1	**32.5**
Grocery 10-ton	70	76.0	3	-27.4	0.0	48.6	1	**48.6**
Grocery 3-ton	70	67.0	6	-21.3	0.0	45.7	1	**45.7**
Drive-Thru 3-ton	370	67.0	6	-35.8	0.0	31.2	4	**37.2**
Drive-Thru 3-ton	370	67.0	6	-35.8	0.0	31.2	4	**37.2**
						Combined Cumulative Noise Level at Property Line:		**59.1**

The resultant cumulative noise level at the nearest property lines is projected to be at or below 59.1 dBA Leq. Therefore, cumulatively the proposed commercial development related operational noise levels comply with the daytime noise standards at the nearest residences. No Impacts are anticipated, and no mitigation is required.

Based upon the property line noise levels determined for the Project none of the proposed noise sources exceeds the property line standards. Therefore, the proposed development related operational noise levels comply with the City's daytime and evening noise standards. No impacts are anticipated, and no mitigation is required.

Offsite Project Related Transportation Noise Levels: To determine if direct or cumulative off-site noise level increases associated with the development of the proposed project would create noise impacts, the traffic volumes for the existing conditions were compared with the traffic volume increase of existing plus the proposed project. The project is estimated to generate 3,363 daily trips with a peak hour volume of 298 trips. The existing average daily traffic (ADT) volumes on Base Line Street is more than several thousand ADT. Typically, it requires a project to double (or add 100%) the traffic volumes to have a direct impact of 3 dBA CNEL or be a major contributor to the cumulative traffic volumes, therefore, no direct or cumulative impacts are anticipated. Of the project generated traffic, the residential portion of the project accounts for 75 of these daily trips and would not have a significant contribution to

the neighborhood roadways.

The project does not create a direct noise increase of more than 3 dBA CNEL along Base Line Street and local area roadways. Therefore, the project's direct contributions to off-site roadway noise increases will not cause any significant impacts to any existing or future noise sensitive land uses. No mitigation is required.

Construction Noise. Section 15.48.030 of the Highland Municipal Code prohibits construction activities to commence any earlier than one-half hour before sunrise or to terminate no later than one-half hour after sunset Monday through Sunday. As a condition of approval, non-emergency construction activities adjacent to existing noise sensitive uses should be limited to daylight hours between 7:00 a.m. and 6:00 p.m. Construction on weekends or holidays are to be discouraged except in the case of construction proximate to schools where these operations could disturb the classroom environment.

Pursuant to Section 8.50.060 (Exemptions), noise associated with "construction, repair, or excavation work performed pursuant to a valid written agreement with the city or any of its political subdivisions, which agreement provides for noise mitigation measures", is exempt.

Operational Noise. Although exempt from numerical noise standards, The Noise Element provides the following exterior noise standards for the indicated land uses. Although the metric indicated for exterior noise standards is a CNEL, because by definition CNELs are a 24-hour average and the land use table assigns varying CNEL thresholds based on time of day it is likely that an hourly Leq might be more appropriate. Nevertheless, these standards are presented below with the caveat that construction activities are exempt.

Although the City of Highland guidelines allow residential exterior noise levels of up to 70 dB CNEL, a noise level of 65 dB is the level at which ambient noise begins to interfere with one's ability to carry on a normal conversation at reasonable separation without raising one's voice. The City of Highland General Plan Goal 7.1 recommends an exterior threshold of 65 dBA CNEL as the compatibility guideline for new residential dwellings in Highland and is used as the guideline for this analysis. However, exterior noise attenuation features could include, but are not limited to, setbacks to place structures outside the 65 dB CNEL noise contour, orienting structures so no windows open to the noise source, and /or installing noise barriers such as berms or solid walls.

Exterior standards apply to normally used recreational exterior space (patio, porch, pool/spa, etc.). They are also a guide to likely interior noise exposure based on the structural attenuation normally achievable with various types of construction.

The City of Highland interior noise standard uses a weighted noise exposure of 45 dBA CNEL as the guideline level for single and multi-family dwelling units. Conventional construction with closed windows and a fresh air supply will normally suffice. Normal noise attenuation within residential structures with closed windows is about 25-30 dB. Therefore, an exterior noise level of up to 70-75 dB CNEL could allow for the interior threshold to be met with no special noise attenuation features.

In accordance with CEQA, a project should not have a noticeable adverse impact on the surrounding environment. Noise level changes greater than 3 dBA, or a doubling of the acoustic energy, are often identified as audible and considered potentially significant, while changes less than 1 dBA are not discernible. In the range of 1 to 3 dBA, humans who are very

sensitive to noise may perceive a slight change. For the purposes for this analysis; a direct and cumulative roadway noise impact would be considered significant if the project increases noise levels at a noise sensitive land use 3 dBA CNEL and if the noise level increases above an unacceptable noise level per the City's General Plan."

12e No Impact:

"The San Bernardino International Airport Layout Plan Narrative Report dated September 22, 2010, was compared to the project site location. According to the report the project is located approximately one mile from the 65 dBA CNEL noise contour for the airport. Therefore, no impacts from the existing airport are anticipated at the project site."

12f No Impact:

The proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue would occur and mitigation is not required.

Mitigation Measures: Not Required

13. POPULATION AND HOUSING -- Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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)?	☐	☐	☑	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

Explanation:

13a Less Than Significant Impact:

The project proposed will create 5 commercial buildings, 21 multi-family residential units, and one single-family residence. The project site is surrounded by existing developed property and a severe housing shortage. While the proposed project will generate housing and jobs, both of which are factors that contribute to population growth, the project is not expected to produce substantial population growth that is over the intended amount allowed by the General Plan. A majority of the property is zoned MU, with a small remainder portion zoned R-1. The R-1 zoned area will be developed as the singe-family residence. The MU area will be subdivided into individual lots and will contain the commercial and multi-family portions of the project.

The MU zoning has a maximum residential density of 18 dwelling units per acre. The proposed parcel where the 21-unit multi-family development will occur is 1.72 acres, which allows for 30.96 dwelling units. The proposed density is substantially less than the allowable density, thus the impact in regards to this issue would be less than significant with no mitigation required.

The MU zoning also has a maximum lot coverage of 100%. The proposed parcels containing commercial structures will have 18%, 22%, 9%, 12% and 17% based on the proposed plan. The total lot coverage over the commercial portions of the project is only 19%. The proposed project would not create such a large amount o new business as to cause a substantial population growth. Thus, impacts related to this issue would be less than significant with no mitigation required.

13b No Impact:

The proposed project site is currently vacant property. No housing would be removed as part of the project. There are no impacts related to this issue and no mitigation is necessary.

13c No Impact:

The proposed project site is currently vacant property. Because the proposed project would not result in removal of housing, or any structures causing the displacement of people, the construction of replacement housing is not required. Therefore, no impacts associated with this issue would occur and no mitigation is required.

Mitigation Measures: Not required

14. PUBLIC SERVICES	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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:				
a) Fire protection?	☐	☐	☑	☐
b) Police protection?	☐	☐	☑	☐
c) Schools?	☐	☐	☑	☐
d) Parks?	☐	☐	☑	☐
e) Other public facilities?	☐	☐	☑	☐

Explanation:

14a Less Than Significant Impact:

The City of Highland Fire Department provides fire protection services for the project site. The closest fire station to the project site is Station 541 at 29674 Base Line, which is approximately 0.6 miles Southwest of the project site. The proposed project would cause an incremental increase in the need for fire service due to the development of new multi-family units and commercial businesses, however, this increase in fire service would not create the need for new or expanded fire stations. In addition, the proposed project would pay all applicable development impact fees to the City, which would assist in fair share funding of any future development of fire facilities. For these reasons, the project would have a less than significant impact in regards to this issue. No mitigation is required.

14b Less Than Significant Impact:

The project site is serviced by the Highland Police Department located at 26985 Base Line, which is approximately 0.7 miles away. With development of the proposed multi-family units and commercial businesses, the proposed project would cause an incremental increase in the need for police service. However, this increase in police service would not create the need for new or expanded police stations at this time. In addition, the proposed project would pay all applicable development impact fees to the City, which would assist in the payment for any future development of police facilities. For these reasons, the project would have a less than significant impact in regards to this issue. No mitigation is required.

14c. Less Than Significant Impact:

The proposed project is located within the San Bernardino City unified School District and would increase the number of school-age children as the project includes the construction of new residential units. However, the project respects the General Plan for this area as well as the density allowed within the zoning and is creating a total of 22 residential units. This is not expected to substantially increase the number of student-aged residents within the district. The project would not create the need for new or expanded school facilities. In addition, the proposed project would pay all applicable local school district impact fees, which would assist in the payment for any future development of school facilities. For these reasons, the project would have a less than significant impact in regards to this issue. No mitigation is required.

14d Less Than Significant Impact:

The proposed project would include new multi-family units with no on-site recreational facilities proposed; thus, payment of impact fees per unit would be required to provide fair share funding for the construction of new or expanded recreational facilities within the City of Highland. With payment of impact fees, a less than significant impact would occur under this threshold. No mitigation is required.

14e Less Than Significant Impact:

As referenced, the project would pay all applicable development impact fees to the City, which would assist in funding any future development of public facilities. Therefore, the project

would have a less than significant impact in regards to this issue. No mitigation is required.

Mitigation Measures: Not Required

15. RECREATION	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☑	☐
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?	☐	☐	☑	☐

Explanation:

15a,b Less than Significant Impact:

The project proposed will create 5 commercial buildings, 21 multi-family residential units, and one single-family residence. The property does have an existing trail system along the frontage of Base Line Road and proposed to construct a common use corner plaza with a historic pathway sign at the corner of Base Line Road and Church Avenue. The addition of new residents inhabiting the multi-family units would potentially increase the use of existing recreational facilities. No recreational resources are proposed as part of the project except for connection to the existing trail and the signage. Highland Community Park is located 1.4 miles southwest from the proposed development. While the project does not propose direct access to this park, the applicant would be required to pay development impact fees in addition to dedication of the trail easement. This would provide fair share funding for construction or maintenance of park facilities. Impacts related to this threshold would be less than significant in regards to this issue. No mitigation is required.

Mitigation Measures: Not Required

16. TRANSPORTATION/TRAFFIC -- Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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)?	☐	☑	☐	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☑	☐	☐
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?	☐	☐	☐	☑
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
e) Result in inadequate emergency access?	☐	☐	☑	☐
f) Result in inadequate parking capacity?	☐	☐	☑	☐
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☑	☐

Explanation:

Information presented herein is quoted and/or summarized from the VMT Memo, prepared by TJW Engineering, Inc. (May 3, 2021) and the Traffic Impact Analysis, prepared by TJW Engineering, Inc. (May 3, 2021), both of which are provided for reference in Appendix H.

16a-b Less than Significant Impact with Mitigation Incorporated:

The project proposed will create 5 commercial buildings, 21 multi-family residential units, and one single-family residence. Access to the retail portion of the site is planned along Base Line via one proposed right-in right-out driveway and one existing full-access driveway. Access to the retail portion of the site is also planned along Church Avenue via one full-access driveway. Additionally, access to the retail portion of the site is planned on Foster Avenue via one full-access driveway. Access for the multi-family apartments is planned along Foster Avenue. Access for the single-family dwelling units is planned along Villa Avenue.

The project proponent's traffic engineer prepared a scoping letter on March 25, 2021, which the city approved on March 30, 2021. The scoping agreement laid out the requirements for a Traffic Impact Analysis which included the study of the project's potential impacts on eight (8) separate intersections, using five (5) analysis scenarios. The agreement also specified the trip generation to be used for analysis as well as the pass-by allowances for various uses. Trip generation is shown in the following table:

	Existing Trip Generation			Proposed Trip Generation		
	In	Out	Total	In	Out	Total
AM Trips				181	165	346
PM Trips				207	193	400
Daily						5,196

A subsequent Traffic Impact Analysis was prepared for the project studying the items as required in the Scoping Letter.

Level of Service (LOS) is commonly used to describe the quality of flow on roadways and at intersections using a range of LOS from LOS A (free flow with little congestion) to LOS F (severely congested conditions). The definitions for LOS for interruption of traffic flow differ depending on the type of traffic control (traffic signal, unsignalized intersection with side street stops, unsignalized intersection with all-way stops).

Senate Bill (SB) 743 was adopted in 2013 requiring the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within the California Environmental Quality Act (CEQA). For land use projects, OPR has identified Vehicle Miles Traveled (VMT) as the new metric for transportation analysis under CEQA. The regulatory changes to the CEQA guidelines that implement SB 743 were approved on December 28th, 2018 with an implementation date of July 1st, 2020 as the new metric.

For general plan consistency, a level of service analysis has been conducted. The City of Highland has established LOS D as the target level of service for intersections within the city jurisdiction. Additionally, all intersection levels of service below "D" and all segment levels of service below "C" shall be mitigated.

For VMT purposes, guidelines set forth by the SBCTA will be followed to identify and mitigate transportation impacts within the California Environmental Quality Act (CEQA).

Existing Conditions Intersection Los Analysis: Existing conditions AM and PM peak hour intersection analysis is shown in Table 4 below.

Table 4

Intersection Analysis – Existing Conditions

Intersection			Control Type	Peak Hour	Existing Conditions	
					Delay[1]	LOS
1	Central	Base Line	Signal	AM	10.8	B
				PM	13.6	B
2	Palm	Foster	OWSC	AM	10.5	B
				PM	16.7	C
3	Palm	Base Line	Signal	AM	27.8	C
				PM	32.9	C
4	Bonita/Ex. Dwy	Base Line	TWSC	AM	20.2	C
				PM	63.4	F
5	Church	Base Line	Signal	AM	15.3	B
				PM	20.7	C
6	I-210 EB Ramps	Base Line	Signal	AM	23.1	C
				PM	20.3	C
7	I-210 WB Ramps	Base Line	Signal	AM	21.5	C
				PM	27.9	C
8	Seine	Base Line	Signal	AM	24.6	C
				PM	29.5	C

Note: AWSC = All- Way Stop-Control, OWSC = One-Way Stop Control, Delay shown in seconds per vehicle.

1 = Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized and all-way stop-controlled intersections. For intersections with one-or-two-way stop-control, the delay and LOS for the worst individual approach is shown.

As shown in Table 4, the study intersections are currently operating at an acceptable LOS during the AM and PM peak hours for *existing* conditions with the exception of intersection #4 – Bonita Drive/Base Line (LOS F PM Peak Hour).

Opening Year Conditions Intersection Los Analysis: Opening year AM and PM peak hour intersection analysis is shown in Table 8 below both with "no" project (OYNP) and with project (OYWP). Calculations for OYNP were based on the existing geometrics at the study area intersections as shown in Exhibit 3 of the Traffic Impact Analysis. HCM analysis sheets are provided in Appendix C of the Traffic Impact Analysis.

Opening year with project volumes include background traffic plus the addition of traffic projected to be generated by the proposed project. For the purposes of this study, the year 2023 will be used as the expected opening year. Opening year with project volumes include a growth rate of 2% per year for two years applied to existing volumes in addition to project volumes.

Study intersections along Base Line within one-fourth of a mile have been analyzed as a coordinated system. Appendix D of the Traffic Impact Analysis contains time-space diagrams showing the flow of traffic along the Base Line corridor for opening year with project conditions.

Table 8

Intersection Analysis – Opening Year With Project (OYWP) Conditions

Intersection			Control Type	Peak Hour	OYNP Conditions		OYWP Conditions		Change	Deficient?
					Delay[1]	LOS	Delay[1]	LOS		
1	Central	Base Line	Signal	AM	10.9	B	11.3	B	0.4	No
				PM	14.0	B	14.8	B	0.8	No
2	Palm	Foster	OWSC	AM	10.6	B	11.5	B	0.9	No
				PM	17.4	C	22.7	C	5.3	No
3	Palm	Base Line	Signal	AM	27.9	C	27.7	C	-0.2	No
				PM	33.7	C	34.7	C	1.0	No
4	Bonita/Ex. Dwy	Base Line	TWSC	AM	21.1	C	22.0	C	0.9	No
				PM	73.0	F	132.0	F	59.0	Yes
5	Church	Base Line	Signal	AM	15.5	B	25.1	C	9.6	No
				PM	21.5	C	35.3	D	13.8	No
6	I-210 EB Ramps	Base Line	Signal	AM	23.1	C	23.4	C	0.3	No
				PM	19.7	B	21.3	C	1.6	No
7	I-210 WB Ramps	Base Line	Signal	AM	18.9	B	19.5	B	0.6	No
				PM	23.3	C	24.1	C	0.8	No
8	Seine	Base Line	Signal	AM	23.7	C	23.9	C	0.2	No
				PM	26.4	C	27.1	C	0.7	No
9	Dwy 1	Base Line	OWSC	AM	-	-	11.4	B	--	No
				PM	-	-	14.6	B	--	No
10	Church	Dwy 2	OWSC	AM	-	-	9.7	A	--	No
				PM	-	-	10.9	B	--	No

Note: AWSC = All- Way Stop-Control, OWSC = One-Way Stop Control, Delay shown in seconds per vehicle.

1 = Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized and all-way stop-controlled intersections. For intersections with one-or-two-way stop-control, the delay and LOS for the worst individual approach is shown.

As shown in Table 8, the study intersections are projected to continue operating at an acceptable LOS during the AM and PM peak hours for *existing* conditions with the exception of intersection #4 – Bonita Drive/Base Line, which is still operating at LOS F during PM Peak Hour.

Future Year (2040) Conditions Intersection Los Analysis: Future year conditions AM and PM peak hour intersection analysis is shown in Table 10 below both with "no" project (OYNP) and with project (OYWP).. HCM analysis sheets are provided in Appendix C of the Traffic Impact Analysis. Future year volumes include background traffic expected in the surrounding area. For the purposes of this study, the year 2040 will be used as the future yer. Future year volumes include a growth rate of 2% per year for 19 years applied to existing volumes.

Table 10

Intersection Analysis – Future Year With Project (2040WP) Conditions

Intersection			Control Type	Peak Hour	2040NP Conditions		2040WP Conditions		Change	Deficient?
					Delay[1]	LOS	Delay[1]	LOS		
1	Central	Base Line	Signal	AM	11.7	B	12.2	B	0.5	No
				PM	18.3	B	19.5	B	1.2	No
2	Palm	Foster	OWSC	AM	11.5	B	12.7	B	1.2	No
				PM	29.3	D	38.4	E	9.1	Yes
3	Palm	Base Line	Signal	AM	29.4	C	29.7	C	0.3	No
				PM	48.5	D	53.5	D	5.0	No
4	Bonita/Ex. Dwy	Base Line	TWSC	AM	36.9	E	39.6	E	2.6	Yes
				PM	414.9	F	805.6	F	390.7	Yes
5	Church	Base Line	Signal	AM	18.6	B	28.6	C	10.0	No
				PM	32.3	C	63.4	E	31.1	No
6	I-210 EB Ramps	Base Line	Signal	AM	25.7	C	26.6	C	0.9	No
				PM	24.0	C	25.1	C	1.1	No
7	I-210 WB Ramps	Base Line	Signal	AM	24.5	C	25.0	C	0.5	No
				PM	47.6	D	50.5	D	2.9	No
8	Seine	Base Line	Signal	AM	29.4	C	30.1	C	0.7	No
				PM	51.5	D	54.5	D	3.0	No
9	Dwy 1	Base Line	OWSC	AM	-	-	12.9	B	-	No
				PM	-	-	19.3	C	-	No
10	Church	Dwy 2	OWSC	AM	-	-	10.1	B	-	No
				PM	-	-	12.0	B	-	No

Note: AWSC = All- Way Stop-Control, OWSC = One-Way Stop Control, Delay shown in seconds per vehicle.

1 = Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized and all-way stop-controlled intersections. For intersections with one-or-two-way stop-control, the delay and LOS for the worst individual approach is shown.

As shown in Table 10, the study intersections are projected to continue to operate at an acceptable LOS during the AM and PM peak hours for future year conditions with the exception intersections #2 – Palm Ave/Foster Ave (LOS E PM Peak Hour), #4 – Bonita Drive/Base Line (LOS E AM Peak Hour/LOS F PM Peak Hour); and #5 – Church Ave/Base Line (LOS E PM Peak Hour). Notably, only intersection #2 – Palm Ave/Foster Ave has a change in LOS as a result of the project.

Mitigation Recommendations: Although the project will only directly cause an LOS deficiency at one intersection based on the Future Year, it has indirect impacts on the other two affected intersections. Mitigation measures **TRA-1**, **TRA-2**, and **TRA-3** are recommended to bring the LOS below the threshold. Results of recommended mitigation is summarized in Table 11 below.

Table 11
Intersection Analysis – Scenarios with Recommended Improvements

Intersection			Ex. Control Type	Scenario	Peak Hour	Delay[1]	LOS	With Recommended Improvements		
								Control Type	Delay[1]	LOS
2	Palm	Foster	OWSC	2040WP	AM	12.7	B	OWSC	12.6	B
					PM	38.4	E		31.1	D
4	Bonita/Ex. Dwy	Base Line	TWSC	OYWP	AM	22.0	C	Signal	8.3	A
					PM	132.0	F		10.3	A
				2040WP	AM	39.6	E		8.1	A
					PM	805.6	F		10.9	B
				OYWP	AM	22.0	C	TWSC	10.5	B
					PM	132.0	F		12.5	B
				2040WP	AM	39.6	E		11.6	B
					PM	805.6	F		15.0	C
5	Church	Base Line	Signal	2040WP	AM	28.6	C	Signal	26.5	C
					PM	63.4	E		43.0	D

1 = Per the Highway Capacity Manual 6th Edition, overall average delay and LOS are shown for signalized and all-way stop-controlled intersections.

Table 11 shows level of service at the intersections with the recommended improvements. For the intersection of Bonita Dr-Ex. Driveway/Base Line, Table 11 shows the level of service for both potential improvements. As shown, with the recommended improvements, the intersections are projected to operate at an improved LOS. Ultimately, appropriate mitigation measures shall be constructed in compliance with the City of Highland General Plan or as directed by the City Engineer.

Fair Share: The proposed project is located within the City of Highland and will therefore be subject to the City's Development Impact Fees (DIF) and a fair share contribution to project deficiencies.

The proposed project could participate in the cost of off-site improvements through payment of City DIF fees based on the current fees at the time of construction of the proposed project. The project's contribution to the aforementioned transportation impact fee programs or as a fair share contribution towards a cumulatively deficient facility not found to be covered by a pre-existing fee program should be considered sufficient to address the project's fair share towards mitigation measure(s) designed to alleviate cumulative project deficiencies. Table 12 calculates the proposed project's fair share percentage at deficient intersections.

Table 12
Fair Share Calculations

Intersection			Existing AM&PM Peak Hour Volume (A)	2040WP AM & PM Peak Hour		
				Total Volume (B)	Project Volume (C)	Fair Share (C)/(B-A)
2	Palm	Foster	-	-	-	100.00%
4	Bonita/Ex. Dwy	Base Line	2976	4597	322	19.86%
5	Church	Base Line	-	-	-	100.00%

Note: Fair Share for a direct deficiency is assumed to be 100%.

VMT Analysis: The results of the SBCTA Screening Tool show the proposed project is completely within a transit priority area (TPA) and is within a low VMT generating traffic

analysis zone. Appendix A contains the results of the SBCTA Screening Tool. Since the proposed project passes the SBCTA Screening process, the proposed project is assumed to have a less than significant impact and no further VMT analysis is needed."

Because the proposed project would add traffic to the existing roadway system in the area, and the analysis shows that LOS levels would increase above the threshold, impacts would be considered potentially significant. Implementation of **TRA-1**, **TRA-2**, and **TRA-3** will reduce the potential for significant impacts to less than significant. Impacts for this issue are considered less than significant with mitigation incorporated.

16c No Impact:

Although the project is located within the Influence Area of the San Bernardino International Airport, it is within Airport Overlay Zone "E – Airport Influence Zone – Negligible Risk Level" for SBIA. Safety Zone E has no density limit in people per acre and no maximum lot coverage (100) as set forth in Table 16.40.410.A of the Highland Municipal Code. Additionally, the proposed commercial, multi-family, and single-family uses are denoted as "SR" within Table 16.40.410.A. Where the symbol "SR" appears in the column beneath an airport safety zone, the use is compatible. Use is acceptable without safety-related conditions (noise, airspace protection, and/or overflight limitations may apply).

The proposed project would not cause any changes to air traffic volumes or air traffic patterns. Therefore, no impact related to this issue would occur and no mitigation is required.

16d No Impact:

Roadway improvements in and around the project site have been completed to full-width standards, per the City requirements and standards regarding street widths, corner radii, intersection control, and incorporate design standards tailored specifically to site access requirements. The proposed primary entrances align with existing development to ensure the flow of traffic is not interrupted as well as adequate site distance is maintained. Additionally, the project proposed commercial public access drive aisles connecting various access point, potentially reducing traffic hazards. Therefore, no impact to this issue is expected and no mitigation is required.

16e No Impact:

The proposed project would be designed, constructed, and maintained to provide for adequate emergency access and evacuation as well as circulation. The proposed project design will be submitted to and reviewed by the City of Highland Fire Department and Highland Police Departments as required, prior to the approval and issuance of construction permits. A less than significant impact related to this issue would occur and no mitigation is required.

16f No Impact:

The project proposed to construct a Tractor Supply Company store and has requested a reduction in parking requirements associated with this tenant. The project Traffic Engineer submitted a Parking Demand Memorandum dated May 3, 2021, outlining the proposed use. The memorandum analyzed existing Tractor Supply stores and determined that peak weekday demand and weekend demand at the Tractor Supply Store is expected to be 44 and 55 total spaces, respectively. The Traffic Engineer concluded that "while the municipal code requires a

total of 96 total parking spaces, the proposed 87 total parking spaces is anticipated to adequately accommodate the peak parking demand expected at the Tractor Supply Store." In addition to the memorandum, the Tractor Supply site layout includes a 20' x 150' Permanent Trailer and Equipment Display Area along the east side of the building. This area can be used for an additional 15 parking spaces should the tenant change and more parking were required, thus exceeding the required 96 parking spaces.

Otherwise, on-site parking will be more than adequate per the City of Highlands parking matrix for the existing zoning and density limits for the rest of the development. With the approval of the parking reduction requested, no adverse parking impacts would occur as a result of project implementation. Thus, this impact is considered less than significant in regards to this issue. No mitigation is required.

16g Less Than Significant Impact:

Transit services in the City of Highland is provided by OmniTrans. Within .5 mile of the proposed project site, there are eight (8) public transportation bus stops, including one (1) along the project frontage of Base Line Road. The project also proposes short term bike parking as required. The project will not conflict with adopted transportation policies. Any impacts associated with this issue would be less than significant. No mitigation is required.

Mitigation Measures:

TRA-1: Palm Ave/Foster Ave – Restripe intersection to include one left-turn lane and one right-turn lane at the Foster Avenue westbound approach. Existing Foster Avenue width can accommodate proposed improvements.

TRA-2: Church Ave/Base Line – Restripe intersection to include two left-turn lanes and one shared through-right lane at the Church Avenue southbound approach. Existing Church Avenue width can accommodate proposed improvements.

TRA-3: Bonita Dr-Driveway/Base Line – Signalize intersection or restrict left turn/ through movements out of the existing southbound driveway during the PM peak hour. It should be noted that signalizing the existing intersection reduces LOS to acceptable levels, however peak hour signal warrants are not met for any with or without project scenarios. A signal at the existing intersection would not meet ideal signalized intersection spacing of 660' feet. It should also be noted that left turn/through movements out of the existing southbound driveway are not restricted even though the intersection is operating at an unacceptable LOS during the PM peak hour.

17. TRIBAL CULTURAL RESOURCES -- Would the project result in	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☑
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☑

Explanation:

Information presented herein is quoted and/or summarized from the Phase I Cultural Resource Assessment, prepared by Heritage Resources (April 30, 2021) and provided for reference in Appendix C.

17a i-ii) No Impact:

The project site is located within the territory traditionally claimed by the Serrano and possibly by the Gabrielino-Tongva and Cahuilla. Prehistoric use of the area appears to have been minimal based on the lack of archaeological sites recorded at the SCCIC within 0.5 mile, although natural and historic disturbances have likely contributed to this lack of data. The majority of historic use was focused on orchard agriculture and the associated structures of the Highland Historic District that is listed on the National Register of Historic Places.

Four cultural resource studies are documented at the SCCIC as having been completed within one-quarter mile of the Project Direct-Impact APE, one related to the telecommunications tower at the northwest corner of the property. Only one survey had positive results, Base Line Road (P-36-15497), a California Point of Historical Interest. As noted on the DPR-523 Resource Record Form for Baseline Road, "While Baseline Road is historically associated with the Southern California Baseline of 1853, the survey line itself is an imaginary map line with no physical manifestation of it or the survey markers located within or adjacent to the Project

alignment" (Smallwood 2014). In addition, "Baseline Road began as a dirt wagon road for freight traffic, and today is a modern, six-lane asphalt-concrete roadway completely modern in its appearance, design, construction, and materials." Baseline Road lacks integrity to be eligible for the National Register. Two additional resources have been otherwise recorded, the North Fork Main Canal (P-36-006544/P-36-15487), determined ineligible for the National Register of Historic Places and the Highland Historic District (P-36-15491) containing over 100 structures either listed on or determined eligible for the National Register of Historic Places as described above.

As of April 30, 2021, three responses to the mailed letters and follow-up emails were received. The Agua Caliente Band of Cahuilla Indians and Quechan Tribe of the Fort Yuma Reservation responded stating that they defer to other tribes in the area. The San Manuel Band of Mission Indians (SMBMI) responded stating that the Project is at least one mile from known sacred land files/known cultural resources.

The research completed for the proposed Project, including record search and contact with the Native American Heritage Commission and Cahuilla, Cahuilla/Luiseño, Cahuilla/Serrano, Serrano, and Quechan Tribes, indicated a low likelihood for the presence of prehistoric or historic archaeological resources. No archaeological or historical resources have been previously recorded on the Project property. Historic map research indicated that structures were built on the property prior to 1938 and were demolished by 1980. Currently, only a vacant graded lot remains. The field survey discovered no prehistoric or historic archaeological resources on the property. Therefore, based on the negative results of the archival and field surveys, no impacts to cultural resources are anticipated from development of the proposed Project. There will be no adverse change in the significance of a historical or archaeological resource (per CEQA §15064.5). Due to the negative results, no mitigation measures are recommended or warranted. Given the extensive disturbance to the property through the 20th century, no archaeological monitoring is recommended.

Based on the Cultural Resource Assessment, no impact would occur in regards to this issue. No mitigation is required.

Mitigation Measures: Not Required

18. UTILITIES AND SERVICE SYSTEMS – Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☑	☐
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?	☐	☐	☑	☐

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?	☐	☐	☑	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐
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?	☐	☐	☑	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☑	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☑	☐

Explanation:

Information presented herein is quoted and/or summarized from the Storm Water Quality Management Plan (SWQMP), prepared by SiteTech, Inc. (February 11, 2021) and provided for reference in Appendix F.

18a Less Than Significant:

The proposed project construction is not expected to generate wastewater that would exceed wastewater treatment requirements of the RWQCB per the preliminarily approved Preliminary Stormwater Quality Management Plan (SWQMP or WQMP). Project Specific WQMPs will be prepared and approved by the city with each phase of the project. Impacts are less than significant in regards to this issue. No mitigation is required.

18b Less Than Significant:

Construction of all on-site infrastructure has been analyzed. The project proposed a sewer extension through the property to serve the multi-family portion of the project, as well as allowing better access to utility connections for the commercial properties without additional encroachments into public roadways. No significant or adverse impacts would result from installation of on-site infrastructure. Thus, impacts under this threshold would be less than significant in regards to this issue. No mitigation is required.

18c Less Than Significant:

Development of the proposed project will result in an increase in the number of impermeable surfaces, and thus, increase surface runoff. However, per the Preliminary WQMP, the construction of on-site stormwater drainage basins will mitigate the pre-construction versus post-construction run-off. Sub-surface soil drainage is adequate to infiltrate stormwater runoff on-site in the event of normal rain events. Under the NPDES permits, project proponents are required to prepare a SWPPP and WQMP. The project includes a WQMP basin to the north of

the entrance off of Base Line, as well as two parallel to Base Line, which will capture and treat runoff from impervious surfaces. With adherence to the WQMP, post-construction off-site flows would not exceed pre-construction flows. Therefore, the project would not require the construction or expansion of any off-site stormwater drainage facilities. Impacts under this threshold would be less than significant in regards to this issue. No mitigation is required.

18d Less Than Significant:

The project is consistent with City of Highland growth projections; thus, sufficient supplies are available and impacts under this threshold would be less than significant. No mitigation is required.

18e Less Than Significant:

Impacts related to wastewater treatment plant capacity are less than significant and no mitigation is required.

18f Less Than Significant:

The proposed project would generate solid waste from the planned residential and commercial uses. The City contracts with Burrtec Waste Industries, Inc. and Cal Disposal Co., Inc. for solid waste disposal services. The project would not generate solid waste above landfills' permitted capacities. Therefore, impacts are less than significant, and no mitigation is required.

18g Less Than Significant:

Construction waste will be monitored during haul-off activities as well as recycling tracking sheets during disposal. Per State guidelines, a percentage of recycling will be met per the City's guidelines. During fully operational activities, specific bins will be used and disposed of appropriately on a regular basis. A less than significant impact would occur under this threshold.

Mitigation Measures: Not Required

19. MANDATORY FINDINGS OF SIGNIFICANCE	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporated**	**Less Than Significant Impact**	**No Impact**
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?	☐	☐	☑	☐

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)?	☐	☐	☑	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☑	☐

Explanation:

19a Less Than Significant Impact:

The proposed project does have the potential to degrade the quality of the environment based on various Cultural, Biological, Storm Water, and GHG / Noise studies performed, but any associated impacts would be less than significant. Impacts are considered less than significant in regards to this issue. No mitigation is required.

19b Less Than Significant Impact:

Based on the location of the proposed project, and the substantially developed surroundings, the cumulative impacts are would be less than significant. The project proposes very minor individual impacts and therefore does not intend on affecting any long-term thresholds that have not been impacted already based on current development of the area. Impacts are considered less than significant in regards to this issue. No mitigation is required.

19c Less Than Significant Impact:

The project has undergone various studies and evaluations. All impacts which may be considered harmful to human beings at a level considered significant have been mitigated to a level of less than significant through the design of the project. With all findings thus far, it is determined that the project will not impact human beings negatively, either directly or indirectly, and will only provide more of a beneficial impact by supplying development consistent with the area, service needs, and overall community desires. Impacts are considered less than significant in regards to this issue. No mitigation is required.

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☑ I find that 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.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that 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.
- ☐ I find that 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.

Planner — Date: 9/1/2021

Listed below are the person(s) who prepared or participated in the preparation of the Initial Study:

Lauren Schulte, Developer / Applicant
Woodcrest Real Estate Ventures
1410 Main Street, Suite C
Ramona, California 92065

Appendixes:

A. Project Description
B. Biological Resource Assessment prepared by Kidd Biological, Inc.
C Phase I Cultural Resource Assessment prepared by Heritage Resources
    i. Phase I Environmental Assessment prepared by S &S Environmental
D. Geotechnical Investigation prepared by Southern California Geotechnical
E. Greenhouse Gas Assessment prepared by LDN Consulting, Inc.
    i. Air Quality Assessment prepared by LDN Consulting, Inc.
F. Approved Preliminary WQMP prepared by SiteTech, Inc.
G. Noise Study prepared by LDN Consulting, Inc.
H. Traffic Impact Analysis prepared by TJW Engineering, Inc.
    i. Vehicle Miles Traveled Memorandum prepared by TJW Engineering, Inc.
    ii. Parking Memorandum prepared by TJW Engineering, Inc.

Attachment 3:

Planning Commission

Resolution No. 2021 - ____

RESOLUTION NO. 2021 - ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP (TPM 21-001), CONDITIONAL USE PERMIT (CUP 21-006), AND DESIGN REVIEW APPLICATION (DRA 21-004) FOR A MIXED-USE DEVELOPMENT CONSISTING OF FIVE (5) COMMERCIAL TENANT BUILDINGS, ONE (1) MULTI-FAMILY RESIDENTIAL BUILDING, AND ONE (1) SINGLE-FAMILY RESIDENCE ON APPROXIMATELY 9.06 ACRES AT THE NORTHWEST CORNER OF BASE LINE AND CHURCH AVENUE, CERTIFYING A MITIGATED NEGATIVE DECLARATION (ENV 21-003), AND RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT (GPA 21-002) ALLOWING DRIVE-THRU FACILITIES WITHIN THE TOWN CENTER POLICY AREA.

ASSESSOR'S PARCEL NUMBERS: 1200-381-05 & -43

APPLICANT: WOODCREST REAL ESTATE VENTURES

A. RECITALS

1. On May 17, 2021, the Applicant submitted applications for Conditional Use Permit (CUP 21-006), Design Review Application (DRA 21-004), Tentative Parcel Map (TPM 21-001) for a Mixed-Use development consisting of five (5) commercial tenant buildings, one (1) multi-family residential building, and one (1) single-family residence on approximately 9.06 acres at the northwest corner of Base Line and Church Avenue. Assessor's Parcel Numbers: 1200-381-05 & -43

2. On May 17, 2021, the Applicant submitted an application for General Plan Amendment (GPA 21-002) to remove General Plan Town Center Policy No. 10, the prohibition of drive-thru facilities part of commercial uses within the Town Center Policy Area along Base Line. This affects Assessor's Parcel Numbers: 1192-421-23, -01, -02, -03, -04, -05, -06, -07, 1201-011-24, -01, -08, -23, 1201-051-14, -16, -17, 1191-501-57, -83, -84, 1191-501-06, -78, 1200-381-40, -41, -42, -43, -05, 1200-421-33, -02, -03

3. On June 18, 2021, Staff provided the Applicant with a Letter of Incompleteness and listed the various items that were missing from the initial submittal and provided direction on modifications to the exterior elevations of the site.

4. On October 18, 2021, the Application resubmitted revised plans addressing Staff's directives and the items listed in the Letter of Incompleteness.

5. Pursuant to the California Environmental Quality Act, the project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources, for the habitat disturbance to state and federally protected nesting birds, and to Transportation,

for the increase of traffic along Base Line. However, a thorough analysis of the impacts was completed during the preparation of the Mitigated Negative Declaration and appropriate Mitigation Measures were provided for this project.

6. All legal prerequisites to the adoption of this Resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission of the City of Highland as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.

2. The City of Highland Planning Commission after due consideration, inspection, investigation and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing, including the staff report to the Planning Commission dated December 7, 2021, which is incorporated herein by this reference, does find and determine the following facts:

   a. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law and the Municipal Code of the City of Highland.

3. Findings of Fact for **General Plan Amendment (GPA-21-002)**

   Based on the Findings below, the Planning Commission recommends the City Council does herby find:

   a. The proposed amendment is consistent with the goals, objectives, policies, and programs of the general plan, or the general plan as revised by the proposed amendment, and will not result in any inconsistencies within the plan:

      Response: Currently, General Plan (Land Use Element, Goal 2.10, Town Center Policy No. 10) prohibits the establishment of any sort of business involving drive-thru service within the Town Center Policy Area. The General Plan's vision for this area of the City is for a non-drive thru environment with sit down restaurants, and walk-in commercial businesses. However, considering that establishments with drive-thru service have become more popular and favorable in recent years, the Applicant has submitted a General Plan Amendment that will address this trend. As such, the revised General Plan, specifically for the Town Center Policy Area, will not pose a detriment to the surrounding vicinity.

   b. The proposed amendment will not adversely affect the public health, safety or general welfare.

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, the Fire Department and the Police Department and certain conditions of approval that are necessary and proper to safeguard and protect the public health, safety, and welfare have been implemented. That being the case, the approval of a General Plan Amendment for the proposed project is will not adversely affect the public health, safety, or general welfare.

c. The proposed amendment is consistent with the purposes and intent of this title, unless such amendment proposes to change, supplement, or alter any part of this title, whereas, said amendment must be consistent with all of the applicable sections including these findings.

Response: Title 16 of the Municipal Code includes the development standards and requirements pertaining to Mixed Use projects. As previously discussed, this proposal includes commercial developments with appropriate street frontage, onsite parking, and setbacks compliant with the Mixed Use zone. Additionally, the residential development portion is compliant with the floor area ratio, housing density, and setback requirements from adjacent commercial uses.

d. The potential environmental impacts of the proposed amendment are insignificant or there are overriding considerations which outweigh the potential impacts.

Response: The Initial Study prepared for the proposed development analyzed the potential for environmental impacts on Biological Resources related to the potential habitat disturbance to state and federally protected nesting birds and to Transportation related to the potential the increase of traffic along Base Line. All topics were found to have either "no impact" or "less than significant impact" with mitigation incorporated. The Initial Study incorporated mitigation measures to reduce any potential impacts to a less than significant level and, thus, the approved project is not likely to cause any detrimental environmental effects with or without the General Plan Amendment.

Exhibit 1 attached herein illustrates the proposed General Plan Amendment.

4. Findings of Fact for **Tentative Parcel Map No. (TPM 21-001)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-002), the Planning Commission herby finds:

a. The proposed map is consistent with applicable General and specific plans.

Response: The subdivision of this 9.06 acre area comprised of two (2) parcels will create seven (7) new parcels of various sizes to accommodate five (5) total commercial buildings, a 21-unit apartment complex, and a single- family home. With five (5) separate commercial uses of various sizes, along with the residential section proposed at the northwest corner of the site, the parcel map

is in compliance with the vision for development of the City, as described in the Highland Municipal Code, Chapter 16.22, Mixed Use District.

b. The design or improvement of the proposed subdivision is consistent with applicable general plan.

Response: The proposed development is located on a 9.06 acre site designated by the General Plan as Mixed Use. With five (5) separate commercial uses of various sizes, along with a residential section proposed at the northwest corner of the site, this project is in compliance with the vision for the General Plan's Town Center Policy Area.

c. The site is physically suitable for the type of development.

Response: The site is generally flat without any unusual features and is located within an urbanized area with existing services and infrastructure available to the Site. The proposed Parcel Map subdivides two (2) existing parcels, approximately 9.06 acres in total, into seven (7) separate parcels for commercial uses along Base Line and Church Ave and residential uses along Foster Avenue and Villa Avenue.

d. The site is physically suitable for the proposed density of development.

Response: The proposed project is in compliance with the development standards in the Highland Municipal Code, Chapter 16.22, Mixed Use. Currently, the site is vacant and has remained so since prior to the City's incorporation in 1987. While any sort of development on any site that was previously vacant will have an effect on the surrounding vicinity with regard to foot and vehicular traffic, the trip generation information was analyzed and appropriate mitigation measures for the increased traffic along Base Line and Foster Avenue have been proposed. Further, the proposed site features adequate interior roadways, building setbacks, and onsite parking for the five (5) separate commercial uses to create a cohesive development that complements the surrounding vicinity.

At the northwest corner of the site is the residential portion of the proposed development. With a lot size of 1.72 acres, the 21 units proposes a density of 12.2 du/ac, well below the maximum limit of 18 du/ac. Additionally, with a total building area of 31,769 square feet and a lot size of 75,132 square feet, the lot coverage for the residential development falls under the maximum permitted floor area ratio of 50%. Lastly, the apartment complex is in compliance with the fifteen (15) foot building setbacks in all directions as required for multi-family residential complexes adjacent to commercial developments in the Mixed Use zone.

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

Response: The project site is adjacent to the existing Family Dollar Discount Store to the west, the Smart & Final grocery store to the east, and an established Church across Base Line. Also, there are existing residential developments to the northwest and north of the site along Villa Avenue. This project was also subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. A thorough analysis of the project was done and potential impacts to Biological Resources related to the potential habitat disturbance of state and federally protected nesting birds were mitigated.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Response: The proposed Parcel Map provides the new parcels and site layout required for the Mixed Use development to be constructed as planned. No public health problems are expected as a result of this subdivision.

g. 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.

Response: The design of the subdivision will not conflict with easements for access through, or use of, property within the proposed subdivision. There is an existing six (6) foot wide utility easement that is located along the northern boundary of the property that will remain as-is, since the boundary wall for this project will be constructed six (6) feet inside the property line.

Exhibit 2 attached illustrates Tentative Parcel Map No. 20403 (TPM 21-001).

Exhibit 3 attached is the Mitigation Monitoring & Reporting Program (ENV 21-003)

Exhibit 4 attached includes the Tentative Parcel Map No. 20403 (TPM 21-001) Conditions of Approval.

5. Findings of Fact for **Conditional Use Permit (CUP 21-006)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-002), the Planning Commission herby finds:

a. The proposed use is permitted within the subject district pursuant to the provisions of this section, and complies with all of the applicable provisions of this title; and is consistent with the goals, policies, and objectives of the Highland general plan, and with the applicable development policies and standards of the city:

Response: The proposed development is located on a 9.06 acre site designated by the General Plan and Zoning Map as Mixed Use. Per the Highland Municipal Code, Chapter 16.22.030, any development that involves multiple uses on a shared site is subject to a Conditional Use Permit. With five (5) separate commercial uses of various sizes, along with a residential section proposed at the northwest corner of the site, this project is in compliance with the vision for development of the Town Center Policy Area and Highland Municipal Code. Consolidation of commercial uses along major corridors to enhance aesthetics and economic vitality of the City, as described in the General Plan.

However, times have evolved and curbside pick-up services and to-go style eateries have become the norm. Thus, the Applicant is proposing a General Plan Amendment to remove Town Center Policy No. 10, which states that the Town Center Area shall "*prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line*". As noted above in section B(3), the Planning Commission supports the General Plan Amendment.

b. The proposed use would not impair the integrity and character of the district in which it is to be established or located:

Response: The proposed development would be in compliance with City's vision for commercial development along the Base Line frontage and a buildout of residential units along Foster Avenue and Villa Avenue. The objective of the project is to create a visually appealing commercial center where the primary tenant (Tractor Supply Company) is complemented by various on-site drive-thru eateries to create a communal experience and 'family outing' feel for shoppers. With additional portions of vacant property along Villa Avenue to the north and Foster Avenue to the west, the project also includes the build-out of the area with an apartment complex and single-family home that complement the adjacent residences to provide a safe and convenient environment for residents.

c. The site is suitable for the type and intensity of use or development which is proposed;

Response: The proposed project is in compliance with the development standards set in the Highland Municipal Code, Chapter 16.22, Mixed Use. Currently, the site is vacant and has remained so since prior to the City's incorporation in 1987. While any sort of development on any site that was previously vacant will have an effect on the surrounding vicinity with regard to foot and vehicular traffic, the trip generation information was analyzed and appropriate mitigation measures for the increased traffic along Base Line and Foster Avenue have been proposed. Further, the proposed site features adequate interior roadways, building setbacks, and onsite parking for the five (5) separate commercial uses to create a cohesive development that complements the surrounding vicinity.

d. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety;

Response: The project site will require provisions for water, sewer, public utilities, and public health and safety. As required by the Highland Municipal Code, a "will-serve" letter from the water and sanitation provider must be submitted to the City's Building Official prior to the issuance of building permits. Additionally, the project site will be served by the City of Highland Fire and Police Departments. As conditioned, the Applicant/Developer is required to pay Development Impact Fees which contribute to the additional infrastructure costs associated with these services. Furthermore, as conditioned, the Applicant/ Developer will be required to coordinate with the gas and electricity purveyors to ensure that the project site is adequately serviced. As such, there will be adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety.

e. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity;

Response: The proposed project has been reviewed by Planning, Engineering, Building and Safety, Fire, and the Police Department and certain conditions of approval necessary to safeguard and protect the public health, safety, and welfare have been implemented. That being the case, the approval of this conditional use permit for the proposed project will not adversely affect the public health, safety, and welfare.

f. The proposed use would not result in a significant effect on the environment.

Response: This proposed project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. The City, as the Lead Agency, oversaw preparation of the preparation of the Initial Study / Mitigated Negative Declaration (IS/MND) and has determined that the proposed project could result in potentially significant environmental impacts related to Biological Resources related to the potential habitat disturbance to state and federally protected nesting birds, and to Transportation related to the potential increase of traffic along Base Line.

Nesting Birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the CEQA guidelines. In compliance with the MBTA and the California Department of Fish and Wildlife (CDFW) regulations for protecting nesting birds, all clearing, grubbing, tree trimming, and tree removals will be conducted outside of the February 1st to August 31st bird nesting season. Should grading, grubbing, or tree removal need to occur during the nesting bird season, a pre-construction nesting bird survey will be conducted by a qualified avian biologist prior to any site disturbance. If for any reason an active nest is identified outside of the February 1st to August 31st bird nesting season, avoidance of the nest will be required.

With regard to the increased vehicular traffic in the surrounding vicinity as a result of the proposed development, the Palm Ave and Foster Ave intersection will be restriped to include one (1) left-turn lane and one (1) right-turn lane at the Foster Avenue westbound approach. The existing width of Foster Avenue will be able to accommodate this proposed improvement. Additionally, the Church Ave and Base Line intersection will be restriped to include two (2) left-turn lanes and one (1) thru traffic/right lane at the Church Avenue southbound approach. Likewise, the existing width of Church Avenue will be able to accommodate this proposed modification. Lastly, a signalized intersection or restriction on left turn/ through movements out of Bonita Drive during the PM peak hour will be considered at the Base Line entrance

Exhibit 5 attached includes the Conditional Use Permit (CUP 21-006) Conditions of Approval.

6. Findings of Fact for **Design Review Application (DRA 21-004)**

Based on the Findings below and contingent on the City Council's approval of General Plan Amendment (GPA 21-002), the Planning Commission herby finds:

a. That the proposed project is consistent with the related Conditional Use Permit.

Response: The proposed Tractor Supply Company building is located on a 9.06 acre site designated by the General Plan as Mixed Use. Per Highland Municipal Code Section 16.08.090 (B)(1), "new construction on vacant property", any development that involves multiple uses on a shared site is subject to a Conditional Use Permit, which the Applicant has submitted an application for. The Tractor Supply Company building meets the height limits, setback requirements, and onsite parking spaces necessary to comply with the City's general development standards for commercial developments. Further, while Tractor Supply Company has a corporate color and design scheme with regard to the elevations for their buildings, the aesthetics for this location have been altered to complement the surrounding vicinity and comply with the vision for the Town Center Policy Area.

b. That the proposed use is in accordance with the objectives of this title (Title 16), and the purposes of the land use district in which the site is located.

Response: As aforementioned, the proposed project is located on a vacant property located within the Town Center Policy Area and zoned for Mixed Use developments. The proposed project involves mixed uses and features commercial businesses along the Base Line frontage and residential uses toward Foster Avenue and along Villa Avenue at the northern section of the property. The Design Review Application includes a building for Tractor Supply Company, which includes proposed plans to depict appropriate height limits, setback requirements, and onsite parking spaces necessary to comply with the City's general development standards for commercial developments. Further,

while Tractor Supply Company has a corporate color and design scheme with regard to the elevations for their buildings, the aesthetics for this location have been altered to complement the surrounding vicinity and comply with the vision for the General Plan Town Center Policy Area.

c. That the proposed use is in compliance with city design and landscape standards and criteria.

Response: The proposed buildings are visible to the general public from all directions and primarily features a variety of neutral, earth tone colors that embrace the warm tones found on other buildings located in the Town Center Policy Area. While the proposed Tractor Supply Company has a corporate color and design scheme with regard to the elevations for their buildings, the aesthetics for this location have been modified with additional cutouts and rooflines to complement the surrounding structures and comply with the vision for the General Plan Town Center Policy Area.

The proposed Conceptual Landscape Plan presents a variety of drought-tolerant trees, shrubs and vines, as well as groundcovers planted throughout the perimeter of the buildings as well as the parking lot area. The interior of the parking lot, landscape islands, and curbside planters feature various shrubs and groundcover. The proposed Conceptual Landscape Plan, as conditioned, will comply with the City's drought tolerant landscaping regulations and complement the Base Line street improvements.

d. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or will not be materially injurious to properties or improvements in the vicinity of the site.

Response: This proposed project was subject to an Initial Study / Mitigated Negative Declaration (IS/MND) as part of the CEQA review process. A thorough analysis of the project was done and potential impacts to Biological Resources related to the potential habitat disturbance of state and federally protected nesting birds and to Transportation related to the potential increase of traffic along Base Line. Appropriate mitigation measure to reduce the impacts to an acceptable, less than significant level were adopted. The project has also been reviewed by Planning, Engineering, Building and Safety, Fire, and the Police Department. With implementation of certain conditions of approval that are necessary to safeguard and protect the public health, safety, and welfare, the approval of this Design Review Application for the proposed project will not adversely affect the public health, safety, and welfare.

Exhibit 6 attached includes the Design Review Application (DRA 21-004) Conditions of Approval.

7. Based on the Findings of Fact and Conclusions set forth above, the Planning Commission approves Tentative Parcel Map (TPM 21-001), Conditional Use Permit (CUP 21-006), and Design Review Application (DRA 21-004),

contingent upon the recommended City Council approval of General Plan Amendment (GPA 21-002).

C. ADOPTION OF RESOLUTION

The City Clerk shall certify to the adoption of this Resolution and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, **APPROVED** and **ADOPTED** this 7th day of December 2021.

ATTEST:

Randall Hamerly, Chairman Planning Commission	Lawrence A. Mainez Community Development Director

Exhibit 1:

Proposed General Plan Amendment

- There exists a significant social and economic interdependence and interaction between the City of Highland and the area proposed for annexation.

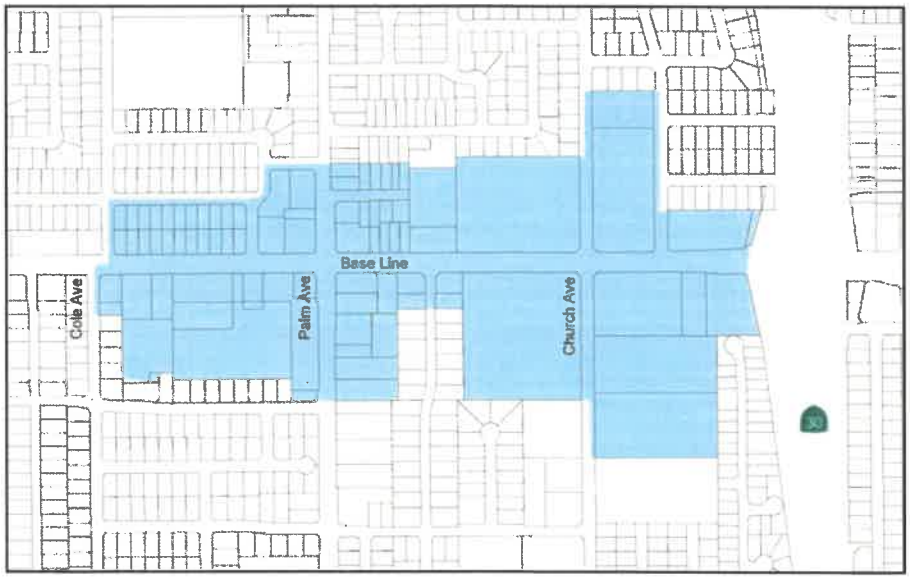
3) Work with the City of San Bernardino to provide buffers in areas where existing or planned land uses in one city are incompatible with adjacent areas in the other.

Community Policy Areas

This section provides goals and policies focused towards individual areas of the City. As part of the Land Use Element, these policies focus on land use issues. Together with the other Elements of the General Plan, the Development Code and ongoing neighborhood and capital improvement programs, these goals and policies will help create, preserve and enhance these community policy areas.

Town Center

There is one place, more than any other, where residents and visitors gain an impression of Highland. It is the land along Base Line on either side of SR-30. The reason is very simple: this is the primary entry to the center of the community. It isn't that other entry points are unimportant; it is just that this one is so prominent.



To the east, the contemporary suburban nature of the East Highlands Ranch area is well established and speaks for itself. To the west, a clear image is yet to emerge. Roughly between the freeway and the City Hall along Base Line is an area designated as the Town Center. It is not envisioned as a traditional downtown, largely because Base Line is so

wide and busy that it creates a barrier between opposite sides of the street. It is not a particularly pedestrian-friendly street. Moreover, there was no evolution of this area as a downtown. The early downtown was a quarter mile to the north. Yet, there is an emerging mixture of activities in this part of Highland, many of which are typically found in downtowns. They include retail businesses and offices, traveler-serving uses, places to eat, civic uses and institutional uses such as churches and schools (immediately adjacent).

Further north and south these uses merge with existing or potential residential neighborhoods. Each of the four quadrants formed by the intersection of Base Line and Palm Avenue contributes a unique set of opportunities for the future Town Center. The southeast quadrant is a mix of institutional, residential and commercial uses. The southwest quadrant emphasizes public uses. The northwest quadrant emphasizes retail uses. The northeast quadrant is a cluster of mostly vacant land, one of the City's most significant. The first three quadrants will achieve their potential through infill, intensification, rehabilitation and even redevelopment. The largely vacant quadrant will be the focus of totally new development.

The following policies specifically relate to the land use aspects of the Town Center. A host of design-related policies are provided in the Community Design Element.

GOAL 2.10

Create a new Town Center where Highland residents, employees and visitors can live, shop, work, recreate and socialize in a vibrant, safe and pedestrian-friendly environment.

Policies

1) Ensure quality design through adherence to the Town Center design guidelines and policies in the Community Design Element.

2) Ensure that the Town Center maintains a mix of uses attractive to broad segments of Highland's population and that stimulate activity during day and evening hours, every day of the week.

3) Provide access to multiple modes of travel, including pedestrian, bicycle, transit and automobile.

4) Work with property owners to implement the Town Center Vision.

5) Protect surrounding single-family neighborhoods from incompatible uses.

6) Provide transition areas/buffers between land uses within the Town Center and with surrounding neighborhoods.

7) Connect the Town Center physically and visually with the Historic Village District with pedestrian connections, historically compatible architecture, signage, landscaping and other streetscape elements.

8) Explore opportunities to relocate historic structures onto the Town Center site in prominent locations.

9) Require new development to provide for public plazas and other gathering places.

~~10) Prohibit freestanding drive-through commercial structures and convenience commercial uses, except at the major intersection of Palm Avenue and Base Line.~~

Base Line Corridor

Base Line is the principal east/west corridor through the City, and its primary commercial area. It is bounded by residential, commercial, public and industrial uses. The corridor suffers from poor visual quality. Commercial lots are shallow, often extending not more than 100 feet from the street frontage, and are generally narrow. Most parcels along Base Line are too small to effectively support a vibrant commercial operation. These factors have led to the development of small-scale freestanding business establishments that lack landscaping and adequate off-street parking. There are some multiple and single-family residential developments among the commercial uses.

To revitalize the corridor, the Land Use Plan redesignates many of the mid-block commercial uses to Medium Density residential uses. This change provides new housing opportunities in the western half of Highland and simultaneously provides additional retail support with new residents and added income to the area.

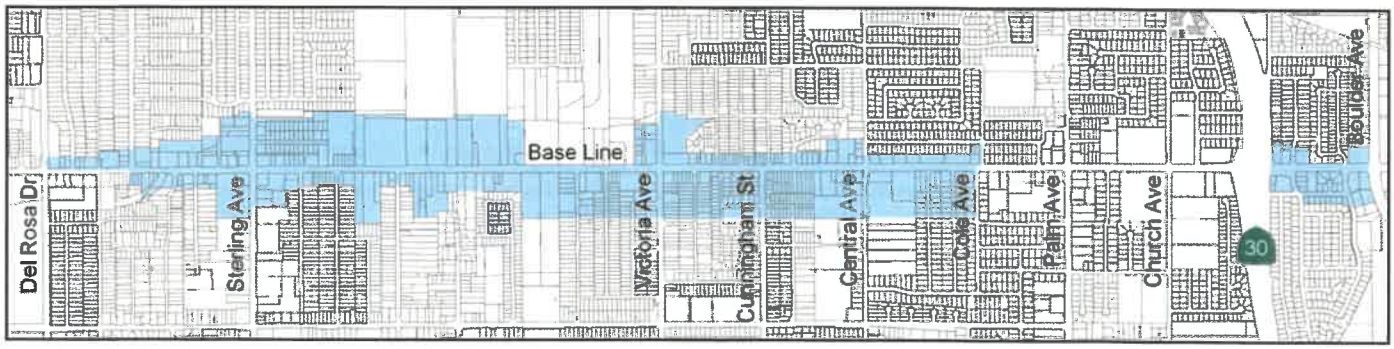


Exhibit 2:

Tentative Parcel Map No. 20403 (TPM 21-001)

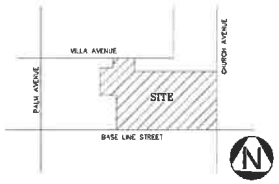
IN THE CITY OF HIGHLAND

TENTATIVE

PARCEL MAP NO. 20403

BEING A SUBDIVISION OF A PORTION OF THE WEST 1/2, SOUTHWEST 1/4, SOUTHWEST 1/4, SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN AS RECORDED IN U.S. GOVERNMENT TOWNSHIP PLAT, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

SITETECH, INC. OCTOBER, 2021



VICINITY MAP

OWNER/APPLICANT:

WOODCREST REAL ESTATE VENTURES
1410 MAIN ST. SUITE C
RAMONA, CA 92065
PH: (760) 789-5493

ENGINEER/MAP PREPARER:

SITETECH, INC.
8061 CHURCH ST.
PO BOX 592
HIGHLAND CA 92346
PH: (909) 864-3180

NOTES:

1. THERE ARE 6 PARCELS PROPOSED FOR THIS PROJECT. IT CONTAINS 8.77 NET ACRES FOR AN OVERALL RESIDENTIAL LOT DENSITY OF 1.462 LOTS PER NET ACRE. THE MINIMUM LOT SIZE IS 0.42 ACRES.
2. ASSESSOR'S PARCEL NUMBERS: 1200-381-05 & 1200-381-43.
3. EXISTING AND PROPOSED ZONING IS M.U. (MIXED USE).
4. LAND USE OF SURROUNDING PROPERTY TO THIS PROJECT IS:

   TO THE NORTH: R-1 (SINGLE FAMILY RESIDENTIAL).
   TO THE EAST: M.U. (MIXED USE).
   TO THE SOUTH: P/O (PUBLIC/QUASI-PUBLIC)
   TO THE WEST: M.U. (MIXED USE).
5. THERE ARE NO NEW STREETS PROPOSED AS PART OF THIS PROJECT.
6. ALL PROPOSED BUILDING SHALL MEET CITY OF HIGHLAND DEVELOPMENT CODE REQUIREMENTS.
7. ALL PROPOSED INFRASTRUCTURE IMPROVEMENTS SHALL MEET SAN BERNARDINO COUNTY DEVELOPMENT CODE REQUIREMENTS PER CHAPTER 83.10.
8. THERE ARE NO HERITAGE TREES TO BE REMOVED AS PART OF THIS DEVELOPMENT.
9. STORMWATER OUTLETS ALONG THE SOUTHERLY LINE IN THE PROPOSED CONDITION. LOCATION SHOWN ON PLAN.
10. TOPOGRAPHY WAS OBTAINED FROM A FIELD SURVEY DONE BY SITETECH, INC., IN OCTOBER 2020.

LEGAL DESCRIPTION:

FOR APN/PARCEL ID(S): 1200-381-05 AND 1200-381-43

PARCEL A:

ALL THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST 1/4 CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE NORTH 0°03'10" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 531.78 FEET; THENCE SOUTH 89°59'30" WEST, 660.31 FEET TO THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE SOUTH 0°03'10" EAST, 531.78 FEET, MORE OR LESS, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.

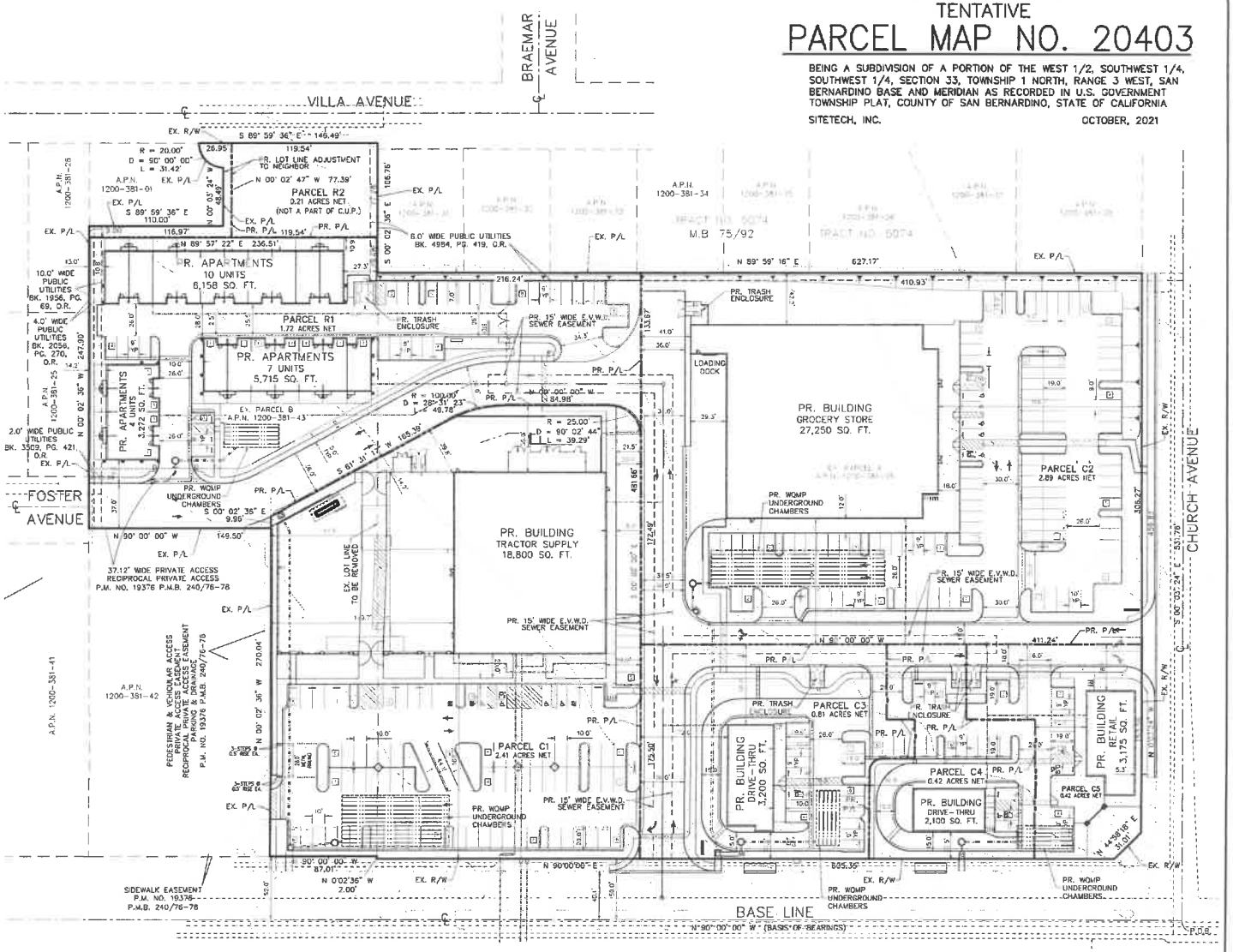
PARCEL B:

PARCEL 2 OF PARCEL MAP NO. 19376, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. DECEMBER 17, 2012, IN BOOK 240, PAGES 76-78 OF PARCEL MAPS

BLANKET EASEMENTS AFFECTING THE PROPERTY:

(D) DRAINAGE, SEWER, WATER, PEDESTRIAN AND VEHICULAR ACCESS AND PARKING PURPOSES ARE AS SPECIFICALLY DESCRIBED IN THOSE CERTAIN INSTRUMENTS LISTED BELOW.

1. WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS;
2. RIGHTS OF THE PUBLIC TO ANY PORTION OF THE LAND LYING WITHIN THE AREA COMMONLY KNOWN AS ANY ROADS, STREETS, OR HIGHWAYS;
3. THE LAND IS INCLUDED WITHIN THE CITY OF HIGHLAND (HIGHLAND REDEVELOPMENT PROJECT AREA NO. 1) REDEVELOPMENT AGENCY RECORDED JULY 18, 1991 AS RECORDING NO. 91-271702 AND RECORDED DECEMBER 19, 2007 AS RECORDING NO. 2007 - 0704476, BOTH OF OFFICIAL RECORDS;
4. MATTERS CONTAINED IN DOCUMENT ENTITLED "CROSS ACCESS EASEMENT AGREEMENT" RECORDED DECEMBER 26, 2012 AS RECORDING NO. 2012-0549338 OF OFFICIAL RECORDS.



COMPANIES AND AGENCIES SERVICING THIS PROJECT ARE AS FOLLOWS:

WATER/SEWER:
EAST VALLEY WATER DISTRICT
31111 GREENSPOT RD.
HIGHLAND, CA 92346
PH: (909) 889-9501

POWER:
SOUTHERN CALIFORNIA EDISON CO.
287 TENNESSEE STREET
REDLANDS, CA. 92373
PH: (909) 307-5767

TELEPHONE:
PACIFIC BELL
2828 E. CORONADO ST., 2ND FLOOR
ANAHEIM, CA. 92807
PH: (714) 666-5415

CABLE:
TIME WARNER CABLE
1722 ORANGETREE LANE
REDLANDS, CA. 92374
PH: (909) 798-3568

GAS:
SOUTHERN CALIFORNIA GAS CO.
155 SOUTH "C" STREET,
SAN BERNARDINO, CA. 92401
PH: (909) 335-7928

N

SCALE: 1"=40'

40 0 40 80

REGISTERED PROFESSIONAL ENGINEER BERNARD K. MAYER NO. 36866 Exp. 6-30-22 STATE OF CALIFORNIA CIVIL

SITETECH INC.

8061 CHURCH ST. HIGHLAND CA 92346 PO BOX 592
PH: (909) 864-3180 FAX: (909) 864-0850

BERNARD K. MAYER R.C.E. 36866 L.S. 7319 — 10/12/21 DATE

Exhibit 3:

Mitigation Monitoring & Reporting Program

(ENV 21-003)

TRACTOR SUPPLY MIXED USE DEVELOPMENT PROJECT

Mitigation Monitoring Reporting Program

Mitigation Monitoring Reporting Program ENV 21-003 for: CUP 21-006 - DRA 21-004 - GPA 21-002 - TPM 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
Biological Resources	a) Have a substantial adverse effect, 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?	**MM BIO 4.1** Nesting Birds. All native breeding birds, (except game birds) regardless of their listing status, are protected under the Migratory Bird Treaty Act (MBTA). Potential impacts to the breeding birds are considered significant under the California Environmental Quality Act (CEQA). The MBTA and the California Department of Fish and Wildlife (CDFW) Code Regulations 3500 and 3503 which protect nesting birds. In order to comply with these regulations all future clearing, grubbing, tree trimming, and tree removals should be conducted outside the bird nesting season. The typical nesting season is often considered February 1st to August 31st however these dates are not a legal definition. A nest is protected during any time of the year when eggs or young are present. If grading/grubbing/tree trimming must occur during the nesting bird season, a pre-construction nesting bird survey should be conducted by a qualified biologist. If an active nest is encountered outside the breeding season, avoidance of the nest is required." Any nest permanently vacated for the season, as verified by a qualified biologist, would not warrant protection pursuant to the MBTA.	No more than 30 days prior to commencement ground disturbing activities	Planning Department	Qualified biologist/ nesting bird survey	

Mitigation Monitoring Reporting Program ENV 21-003 for: CUP 21-006 - DRA 21-004 - GPA 21-002 - TPM 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
Cultural Resources	d) Disturb any human remains, including those interred outside of formal cemeteries?	**MM CUL 5.1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. **MM CUL 5.2** If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. **MM CUL 5.3** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.	During project construction			
Transportation/Traffic	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)? b) Exceed, either individually or cumulatively, a level of	**MM TRA 16.1** Palm Ave/Foster Ave – Restripe intersection to include one left-turn lane and one right-turn lane at the Foster Avenue westbound approach. Existing Foster Avenue width can accommodate proposed improvements. **MM TRA 16.2** Church Ave/Base Line – Restripe intersection to include two left-turn lanes and one shared through-right lane at the Church Avenue southbound approach. Existing Church Avenue width can accommodate proposed improvements. **MM TRA 16.3** Bonita Dr-Driveway/Base Line – Signalize intersection or restrict left turn/ through movements out of the existing southbound driveway during the PM peak hour. It should be noted that signalizing the existing intersection reduces LOS to acceptable levels, however peak hour signal warrants are not met for any with or without project scenarios. A	Plan check and construction	Planning & Building Department	Building inspections	

Mitigation Monitoring Reporting Program ENV 21-003 for: CUP 21-006 - DRA 21-004 - GPA 21-002 - TPM 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
	service standard established by the county congestion management agency for designated roads or highways?	signal at the existing intersection would not meet ideal signalized intersection spacing of 660' feet. It should also be noted that left turn/through movements out of the existing southbound driveway are not restricted even though the intersection is operating at an unacceptable LOS during the PM peak hour.				
Tribal Cultural Resources	a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section	**MM TCR 17.1** The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a Cultural Resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site. **MM TCR 17.2** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.	During project construction			

Mitigation Monitoring Reporting Program ENV 21-003 for: CUP 21-006 - DRA 21-004 - GPA 21-002 - TPM 21-001						
Impact Category	Impact	Mitigation Measure	Implementation Timing	Responsible Party	Monitoring/ Reporting Method	Compliance Verification (Initial/Date)
	5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					

Exhibit 4:

Conditions of Approval (TPM 21-001)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Woodcrest Real Estate Ventures

File/Index: Tentative Parcel Map No. 20403 (TPM 21-001) – [Related Projects: General Plan Amendment (GPA 21-002), Design Review Application (DRA 21-004), and Conditional Use Permit (CUP 21-006)]

Proposal: Subdivision of a vacant 9.06 acre site consisting of two (2) existing parcels in seven (7) new parcels for the future construction of five (5) commercial buildings, (1) multi-family residential complex, and one (1) single-family home.

Location: Northwest corner of Base Line and Church Avenue
Assessor's Parcel Number: 1200-381-05 and -43

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Tentative Parcel Map (TPM 21-001) is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Tentative Parcel Map (TPM 21-001) shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Conditional Use Permit.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as

established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Conditional Use Permit.

2) The subject property shall be developed in accordance with plans and materials approved by the Planning Commission on December 7, 2021, on file with the City of Highland Planning Division, and shall be in compliance with all conditions of approval contained herein and as defined on the Tentative Parcel Map No. 20142 included as Exhibit 3B.

3) Revisions, modifications, and/or deletions to the approved plans shall be submitted to the Planning Division for review and approval. Revisions, modifications and/or deletions may require additional review by the Planning Commission.

4) In compliance with the Highland Municipal Code, the Applicant/Owner shall, at his/her sole cost and expense and through counsel of the City's choosing, protect, defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants (collectively, "City indemnitees"), from all liability and monetary damages, and all claims, actions, or proceedings brought against the City indemnitees, arising from the issuance of the permit or approval, or the denial thereof, or arising from any action by any person seeking to have a permit or approval held void by a court of law. Owner/Applicant shall make a deposit of City's reasonably anticipated costs and attorneys' fees in advance, and shall promptly reimburse the City for any fees, costs, or damages City actually incurs in excess of the deposit.

5) No expansion of the project beyond the scope and nature described in the application (TPM 21-001), which would tend to increase the projected scale of the project, shall be permitted except upon application for, and approval of, modification of this application in compliance with all procedures and requirements therefore.

6) The applicant and recorded owner of the property shall submit to the Planning Division written evidence of agreement with all conditions of this approval before the approval becomes effective. Plan check cannot begin prior to receipt of this signed documentation.

7) The Applicant/Owner is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

8) Prior to issuance of permits, all proposed construction work shall be subject to plan check and approval with the Planning Division, Engineering Division, Building

Division and Fire Department. The plans shall demonstrate compliance with the currently adopted California Building, Plumbing, Mechanical, Electrical, Fire, Energy, and Green Codes, Highland Municipal Code, Engineering Directives and Standards, and all conditions contained herein.

9) Prior to the start of operations (i.e. construction), the developer shall obtain any necessary permits. The developer shall arrange for a final inspection by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to the start of operations (i.e., occupancy). Any discrepancy between the approved plans and the field conditions shall be remedied prior to the start of operations (i.e., occupancy) such that the field condition is consistent with the approved plans. If the field condition cannot be reconfigured to match the approved plans, the Community Development Director shall consider any requested deviation and may refer the matter to the Planning Commission for review and consideration.

10) All Ordinances, Policy Resolutions, and Standards of the City in effect at the time this project is approved shall be complied with as a condition of this approval.

11) No further subdivision of any lot shall be permitted.

12) The Applicant/Developer shall obtain approval of a Design Review Application from the Planning Commission prior to the issuance of permits or home construction. The review shall include, but is not limited to, grading plans, interior and perimeter walls and fences plan, architectural elevations, colors/materials, plotting, and landscaping.

13) The Developer shall comply with all applicable mitigation measures specified within the Mitigated Negative Declaration for the project which are outlined within the Mitigation Monitoring and Reporting Program.

Exhibit 5:

Conditions of Approval (CUP 21-006)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Woodcrest Real Estate Ventures

File/Index: Conditional Use Permit (CUP 21-006) – [Related Projects: General Plan Amendment (GPA 21-002), Tentative Parcel Map No. 20403 (TPM 21-001), and Design Review Application (DRA 21-004)]

Proposal: Entitlement of a Mixed-Use development consisting of three (3) commercial tenant buildings, two (2) drive-thru restaurants, one (1) multi-family residential building, and one (1) single-family residence on a vacant 9.06 acre property.

Location: Northwest corner of Base Line and Church Avenue
Assessor's Parcel Number: 1200-381-05 and -43

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Conditional Use Permit is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Conditional Use Permit shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Conditional Use Permit.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as

established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Conditional Use Permit.

2) The subject Conditional Use Permit pertains to the entitlement of a Mixed-Use development consisting of five (5) commercial tenant buildings, one (1) multi-family residential building, and one (1) single-family residence on approximately 9.06 acres at the northwest corner of Base Line and Church Avenue.

3) The development of this site will occur in four (4) separate phases: 1) Tractor Supply Company, 2) Parcel R1, 3) Parcel C2, 4) Parcels C3, C4 and C5. Each phase shall require the approval of a separate Design Review Application. Each Design Review Application will be reviewed by Staff for compliance with the Conditional Use Permit as well as the general development standards for Mixed Use projects and presented to the Planning Commission for approval prior to the submittal of a Precise Grading Plan.

4) The project shall implement the development standards and uses approved for the Mixed Use land use and zoning designation.

5) No storage of materials outside an enclosed building may be permitted unless expressly designed for such purpose and approved as a part of the site approvals.

6) The trash enclosures shall be screened on at least three sides from public view by a solid decorative wall not less than five feet in height as well as a solid roof. Permanent opaque panel gates shall be installed on all openings to the trash area.

   a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.

   b. Trash areas shall not be used for storage. The premises shall be kept in neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance.

7) Permanent automobile parking spaces shall be paved with asphalt, or concrete and painted with clearly painted lines.

   a. Each permanent parking space shall be no less than nine (9) feet wide and nineteen (19) feet deep, with adequate provisions for ingress and egress by a standard American passenger vehicle, except where compact car spaces have been authorized as follows:

   b. Compact car parking spaces shall be not less than seven and a half (7.5) feet wide and less than fifteen (15) feet deep and shall be clearly marked and/or posted with signs stating "Compact Cars Only". Compact spaces shall not exceed 25% of the required parking.

c. All parking areas shall be provided with nighttime security lighting. Lighting shall be shielded and directed to reflect away from neighboring properties. Lighting should not exceed 0.5 foot candles of illumination beyond the property boundary.

d. The handicapped parking spaces shall be properly signed and striped per the Americans with Disabilities Act.

e. Loading Zones shall be properly striped and signed.

8) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining Building's architectural design.

9) All rooftop mounted mechanical equipment shall be screened from public view. This can be accomplished by Architectural Treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

10) The Applicant / Developer shall submit three (3) copies of a Final Landscape / Irrigation Plan along with appropriate fees, to the City Planning Division for plan check.

a. All landscaping shall be provided with a permanently maintained irrigation system.

b. The plants selected and planting methods used shall be suitable for the soil and climatic conditions of the Site.

c. Landscape Plans shall exhibit any proposed walls or fences. All walls shall be designed and constructed to incorporate design features such as tree planter wells, variable setback, split-face block, columns, or other special features to provide visual and physical relief along the wall face.

11) Construction activities shall be restricted to weekdays and Saturdays between 7:00 a.m. and 7:00 p.m. only. No construction, other than interior finish work shall be conducted any time on Sundays. Construction equipment shall be muffled in accordance with manufacturer's specifications.

12) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining building's architectural design.

13) All rooftop mounted mechanical equipment, with the exception of solar panels, shall be screened from public view. This can be accomplished by architectural

treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

14) Open parking areas shall be screened from view from adjacent properties and public rights-of-way using berms (maximum 3:1 slope) and/or evergreen landscaping with an ultimate maximum height of three feet.

15) Off-street parking areas in commercial districts situated to be visible from any street, screening in the form of a three-foot high landscaped earthen berm or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

16) Prior to the issuance of Building Permits, a copy of the Utility Plan shall be submitted for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, fire department detector check valves, etc.

17) Revisions, modification, or deletions of associated Plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.

18) No permanent building construction shall commence until the tract map is recorded and the final grading and improvement plans have been approved, rough grading certified, and a building permit issued by the Building Division.

19) Design and construction of all subdivision improvements shall be completed in accordance with the approved plan.

20) If the property will remain undeveloped for longer than 18 months after initial grading has been completed, the applicant shall submit an interim landscape plan, consisting of temporary measures for screening, hydro-seeding, and dust control. Such plan shall include the timing of installation of necessary measures, and shall be approved by the Community Development Director.

21) The applicant shall be responsible for making arrangements with the City's franchised waste collection and hauling services provider for any/all construction debris or solid waste generated as a result of this project.

22) Prior to issuance of Building Permits, the Applicant/Contractor/Occupant shall submit and obtain approval from the Public Services Division, a Construction Waste Diversion Plan, in accordance with Section 8.12.285 of the Highland Municipal Code.

23) Prior to the start of operations (i.e. construction), the owner/developer shall obtain any necessary permits. The owner/developer shall arrange for a final inspection

by representatives of the Planning Division, Building Division, Engineering Division, and Fire Department prior to occupancy of each dwelling.

24) In compliance with City Ordinance, the Applicant shall agree to defend, at the Applicant's sole expense, any action brought against the City, its agents, officers, or employees, because if the issuance of 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 by a court to pay as a result of such action. The City may, at its sole discretion, participate at his own expense in the defense of any such action, but such participation shall not relieve Applicant of his obligations under this Condition.

25) The Owner/Applicant is responsible for implementing all conditions of approval to the satisfaction of the Community Development Director, City Engineer, Fire Department, and Police Department. No final inspection or clearances shall be given until all conditions are met. Each condition of approval is separately enforced, and if one of the conditions of approval is found to be invalid by a court of law, all the other conditions shall remain valid and enforceable.

Exhibit 6:

Conditions of Approval (DRA 21-004)

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: December 7, 2021

Applicant: Woodcrest Real Estate Ventures

File/Index: Design Review Application (DRA 21-004) – [Related Projects: General Plan Amendment (GPA 21-002), Tentative Parcel Map No. 20403 (TPM 21-001), and Conditional Use Permit (CUP 21-006)]

Proposal: Construction of a 18,800 square foot Tractor Supply Company building with attached 19,800 square foot outdoor garden center and dedicated parking area on a 9.06 acre Mixed-Use site.

Location: Northwest corner of Base Line and Church Avenue
Assessor's Parcel Number: 1200-381-05 and -43

PLANNING CONDITIONS OF APPROVAL

Note: These Conditions represent Planning Division Conditions only and are meant to be only one part of the Project's overall Conditions that include Engineering, Fire Department and Building and Safety Conditions of Approval. All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy, except where noted.

This Design Review Application is conditionally approved, subject to compliance with the requirements as specified below. The Conditions listed below are continuing Conditions; failure of the Applicant and/or operator to comply with any/all Conditions at any time shall result in initiating revocation of the subject permit.

1) This Design Review Application shall become null and void:

   a. Unless all Conditions have been complied with and the occupancy or use of the land or existing structures authorized by such Conditional Use Permit has taken place within thirty-six (36) months after the approval of said Design Review Application.

   b. Where circumstances beyond the control of the Applicant cause delays which do not permit compliance within the time limitation established in this Section, the Planning Commission may grant an extension of time every subsequent twelve (12) months, not to exceed thirty-six (36) months in total. Applications for such extensions of time must be set forth, in writing, by reasons for this extension and shall be filed together with a fee as established by the City Council, with the Planning Department sixty (60) calendar days before the expiration of the Conditional Use Permit.

2) The subject Design Review Application pertain to the construction of a 18,800 square foot Tractor Supply Company building with attached 19,800 square foot outdoor garden center and dedicated parking area on a 9.06 acre Mixed-Use site.

3) The project shall implement the development standards and uses approved for the Mixed Use land use and zoning designation.

4) No storage of materials outside an enclosed building may be permitted unless expressly designed for such purpose and approved as a part of the site approvals.

5) The operation of the business interest on this project site must include a shopping cart locking/security system to prevent carts from being removed from the site.

6) The Mixed Use site shall feature a minimum of 5 feet of landscaping along all streetside setbacks and remain in compliance with a. Landscape planters shall be surrounded by masonry or concrete curbs and so arranged as to prevent motor vehicles from driving onto or over them.

   (a) Trees planted adjacent to existing overhead utility wires shall be subject to the height and clearance restrictions set in place by the applicable utility providers.

   (b) Tree species requiring hard pruning to maintain utility clearance once trees are mature shall be avoided.

   (c) Ensure that right-of-way trees are spaced in a manner where they do not obstruct clear sight lines.

   (d) On-site trash enclosures should incorporate overhead trellises (if permitted by the City's Public Services Division).

   (e) Planters between parking lot and storefronts shall be protected from foot traffic by a perimeter curb, or potentially, raised planters at seat wall height.

7) All ground mounted, as well as wall mounted mechanical, electrical, or gas equipment shall be screened from public view by the use of landscaping and/or architectural treatments compatible with the adjoining Building's architectural design.

8) All rooftop mounted mechanical equipment shall be screened from public view. This can be accomplished by Architectural Treatments of parapets equal in height to the tallest piece of roof-mounted equipment.

9) Lighting shall meet the following HMC standards from Table 16.40.160.A for medium activity commercial uses or other similar Standards, as approved by the Planning Commission:

   a. In no case should illumination exceed 0.5 footcandles measured at the property line.

b. All lighting fixtures shall be adjusted or designed to shine downwards to avoid spillover and glare on the surrounding community.

c. No floodlights or other up-lighting shall be permitted to be attached to parking lot standards for the purpose of illuminating the building.

d. Security lighting shall be installed to adequately illuminate the Facility. All security lighting shall be shielded and directed away from surrounding residential uses, businesses, and public right-of-way, and not be of unusually high intensity.

e. No lighting shall blink, flash, or be of unusually high intensity or brightness.

f. Parking lot light standards and building mounted fixtures shall not extend above building eaves.

10) All trees in planter islands, or within six feet (6) of hardscape, shall be planted with root barriers.

11) Shrubs located in front of parking stalls shall be planted approximately two feet (2) from the curb face to prevent possible damage from vehicle overhang.

12) Provide a landscape planter for tree planting on each side of the walkway to the plaza. Each trellis-adjacent planter shall include a flowering deciduous tree for additional aesthetic variety. Additionally, the remaining understory parking planter area at the top of the plaza stairs should be planted with Feather Grass in a similar hierarchy to the mid-parking lot pedestrian walk entry from Base Line.

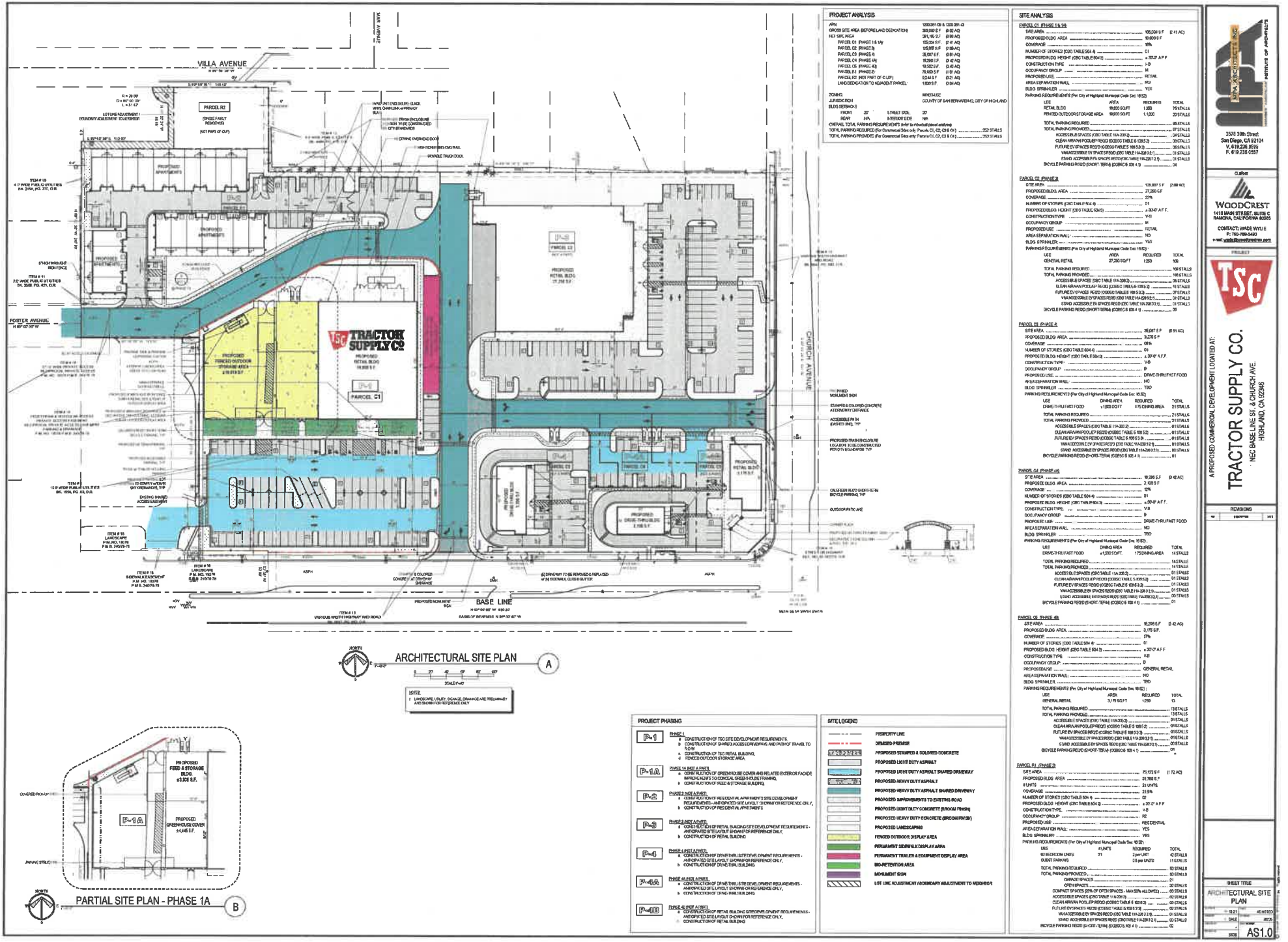
13) The Development Impact Fees shall be calculated and paid in accordance with City policy.

14) Prior to the issuance of Building Permits, a copy of the Utility Plan shall be submitted for review and approval. The Utility Plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, fire department detector check valves, etc.

15) Revisions, modification, or deletions of associated Plans must be submitted to the Planning Division for review and approval. Revisions may require additional review by the Planning Commission.

16) In compliance with City Ordinance, the Applicant shall agree to defend, at the Applicant's sole expense, any action brought against the City, its agents, officers, or employees, because if the issuance of 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 by a court to pay as a result of such action. The City may, at its sole discretion,

participate at his own expense in the defense of any such action, but such participation shall not relieve Applicant of his obligations under this Condition.



ARCHITECTURAL SITE PLAN (A)

NOTES:
1. LANDSCAPE, UTILITY, DRAINAGE, DRAINAGE ARE PRELIMINARY AND SHOWN FOR REFERENCE ONLY.

PARTIAL SITE PLAN - PHASE 1A (B)

PROJECT PHASING

- P-1 — PHASE 1
  - a. CONSTRUCTION OF TSC SITE DEVELOPMENT REQUIREMENTS.
  - b. CONSTRUCTION OF SHARED ACCESS DRIVEWAY AND PATH OF TRAVEL TO R.O.W.
  - c. CONSTRUCTION OF TSC RETAIL BUILDING.
  - d. FENCED OUTDOOR STORAGE AREA.
- P-1A — PHASE 1A (NOT A PART)
  - a. CONSTRUCTION OF GREENHOUSE COVER AND RELATED EXTERIOR FACADE IMPROVEMENTS TO CONCEAL GREEN HOUSE FRAMING.
  - b. CONSTRUCTION OF FEED & STORAGE BUILDING.
- P-2 — PHASE 2 NOT A PART:
  - a. CONSTRUCTION OF RESIDENTIAL APARTMENTS SITE DEVELOPMENT REQUIREMENTS - ANTICIPATED SITE LAYOUT SHOWN FOR REFERENCE ONLY.
  - b. CONSTRUCTION OF RESIDENTIAL APARTMENTS
- P-3 — PHASE 3 NOT A PART:
  - a. CONSTRUCTION OF RETAIL BUILDING SITE DEVELOPMENT REQUIREMENTS - ANTICIPATED SITE LAYOUT SHOWN FOR REFERENCE ONLY.
  - b. CONSTRUCTION OF RETAIL BUILDING
- P-4 — PHASE 4 NOT A PART:
  - a. CONSTRUCTION OF DRIVE-THRU SITE DEVELOPMENT REQUIREMENTS - ANTICIPATED SITE LAYOUT SHOWN FOR REFERENCE ONLY.
  - b. CONSTRUCTION OF DRIVE-THRU BUILDING.
- P-4A — PHASE 4A (NOT A PART):
  - a. CONSTRUCTION OF DRIVE-THRU SITE DEVELOPMENT REQUIREMENTS - ANTICIPATED SITE LAYOUT SHOWN FOR REFERENCE ONLY.
  - b. CONSTRUCTION OF DRIVE-THRU BUILDING.
- P-4B — PHASE 4B (NOT A PART):
  - a. CONSTRUCTION OF RETAIL BUILDING SITE DEVELOPMENT REQUIREMENTS - ANTICIPATED SITE LAYOUT SHOWN FOR REFERENCE ONLY.
  - b. CONSTRUCTION OF RETAIL BUILDING

SITE LEGEND

- PROPERTY LINE
- DEDICATED PREMISE
- PROPOSED STAMPED & COLORED CONCRETE
- PROPOSED LIGHT DUTY ASPHALT
- PROPOSED LIGHT DUTY ASPHALT SHARED DRIVEWAY
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED HEAVY DUTY ASPHALT SHARED DRIVEWAY
- PROPOSED IMPROVEMENTS TO EXISTING ROAD
- PROPOSED LIGHT DUTY CONCRETE (BROOM FINISH)
- PROPOSED HEAVY DUTY CONCRETE (BROOM FINISH)
- PROPOSED LANDSCAPING
- FENCED OUTDOOR DISPLAY AREA
- PERMANENT SIDEWALK DISPLAY AREA
- PERMANENT TRAILER & EQUIPMENT DISPLAY AREA
- BIO-RETENTION AREA
- MONUMENT SIGN
- LOT LINE ADJUSTMENT / BOUNDARY ADJUSTMENT TO NEIGHBOR

PROJECT ANALYSIS

APN	1203-291-05 & 1203-291-43
GROSS SITE AREA (BEFORE LAND DEDICATION)	368,009 S.F. (8.62 AC)
NET SITE AREA	391,165 S.F. (8.98 AC)
PARCEL C1 (PHASE 1 & 1A)	105,034 S.F. (2.41 AC)
PARCEL C2 (PHASE 3)	125,897 S.F. (2.89 AC)
PARCEL C3 (PHASE 4)	38,597 S.F. (0.81 AC)
PARCEL C4 (PHASE 4A)	18,298 S.F. (0.42 AC)
PARCEL C5 (PHASE 4B)	18,298 S.F. (0.42 AC)
PARCEL R1 (PHASE 2)	76,920 S.F. (1.81 AC)
PARCEL R2 (NOT PART OF CUP)	9,244 S.F. (0.21 AC)
LAND DEDICATION TO HIGHLAND PARCEL	1,695 S.F. (0.04 AC)
ZONING	MIXED USE
JURISDICTION	COUNTY OF SAN BERNARDINO, CITY OF HIGHLAND
BLDG SETBACKS	
FRONT: 20'	STREET SIDE: 20'
REAR: N/A	INTERIOR SIDE: N/A
OVERALL TOTAL PARKING REQUIREMENTS (refer to individual parcel analysis)	
TOTAL PARKING REQUIRED (For Commercial Site only Parcels C1, C2, C3 & C4)	253 STALLS
TOTAL PARKING PROVIDED (For Commercial Site only Parcels C1, C2, C3 & C4)	253 STALLS

SITE ANALYSIS

PARCEL C1 (PHASE 1 & 1A)

SITE AREA	105,034 S.F. (2.41 AC)
PROPOSED BLDG. AREA	19,026.0 S.F.
COVERAGE	18%
NUMBER OF STORIES (CBC TABLE 504.4)	01
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	M
PROPOSED USE	RETAIL
AREA SEPARATION WALL	NO
BLDG. SPRINKLER	YES

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52)

USE	AREA	REQUIRED	TOTAL
RETAIL BLDG	19,026 SQ.FT	1:250	79 STALLS
FENCED OUTDOOR STORAGE AREA	19,000 SQ.FT	1:1,000	20 STALLS

TOTAL PARKING REQUIRED	99 STALLS
TOTAL PARKING PROVIDED	97 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	04 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	09 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	09 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	04

PARCEL C2 (PHASE 3)

SITE AREA	125,897.0 S.F. (2.89 AC)
PROPOSED BLDG. AREA	27,200 S.F.
COVERAGE	22%
NUMBER OF STORIES (CBC TABLE 504.4)	01
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	M
PROPOSED USE	RETAIL
AREA SEPARATION WALL	NO
BLDG. SPRINKLER	YES

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52)

USE	AREA	REQUIRED	TOTAL
GENERAL RETAIL	27,200 SQ.FT	1:250	109

TOTAL PARKING REQUIRED	109 STALLS
TOTAL PARKING PROVIDED	116 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	06 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	11 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	07 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	06

PARCEL C3 (PHASE 4)

SITE AREA	38,097.0 S.F. (0.81 AC)
PROPOSED BLDG. AREA	9,026.0 S.F.
COVERAGE	08%
NUMBER OF STORIES (CBC TABLE 504.4)	01
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	B
PROPOSED USE	DRIVE-THRU FAST FOOD
AREA SEPARATION WALL	NO
BLDG. SPRINKLER	TBD

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52)

USE	DINING AREA	REQUIRED	TOTAL
DRIVE-THRU FAST FOOD	±1,800 SQ.FT	1:75 DINING AREA	21 STALLS

TOTAL PARKING REQUIRED	21 STALLS
TOTAL PARKING PROVIDED	21 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	01 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	01 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	01 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	00 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	01

PARCEL C4 (PHASE 4A)

SITE AREA	18,298.0 S.F. (0.42 AC)
PROPOSED BLDG. AREA	2,100.0 S.F.
COVERAGE	12%
NUMBER OF STORIES (CBC TABLE 504.4)	01
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	B
PROPOSED USE	DRIVE-THRU FAST FOOD
AREA SEPARATION WALL	NO
BLDG. SPRINKLER	TBD

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52)

USE	DINING AREA	REQUIRED	TOTAL
DRIVE-THRU FAST FOOD	±1,200 SQ.FT.	1:75 DINING AREA	14 STALLS

TOTAL PARKING REQUIRED	14 STALLS
TOTAL PARKING PROVIDED	14 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	01 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	01 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	01 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	00 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	01

PARCEL C5 (PHASE 4B)

SITE AREA	18,298.0 S.F. (0.42 AC)
PROPOSED BLDG. AREA	9,175 S.F.
COVERAGE	27%
NUMBER OF STORIES (CBC TABLE 504.4)	01
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	B
PROPOSED USE	GENERAL RETAIL
AREA SEPARATION WALL	NO
BLDG. SPRINKLER	TBD

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52):

USE	AREA	REQUIRED	TOTAL
GENERAL RETAIL	3,175 SQ.FT	1:250	13

TOTAL PARKING REQUIRED	13 STALLS
TOTAL PARKING PROVIDED	13 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	01 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	01 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	01 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	00 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	01

PARCEL R1 (PHASE 2)

SITE AREA	76,172 S.F. (1.72 AC)
PROPOSED BLDG. AREA	21,780 S.F.
# UNITS	21 UNITS
COVERAGE	28%
NUMBER OF STORIES (CBC TABLE 504.4)	02
PROPOSED BLDG. HEIGHT (CBC TABLE 504.3)	± 30'-0" A.F.F.
CONSTRUCTION TYPE	V-B
OCCUPANCY GROUP	R2
PROPOSED USE	RESIDENTIAL
AREA SEPARATION WALL	YES
BLDG. SPRINKLER	YES

PARKING REQUIREMENTS (Per City of Highland Municipal Code Sec. 16.52)

USE	# UNITS	REQUIRED	TOTAL
02 BEDROOM UNITS	21	2 per UNIT	42 STALLS
GUEST PARKING		0.5 per UNITS	11 STALLS

TOTAL PARKING REQUIRED	53 STALLS
TOTAL PARKING PROVIDED	53 STALLS
GARAGE SPACES	21
OPEN SPACES	32 STALLS
COMPACT SPACES (25% OF OPEN SPACES - MAX 50% ALLOWED)	09 STALLS
ACCESSIBLE SPACES (CBC TABLE 11A-208.2)	02 STALLS
CLEAN AIR/VAN POOL/EP REQD (CGBSC TABLE 5.106.5.2)	09 STALLS
FUTURE EV SPACES REQD (CGBSC TABLE 5.106.5.3)	09 STALLS
VAN ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	01 STALLS
STAND. ACCESSIBLE EV SPACES REQD (CBC TABLE 11A-228.3.2.1)	03 STALLS
BICYCLE PARKING REQD (SHORT-TERM) (CGBSC 5.106.4.1)	02

2378 30th Street
San Diego, CA 92104
V. 619.236.9595
F. 619.236.0557

CLIENT
WOODCREST
1410 MAIN STREET, SUITE C
RAMONA, CALIFORNIA 92065
CONTACT: WADE WYLIE
P: 760-788-5403
e-mail: wade@woodcrestnw.com

PROJECT

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

TRACTOR SUPPLY CO.

NEC BASE LINE ST. & CHURCH AVE.
HIGHLAND, CA 92346

REVISIONS

NO	DESCRIPTION	DATE

SHEET TITLE

ARCHITECTURAL SITE PLAN

DATE	12-21
SCALE	AS NOTED
JOB NO.	2012-26
DRAWN	
CHECKED	

SHEET NO.

AS1.0



FRONT ELEVATION (SOUTH SIDE) 1



REAR ELEVATION (NORTH SIDE) 2



LEFT SIDE ELEVATION @ BLDG. (WEST SIDE) 3



LEFT SIDE ELEVATION @ F.O.D. (WEST SIDE) 3



RIGHT SIDE ELEVATION (EAST SIDE) 4

2570 30th Street
San Diego, CA 92104
V. 619.235.0595
F. 619.235.0537

CLIENT
WOODCREST
1410 MAIN STREET, SUITE C
RAMONA, CALIFORNIA 92065
CONTACT: WADE WYLIE
P: 760-788-5460
e-mail: wade@woodcrestdev.com

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:
TRACTOR SUPPLY CO.
NEC BASE LINE ST. & CHURCH AVE.
HIGHLAND, CA 92346

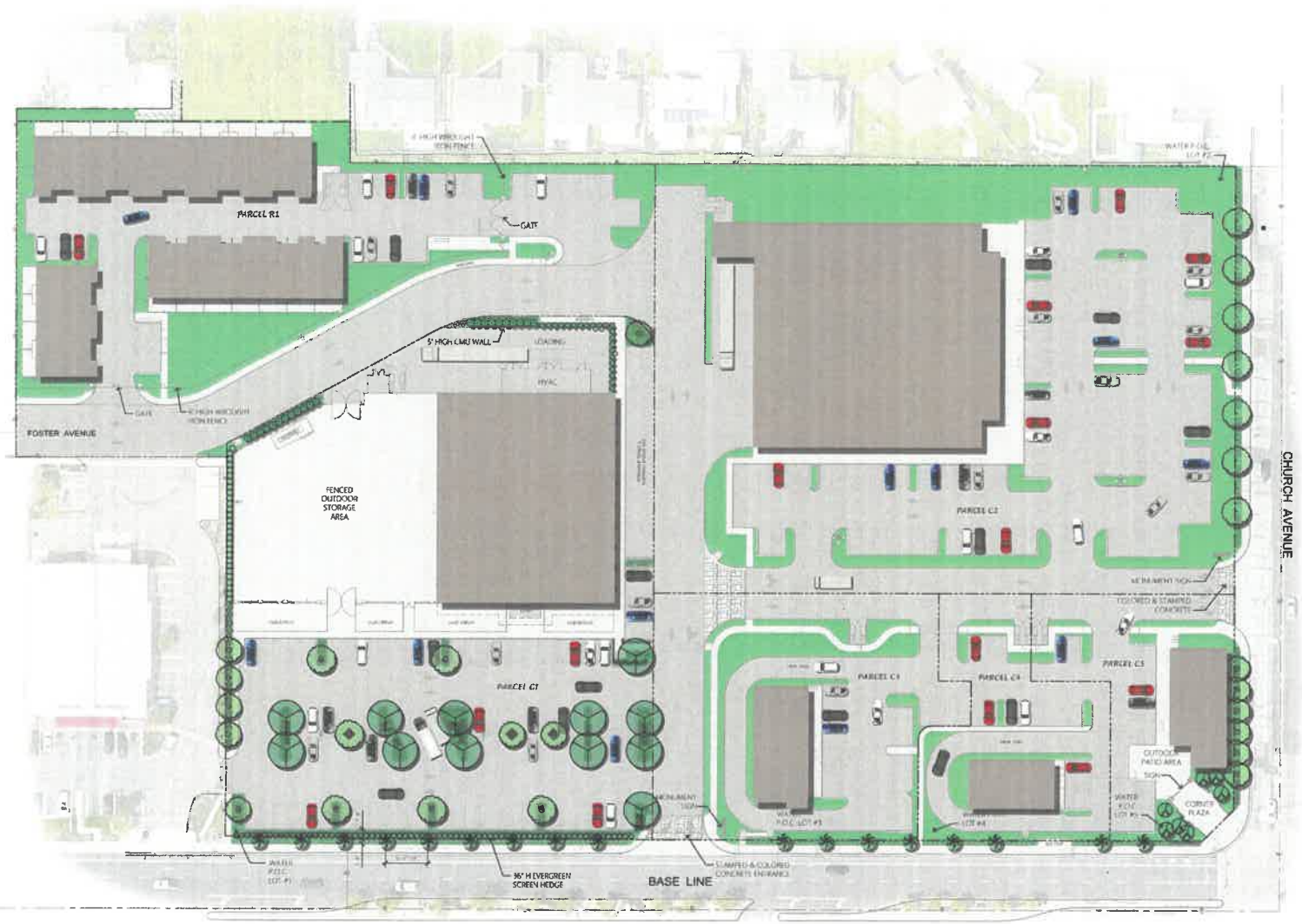
REVISIONS

NO.	DESCRIPTION	DATE

SHEET TITLE
COLORED ELEVATIONS
- PHASE 1

DRAWN BY	AUTHORIZED
W. WYLIE	2023
SCALE	A2.0C

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TREE LEGEND

SYMBOL	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	CUPRESSUS SEMPERVIRENS 'GLAUCA' - ITALIAN CYPRESS	STAKING PER DTL	24" BOX	L
	[illegible]		24" BOX	M
	PINUS ELDARICA - AFGHAN PINE		24" BOX	M
	PISTACIA CHINENSIS - CHINESE PISTACHE		36" BOX	M
	RHUS LAMPEA - AFRICAN SUMAC		24" BOX	L
	WASHINGTONIA FILIFERA - CALIFORNIA FAN PALM	INSTALL PER DETAIL	8' W/ BTH	L

SHRUBS & GROUNDCOVERS LEGEND

SYM.	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	ARBUTUS UNEDO 'COMPACTA' - DWARF STRAWBERRY TREE		5 GAL	L
	CALLISTEMON VIMINALIS 'LITTLE JOHN' - LTL JOHN BOTTLE BRUSH		5 GAL	L
	HEMEROCALLIS 'STELLA D'ORO' - DAYLILY		1 GAL	M
	MUHLENBERGIA CAPILLARIS - PINK MUHLY		1 GAL	L
	NANDINA DOMESTICA 'FIRESTORM' - DWARF NANDINA		5 GAL	M
	OLEA EUROPAEA 'LITTLE OLLIE' - DWARF OLIVE		5 GAL	L
	PITTOSPORUM TOBIRA 'VARIEGATA' - VARIGATED MOCK ORANGE		5 GAL	M
	RHAPHIOLEPIS UMBELLATA 'MINOR' - DWARF HEDGE HAWTHORNE		5 GAL	M
	ROSA FLORIBUNDA 'ICEBERG' - ICEBERG ROSE		5 GAL	M
	ROSMARINUS OFFICINALIS 'HUNTINGTON CARPET' - ROSEMARY		1 GAL	L
	WESTRINGIA FRUTICOSA 'MORNING LIGHT' - MORN LT WESTRINGIA		5 GAL	L
	WESTRINGIA FRUTICOSA 'WUNDY' - WUNDY WESTRINGIA		5 GAL	L

SHRUBS & GROUNDCOVERS LEGEND

SYM.	SPECIES	SPACING/NOTES	SIZE	WUCOLS WATER USE
	DISTICTIS 'RIVERS' - ROYAL TRUMPET VINE	ATTACH TO ARCHITECTURAL TRELLIS	15 GAL	M

SITE ANALYSIS

APN	1205-381-05 & 1200-384-43
GROSS SITE AREA	442,139.0 SF (10.15 AC)
NET SITE AREA	383,029.0 SF (9.02 AC)

LANDSCAPE AREA CALCULATION

TOTAL SITE AREA	398,000.0 SF
TOTAL SITE LANDSCAPE AREA	64,144.81 SF
PERCENT TOTAL LANDSCAPE AREA	16.1 %

JMD LANDSCAPE ARCHITECTURE

Landscape Architect
JMD LANDSCAPE ARCHITECTURE
330 Arden Avenue, Ste 130
Glendale, CA 91203

Applicant/Developer:
WOODCREST REAL ESTATE VENTURES
1410 Main Street, Ste. C
Ramona, CA 92065

N

1" = 30'-0"

RETAIL DEVELOPMENT
BASE LINE STREET | HIGHLAND, CA

PRELIMINARY LANDSCAPE PLAN

10/11/2021

Luminaire Schedule							
Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	LLF	Description
			RAR2-320L-[illegible]	SINGLE	32000	0.900	BUG: B4-U -G
			TWIN RAR2-320L-165-4K7-4W	BACK-BACK	32000	0.900	BUG: B3-U -G
			2@50 RAR2-320L-165-4K7-4W	2 @ 90 DEGREES	32000	0.900	BUG: B3-U -G
			RAR2- [illegible] L-16 -4K7-4W	SINGLE	16000	1.000	BUG: B3-U0-G2

Calculation Summary								
Label	Calc Type	Units	Avg	Max	Min	Avg/Min	Max/Min	
[illegible]act Planar	Illuminance	FC	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

NOTES:

- POLE LIGHT FIXTURE MOUNTING HEIGHT: 25'-0" A.F.P.

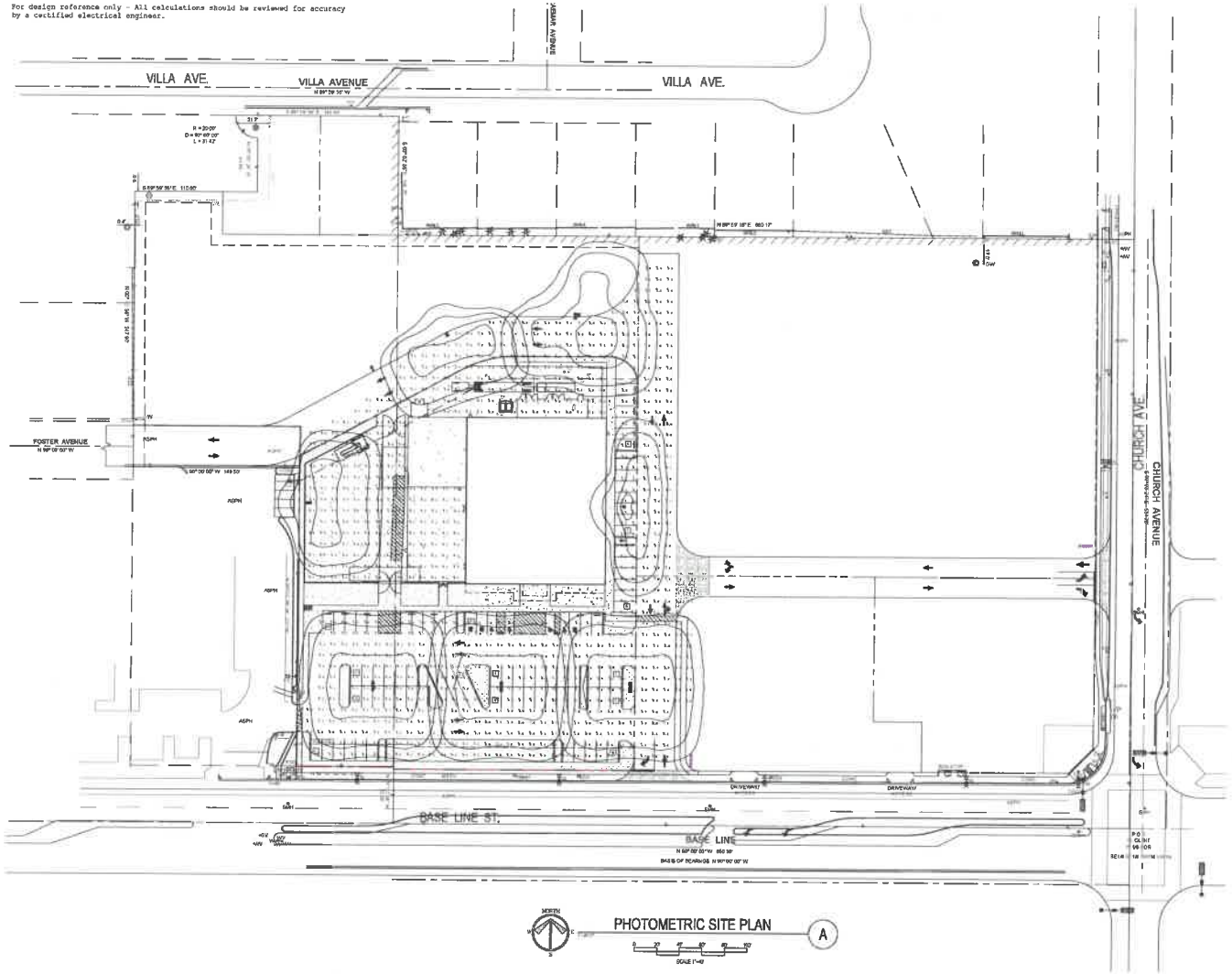
- CALCS PTS @ GROUND: 0'-0" A.F.P.

Calculations have been performed according to information provided regarding room dimensions, reflectances, furniture and architectural element placement. Some differences between measured values and calculated results may occur if the real environment conditions do not match the input data.

Photometric Data used as input for these calculations is based on established IES procedures and published lamp & ballast ratings.

Field Performance will depend on actual lamp, ballast, electrical and site characteristics.

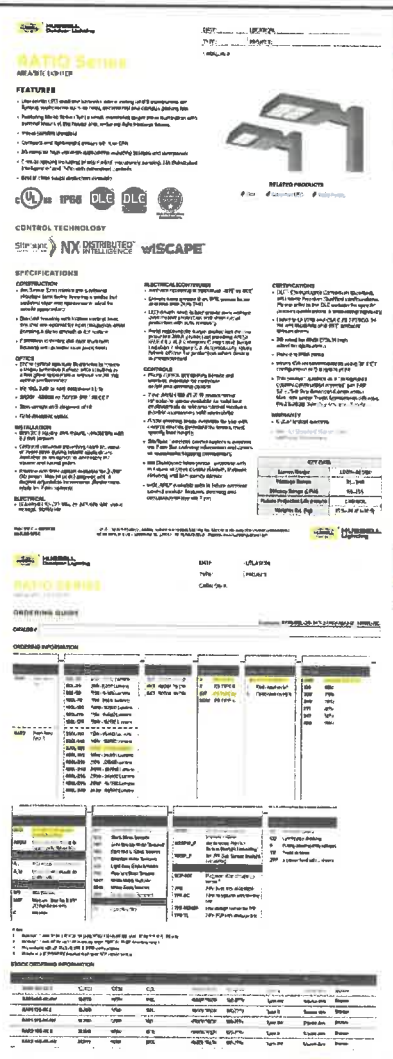
For design reference only - All calculations should be reviewed for accuracy by a certified electrical engineer.



NORTH

PHOTOMETRIC SITE PLAN (A)

SCALE 1"=40'



3578 30th Street
San Diego, CA 92104
V. 619.236.0595
F. 619.236.0587

CLIENT
WOODCREST
1410 MAIN STREET, SUITE C
RAMONA, CALIFORNIA 92065
CONTACT: WADE WYLIE
P: 760-789-5403
e-mail: wade@woodcrestpv.com

PROJECT

TSC

A PROPOSED COMMERCIAL DEVELOPMENT LOCATED AT:

TRACTOR SUPPLY CO.

NEC BASE LINE ST. & CHURCH AVE.
HIGHLAND, CA 92346

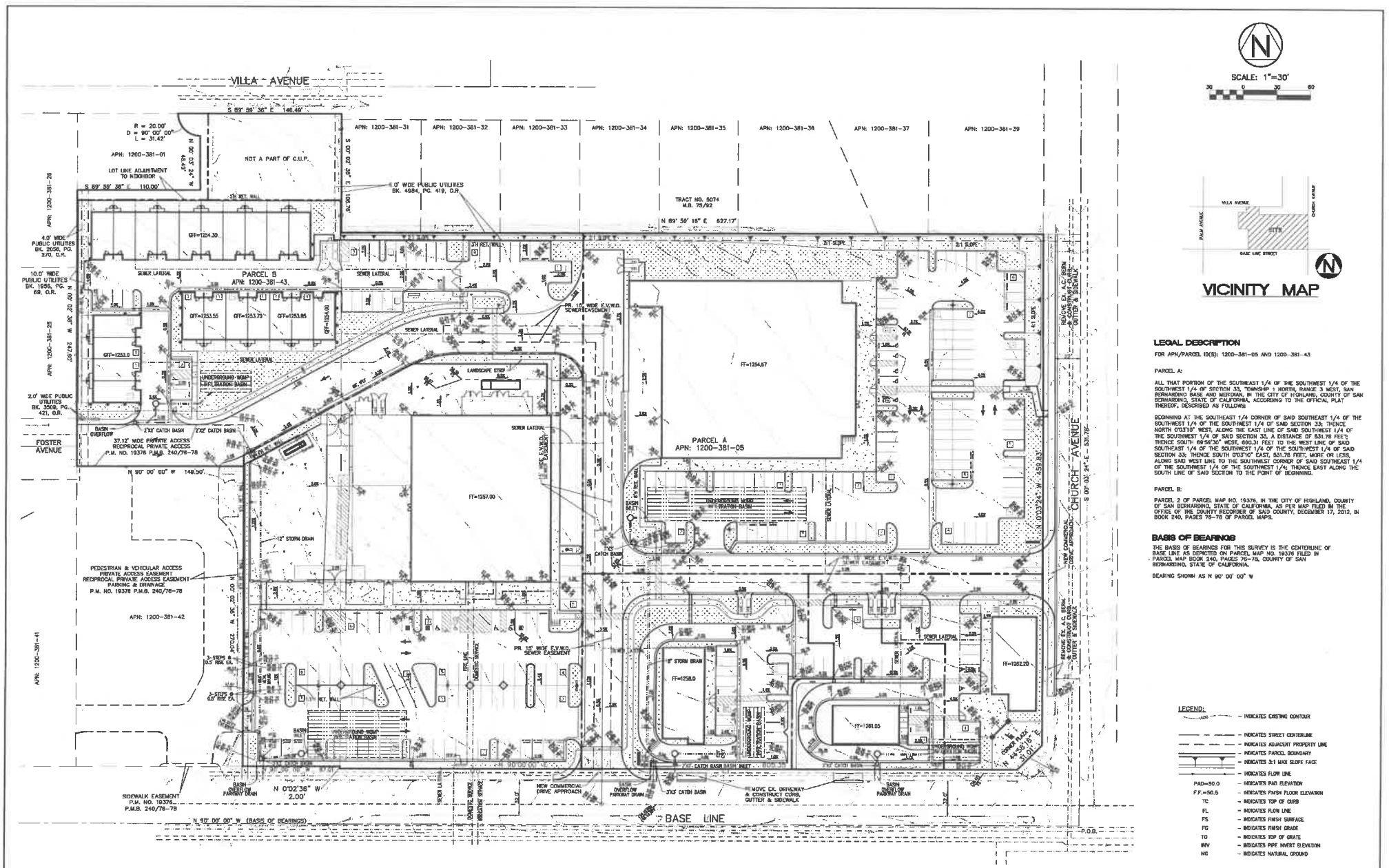
REVISIONS

SHEET TITLE

PHOTOMETRIC SITE PLAN

DATE	04.23.21
SCALE	AS NOTED
DRAWN BY	JOSH
CHECKED BY	

SHEET NO. AS1.2



SCALE: 1"=30'

30 0 30 60

VICINITY MAP

LEGAL DESCRIPTION

FOR APN/PARCEL ID(S): 1200-381-05 AND 1200-381-43

PARCEL A:

ALL THAT PORTION OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST 1/4 CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE NORTH 0°03'10" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33, A DISTANCE OF 531.78 FEET; THENCE SOUTH 89°59'30" WEST, 660.31 FEET TO THE WEST LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE SOUTH 0°03'10" EAST, 531.78 FEET, MORE OR LESS, ALONG SAID WEST LINE TO THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION TO THE POINT OF BEGINNING.

PARCEL B:

PARCEL 2 OF PARCEL MAP NO. 19376, IN THE CITY OF HIGHLAND, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DECEMBER 17, 2012, IN BOOK 240, PAGES 76-78 OF PARCEL MAPS.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF BASE LINE AS DEPICTED ON PARCEL MAP NO. 19376 FILED IN PARCEL MAP BOOK 240, PAGES 76-78, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

BEARING SHOWN AS N 90° 00' 00" W

LEGEND:

1400	– INDICATES EXISTING CONTOUR
	– INDICATES STREET CENTERLINE
	– INDICATES ADJACENT PROPERTY LINE
	– INDICATES PARCEL BOUNDARY
	– INDICATES 3:1 MAX SLOPE FACE
	– INDICATES FLOW LINE
PAD=50.0	– INDICATES PAD ELEVATION
F.F.=50.5	– INDICATES FINISH FLOOR ELEVATION
TC	– INDICATES TOP OF CURB
FL	– INDICATES FLOW LINE
FS	– INDICATES FINISH SURFACE
FG	– INDICATES FINISH GRADE
TG	– INDICATES TOP OF GRATE
INV	– INDICATES PIPE INVERT ELEVATION
NG	– INDICATES NATURAL GROUND

PLAN PREPARED UNDER THE SUPERVISION OF:

RICHARD JR. MAYER R.C.E. 38886 DATE 10/17/2013

SCALE:

SITETECH INC.

8081 CHURCH ST. HIGHLAND CA 92346 PO BOX 692
PH (909) 864-3181 FAX (909) 864-5850

BENCH MARK:

CITY OF HIGHLAND BENCHMARK NO.: 00585

DESIGNATION/STAMPING/DATUM: 00585 14-2 NAVD29

DESCRIPTION: SAN BERNARDINO COUNTY BENCH MARK: RESET 1992 IN T.C. 1 FOOT WEST OF EOR; NORTHWEST CORNER OF BASE LINE AND PALM AVENUE
ELEVATION=1,231.407

REVISIONS

CITY OF HIGHLAND

DRAWN: B.A.M. DESIGNED: J.S.M. CHECKED: B.K.M.

RECOMMENDED BY:

MATTHEW S. BENNETT DATE
RCE 62500, EXP. 6/30/15

APPROVED BY:

PLANNING DEPARTMENT DATE

BUILDING & SAFETY DATE

ERNEST BORG, CITY ENGINEER DATE
RCE 37453, EXP. 6/30/15

PRELIMINARY GRADING PLAN

A.P.N. 1200-381-05 & 43

BASE LINE AT CHURCH AVE.
HIGHLAND, CA. 92346

W.O.

SCALE:

FILE NO.

SHEET 1 OF 1

Building and Safety Division Conditions of Approval

Date:	October 23, 2021
Project:	Mixed Use Development – retail buildings, two drive through restaurants, and a 21 unit multifamily residential complex.
Site Location:	NWC of Base Line and Church Ave
Project Numbers:	**DRA** 21-004, **CUP** 21-006
APN:	1200-381-05-0000 and 1200-381-43-0000

1. Please provide the following number of construction plans and documents listed below for the first review of the proposed project. The initial plan review time will take two weeks on most projects. The applicant will receive an application number at the time plans are submitted for Building & Safety's plan review. This number is needed to obtain information regarding your project.

    (3) Architectural Plans
    (3) Condition of Approval from all departments (included within the plan sheets)
    (3) Structural Plans
    (2) Structural Calculations
    (3) Plot/Site Plans
    (3) Electrical Plans
    (3) Electrical Load Calculations
    (3) Plumbing Plans/Isometrics
    (3) Mechanical Plans
    (3) HVAC Duct Layout Plans
    (2) Roof and Floor Truss Plans
    (3) Title 24 Energy Calculations or within the plan sheets
    (2) Soils Report
    (3) Site Disabled Access Plan
    (3) Temporary Fence Plan
    (1) Approved Health Department Plans (as applicable)
    (2) Energy Commissioning Plan (as applicable)

    Grading Plans & Landscape plans submitted to Building and Safety should be marked "for reference only"

2. All structures shall be designed in accordance with the current version of the California Building Codes, including the California Green Building Standards Code. Basic wind speed 96 MPH, at exposure "C", and Energy Climate Zone 10.

3. All new and existing overhead utility lines in conjunction with the development project(s) are to be underground. Appurtenances and associated equipment including but not limited to surface mounted transformers, pedestals, meters, and cabinets may be exempted as listed under Highland Municipal Code Section 16.40.380

4. Construction projects requiring fire permits must apply and submit fire plans prior to the issuance of the building permit, including fire sprinkler submittals.

5. Building and Safety does not release all meters until final approvals are obtained from all agencies and departments. Policy 295.

6. It has come to the City's attention that premature failures have occurred in copper piping when used within the City of Highland, particularly east of City Creek. Property Owners, Contractors and Developers are advised to analyze soil and water compositions when considering the type of pipe material to be utilized. City staff makes no recommendations on which Plumbing Code approved products or methods to be utilize, this is the responsibility of the property owner or contractor. Alternate unapproved code materials may be submitted for City approval at the time of plan submittal via an alternate material and methods application.

7. The Developer/Owner is responsible for the coordination of releasing any Deferral of Development Impact Fees or Bonds after such fees have been paid. The Developer/Owner should be aware, once the deferral notice is sent to the San Bernardino County Recorder's Office; the release process takes two to three weeks. This process will delay final Certificates of Occupancy.

8. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall request clearances from each department and/or agency at least two weeks prior to requesting a final building inspection from Building and Safety. Each agency shall sign the back of the Building and Safety Job Card, or provide agency approved signed documentation, and provide a copy of the signatures to Building and Safety at the time the final inspection is requested.

9. Projects requiring County Health and/or San Bernardino Environmental Control, such as restaurants, need to obtain those permits prior to building permit issuance.

10. Building and Safety inspection requests must be made by 4:00 pm. on the previous City working day to receive a next business day inspection. Please contact (909) 864-2136, Ext 228.

11. In accordance with Policy 335, a construction fence shall be installed and maintained for any on-site projects prior to the commencement of any grading. All development projects shall submit a construction fencing plan with the construction design plans for approval by the Planning Division. Construction projects that have phased occupancy shall be completely separated by a construction fence that is screened and show the adjusted fence locations at each phase.

12. On site toilet facilities shall be provided for construction workers and such facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3 and on site per NPDS stormwater requirements.

13. All construction materials, which are not used, shall be recycled pursuant to the requirements set forth by Ordinance No. 269. Receipts from the recycle company responsible for picking up the materials shall be kept in the construction office. After the construction is complete and before final occupancy, the trash receipts shall be forwarded to the City Public Services division.

14. Construction projects, requiring temporary electrical power, shall obtain an electrical permit from Building and Safety. No temporary electrical power will be granted to a project unless the following item is in place and approved by Building and Safety and the Planning Division.

    a) Installation of a construction trailer through the "Temporary Occupancy Permit", alternatively, a security fenced area where the electrical power will be located. Installation of construction/sales trailers must be located on private property. No trailers can be located in the street unless a permit from the Engineering Department is obtained.

15. Prior to the issuance of Building Permits, on site water service shall be installed and approved by the responsible agency. On site fire hydrants shall be approved by the Fire Department. No flammable materials will be allowed on the site until the fire hydrants are established and approved. No flammable construction materials shall be placed on the site without approvals by the Fire Department. All street and access roadways around the project shall be paved for emergency response vehicles before flammable materials are placed on the project.

16. Prior to issuance of building permits, site-grading certifications, compaction reports, and survey report shall be submitted to Building and Safety or to Public Works, as applicable.

17. Prior to issuance of building permits, provide a receipt from the appropriate Unified School District stating that all school fees have been paid.
    (San Bernardino Unified School Districts)

18. Prior to final inspection, provide Building & Safety with a flash disk of the approved plans and documents.

19. All construction projects shall comply with the NPDES Stormwater Best Management Program. Prior to building permit issuance submit copy of the Water Quality Management Program Report. (WQMP)

20. All deferred plan items are to be identified on the plans cover sheet.

21. Site development and grading shall be designed to provide access to all entrances and exterior ground floor exits and access to normal paths of travel. The accessible route(s) of travel shall be the most practical direct route.

22. All dead and removed trees and foliage is to be properly removed from the site.

23. The City enforces the State of California provisions of the California Building Code disabled access requirements. The Federal Americans with Disabilities Act (ADA) standards may differ in some cases from the California State requirements; therefore it is the building owner's responsibility to be aware of those differences and comply accordingly.

24. At the time of submittal for plan review, projects meeting the requirements under Section 5.410.2 and Section 5.410.2.3 of the California Green Building Standards Code shall submit a Commissioning Plan.

City of Highland, **FIRE PREVENTION DIVISION,** Conditions of Approval.

DATE : June 14, 2021

APPLICANT : Wade Wylie

PARCEL : 1200-381-05 and 1200-381-43

SITE LOCATION: NWC of Baseline and Church Avenue

FILE / INDEX No.: GPA 21-002 DRA 21-004 CUP 21-006 TPM 21-001 ASR 21-006

A tiered level of mitigation options has been developed and listed below are the systems and/or modifications required for your project. Compliance of the following items are a condition of **FINAL OCCUPANCY APPROVAL**. These conditions are required as acceptable solutions to the adverse fire conditions impacting firefighting and emergency operations accompanying the site/area. They will either assist in detection and extinguishment of the fire and/or facilitate the anticipated emergency operations.

This project is protected by the City of Highland Fire Department / Cal-Fire / California Department of Forestry and Fire Protection. Prior to any construction occurring on any parcel, the applicant shall contact the city of highland fire marshal office for verification of current fire protection development requirements. All new construction shall comply with the currently adopted California Fire Code and all applicable statutes, appendices, codes, ordinances, standards and policies of the City of Highland Fire Department/ Fire Prevention Division / Cal-Fire / California Department of Forestry and Fire Protection.

Fire Department Review of all projects is required.

ALL CONSTRUCTION (New and renovations to existing) SHALL COMPLY WITH THE CALIFORNIA FIRE CODE Along with amendments as adopted within the Highland Municipal Code (Ord. #411).

Note: All weather access roads (CFC) and fire hydrant/water system installations shall be in place, inspected and approved, **PRIOR** to combustible material being brought on site.

Note: The City of Highland has 2 areas within the **'FIRE SAFETY OVERLAY DISTRICT'** designated as **FR-1** and **FR-2**. Both areas may border or overlap areas identified by the State/CalFire as **'High Fire Severity Zone'** or **'Very High Fire Severity Zone'**. See **HMC** for construction requirements.

GENERAL.

1. **HF3:** A fuel break of one hundred (100) feet (brush and weed clearance) is required prior to construction. The clearance shall be maintained on a year-round basis. **CFC & HMC**

2. **HF6:** Prior to delivery of combustible building materials, the entire fuel modification zone, as approved by the fire department shall be completed. Any phased implementation of the fuel modification zone shall be done only with **prior** approval of the fire department. **CFC / CBC / HMC**

3. **HF31:** Approved fire hydrant pavement markers (blue dots) shall be installed at every hydrant.

4. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**

5. **HF52:** Water heater (fuel fired), shall be properly vented to exterior of structure. Water heater shall be seismic strapped to wall and be located 18" above a garage floor. **CBC**

6. **HF55:** Commercial exit requirements:
   A. Required exit doors shall be maintained in an operable condition at all times
   B. Required exit doors shall swing outward and away in the direction of exit travel.
   C. Obstructions shall not be placed in the required width of an exit. Exits shall not be blocked or locked shut or obstructed in any manner during business hours.
   D. Exit paths shall be illuminated when structure is occupied.
   E. Exit path illumination shall be supplied from two (2) sources of power when occupant load is one hundred (100) persons or more.
   F. When exit way/exit pathway and/or exit doorway is not easily identified, additional exit signs shall be installed.

7. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**

8. **HF60:** Additional plans for access, fire safety systems, fire lanes and signage, gates, storage, or other special conditions may be requested for review, conditioning and approval by the fire marshal.

9. **HF56:** All flammable and combustible liquid storage and dispensing shall be in accordance with applicable sections of the **CFC, T-19** and city codes and ordinances.

ACCESS:

10. **HF7:** Fire department **access** roads shall meet the fire dept. minimum unobstructed width of twenty (20) feet. (twenty-six (26) feet within FR-1&2 zones). **This standard shall not lessen other agency requirements.** Access roads shall be paved (asphalt/concrete) and in place **prior** to delivery of combustible building materials on site. Roads shall be designed and constructed to meet adopted city standards. **CFC**

11. **HF8:** All access roads, public, private streets and residential driveways shall maintain a minimum vertical clearance of thirteen (13) feet-six (6) inches. **CFC**

12. **HF9:** Residential driveways shall be paved (asphalt/concrete) and shall provide a minimum width of twelve (**12**) feet. Driveways of this standard shall serve no more than two single family dwellings and shall not exceed 10% in grade. **HMC**

13. **HF10:** Driveways exceeding 150 feet shall have a fire department approved turn-around at the terminus. **CFC / APPENDIX D**

14. **HF11:** Fire department access roadway(s) and/or public/private street(s) exceeding one hundred fifty (**150**) feet in length shall provide an approved turn-around at the terminus (**cul-de-sac**). Minimum radius shall be **not less than forty (40)** feet. Or as approved by the fire marshal. Cul-de-sacs providing access to perimeter emergency access roads shall have a minimum radius of forty four **(44)** feet. **CFC / APPENDIX D, SBCO TRANSPORTATION STD**

15. **HF12:** Fire department access roadway(s); public/private street(s) and driveways shall not exceed 12% grade. **CBC / APPENDIX D, HMC**

16. **HF13:** Fire department access roadway(s); shall extend 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.
    An access road, approved by the fire dept., shall be provided to within fifty (50) feet of all structures when the natural grade between access road and structure is in excess of 30%.
    Where an approved access road cannot be provided, a fire protection system shall be required and approved by the fire department. **CFC**

17. **HF15:** "Phased" projects may be required to provide a minimum of two (2) remote points of approved access during construction. A secondary access, for fire and other emergency equipment and for routes of escape, which will safely handle evacuations. **CFC - APPENDIX D**

18. **HF19:** **Manually** operated gates across fire department access roadways, public and/or private streets and driveways, shall be equipped with approved emergency key-operated **"KNOX"** padlock or box containing key to open the private lock. For

automatic gates, a "KNOX" emergency access switch, shall be installed, at location determined by fire department, and shall over-ride all command functions and open gate automatically upon activation. All automatic gates shall have a manual over-ride for use during loss of electric power. "KNOX BOX" request form is available from the fire marshal or may be ordered directly from www.knoxbox.com (specify City of Highland, CA) **CFC – Appendix D Note: The city of Highland also requires an electronic "H" key system (Ord. #320) for multi-family, gated communities or secured storage facilities. HMC**

19. **HF24:** "NO PARKING – FIRE LANE" signs shall be posted at locations designated by fire marshal. Fire lane curbs shall be painted red, with white letters stating, "NO PARKING – FIRE LANE" on top, not face. **CFC - APPENDIX D**

20. **HF54:** commercial and industrial structures-occupancies and gated complexes shall have a "**KNOX BOX**" system installed on the exterior of the building(s) or complex. location of device to be determined by the fire department. The box shall contain keys necessary to gain access and may contain pre-plans and MSDS information as required by the fire department. New and existing multi-tenant commercial buildings shall provide a 'KNOX' box large enough to contain keys to access each individual tenant space. Installation location(s) to be determined by the fire marshal. The box shall contain clearly marked keys to each tenant space or other areas as determined by the fire marshal. **CFC**

21. **HF61:** Aerial fire apparatus access roads. **Where required**: buildings or facilities **exceeding 30-feet** in height above the lowest level of fire dept. Vehicle access shall be provided access roads capable of accommodating aerial apparatus. **Width:** aerial apparatus access roads shall provide a minimum unobstructed width of **26-feet** in the immediate vicinity of any building exceeding 30-feet in height. **Proximity to buildings:** aerial apparatus access roads shall be located a minimum of 15-feet to a maximum of 30-feet from the building, and shall be positioned parallel to one entire side of the structure, as approved by the fire code official. **CFC APPENDIX D**

WATER:

22. **HF25:** Minimum required fire flow, as determined by i.s.o. formula, shall be determined by California Fire Code Appendix 'B'.

System shall be looped with minimum eight (8) inch mains; six (6) inch laterals, six (6) inch risers; six (6) inch dia. Hydrants with two 2 ½" outlet(s) and one 4" outlet. **CFC APPENDIX B AND C**

Note: Hydrants shall meet EVWD standards.

23. **HF29:** Fire hydrant spacing shall be:
Multi-family residential: 300 FEET

High density residential:	300 FEET
Commercial retail:	300 FEET

CFC / APPENDIX B AND C.

Note: Existing fire hydrants (off-site) can be included if they meet spacing requirements. Hydrants shall not be located at the 'bulb' end of cul-de-sacs.

24. **HF26:** Three sets of water delivery system plans, designed to meet the required fire flow for this project and/or development, shall be submitted to the fire department for review and approval. **CFC**

25. **HF27:** Applicant-developer shall provide a letter from the water company serving the project-development, verifying financial arrangements have been made and bonded for the required water improvements. **CFC**

26. **HF28:** Fire hydrants shall be installed, inspected and operational as per approved water system delivery plans **prior** to any framing, construction or delivery of combustible materials to project site. **CFC / CFC**

27. **HF30:** Private, on site fire hydrant(s) – yard hydrant(s)- capable of supplying required fire flow shall be installed at location(s) identified by the fire department. System shall be looped with minimum eight (8) inch mains; six (6) inch laterals, six (6) inch risers; six (6) inch dia. hydrants with one 2 ½" outlet and one 4" outlet. **CFC / APPENDIX B AND C**

28. **HF38:** Approved fire hydrant(s) capable of supplying required fire flow, shall be provided to all premises upon which facilities, buildings or portions of buildings are constructed or moved within the jurisdiction. When any portion of the facility or building protected is in excess of 400 feet from a fire hydrant on a public street, as measured by an approved route around the exterior of the facility or building, additional fire hydrants or on-site fire hydrants, meeting the required fire flow, shall be provided. **CFC APPENDIX B AND C**

ADDRESSING – IDENTIFICATION:

29. **HF21:** **Commercial** and **multi-family residential** address numbers shall be displayed on all **new and existing** structures in such a manner as to be plainly visible and legible from the access roadway or street. Numerals shall be of a contrasting color to the building and electrically illuminated.
Minimum size of the numerals shall be **8"** height, 3/4" stroke, or as approved by the fire marshal.
Industrial occupancies shall have address numbers of 12" height, 1" stroke and shall be electrically illuminated so as to be visible and legible from access roadway or street.

Note: Depending on height and setback of a building, larger numerals may be required and at additional locations on the building, as determined by a case-by-case review.
HMC

30. **HF22:** Commercial-retail structures with rear access shall display address numbers on rear entry doorways, **4"** in height, 1/2" stroke, on contrasting background. **CFC**

31. **HF18:** Street name signs shall be installed prior to construction on any roadway or phase. Temporary signs may be used as approved by the fire marshal. **CFC**
Note: Permanent signage shall meet City standards as required by Planning.

32. **HF17:** The public and/or private roadways serving this project shall be identified with **city** approved names. **CFC**

33. **HF20:** **Residential** address numbers shall be placed on all new and existing structures in such a manner as to be plainly visible and legible from the access roadway or street. Single family dwellings shall have numbers of **4"** height, 1/2" stroke on contrasting background. Address numbers shall be low voltage, automatically electrically illuminated where structure setback exceeds one hundred (100) feet from the access roadway or street, additional non-illuminated numbers 4" in height, 1/2" stroke, on contrasting background shall be displayed at property access entrance. **CFC**

FIRE PROTECTION & ALARM SYSTEMS:

34. **HF35:** Automatic fire sprinklers shall be installed according to **NFPA 13R** and fire dept. requirements. Submit three **(3)** sets of shop plans with material cut sheets and hydraulic calculations, indicating the type of occupancy, type of materials to be stored (if any), for fire dept. review and approval prior to any installation. Submit copy of California C-16 license. **CFC; CBC; HMC**

35. **HF36:** Automatic fire sprinklers shall be installed according to **NFPA 13** and fire dept. requirements. Submit three **(3)** sets of shop plans with material cut sheets and hydraulic calculations, indicating the type of occupancy, type of materials to be stored (if any), for fire dept. review and approval prior to any installation. Submit copy of California C-16 license. **CFC; CBC; HMC**

36. **HF37:** Automatic fire sprinkler control devices (P.I.V & O.S.&Y.) Shall be visible from fire dept. access roadway, and identify system being controlled and address of structure.
Fire Dept. Connection (FDC) shall be located no closer than forty (40) feet and not to exceed one hundred fifty (150) from structure. Required fire hydrant shall have

a maximum distance from FDC of thirty (30) feet. FDC shall identify address and system of structure being protected. **CFC**

37. **HF39:** An automatic fixed fire extinguishing system (**UL-300**) shall be installed in the hood and duct system of commercial cooking equipment. Three **(3)** sets of shop plans with material cut sheets and calculations shall be submitted to fire department for review and approval prior to installation. **CFC**

38. **HF41:** A minimum of one 2A-10BC fire extinguisher shall be installed for each 3,000 sq.ft. of floor area. Travel distance to any one fire extinguisher shall not exceed 75 feet. Additional fire extinguishers, size and class to be determined by fire department, may be required. Fire extinguishers shall be serviced bi-annually and shall have a current State Fire Marshall service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year. **CFC; NFPA**

39. **HF42:** A 40BC (K-Type) fire extinguisher shall be installed within 30 feet of commercial food heat-processing equipment. Fire extinguishers shall be serviced annually and shall have a current SFM service tag attached. Fire extinguishers are to be serviced every two years and inspected & tagged every year. **CFC; T-19**

40. **HF43:** An automatic fire detection and alarm system meeting the requirements of CFC 907, CBC and NFPA 72 shall be installed. Three (3) sets of shop plans with material cut sheets and calculations shall be submitted to the fire department for review and approval prior to installation. **CFC; CBC; NFPA**

41. **HF46:** **SMOKE DETECTORS**, hard wired in series with battery back-up, shall be installed in all sleeping areas and in all hallways and areas/rooms leading to sleeping areas. Smoke detectors shall be installed at the top of all stairways. At least one smoke detector shall be installed on the first floor level. **CARBON MONOXIDE DETECTORS** shall be installed per manufacturer's instructions minimum one per floor where fuel fired appliances and/or an attached garage is present. Units also to be hard wired in series with corresponding smoke detectors **CFC; CBC**

42. **HF59:** Commercial and industrial buildings, in excess of 20,000 square feet, and with an interior area more than 150 feet from exterior exit, shall be equipped with a class i standpipe system. Standpipe connections shall be configured to reach any portion of interior space within 150 feet in any direction of travel. This system shall be calculated to provide 500 GPM from an adjacent automatic fire sprinkler riser at 100-psi nozzle pressure for two hand lines flowing.

43. **HF60:** California Fire Code, **FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION**, shall apply to this project. it is the responsibility of the project

manager to meet with the fire marshal to discuss requirements specific to this project.

44. **HF61**: **TENANT IMPROVEMENT**. Review the 'tenant improvement information' handout. If any of the items listed apply to this project, they must be included in the 'fire department notes' section on the plan.

45. **HF62**: Additional plans for access, fire safety systems, storage or other special condition may be requested for review, conditioning and approval by the fire marshal.

46. **HF63**: Submit to fire marshal's office: **one copy** of building and/or structure plans for fire department review.

47. **HF64:** Spray booths, spray finishing operations shall comply with requirements of California Fire Code

48. **Fire Department Access:** The multifamily dwellings on the north west corner only have one point of access/egress. Please provide a secondary egress path.

Craig Sanchez, Fire Marshal
City of Highland Fire Prevention
(909) 864-8732 x 248

City of Highland

Engineering Department
Conditions of Approval
Tractor Supply Mixed Use Development
DRA 21-006/ PM 20403
NWC Church Avenue and Base Line

A - Required Prior to Final Map Approval
B - Required Prior to Building Permit/Construction
C - Required Prior to Building Occupancy
D - Ongoing
E - Required Prior to Grading Permit
* - Non Standard Conditions

SOILS/GEOLOGY/GRADING

E 1. Submit a soils report, prepared by a licensed Geotechnical Engineer, for review and approval by the City Engineer. Comply with the recommendations contained in the report and any amendments thereof as approved by the City Engineer.

E 2. Design on-site grading to drain the entire site to the proposed WQMP BMPs, and to accommodate overflows as necessary.

E 3. Submit rough and/or precise grading plans to the City Engineer for review and approval. Comply with the City of Highland grading standards as shown on the grading plan checklist.

E 4. Design grading to intercept and conduct off-site tributary drainage flow around or through the project site in a manner that does not adversely affect adjacent properties.

E 5. Submit structural design and location for any required retaining walls for review and approval by the City Engineer. Construct concrete v-ditches and drainage system at the back of retaining walls in accordance with the Grading Plan Checklist and as required by the City Engineer.

E 6. Submit a sediment and erosion control plan to minimize potential increases in erosion and sediment transport during construction activity for City Engineer approval. Place erosion control measures during or after grading work as required by the City Engineer.

E 7. Comply with the City's clear sight triangle criteria at public street intersections and at private driveways in grading and landscaping design. Walls, fencing, monument signs, slope, and landscaping, within the clear sight triangle, must not exceed thirty inches in height measured from the flowline of the street, unless a sight distance analysis that demonstrates sight distance is adequately maintained is submitted to and approved by the City Engineer.

E 8. Design short term erosion control in accordance with Best Management Practices such as, hydroseeding, mulching, jute matting or plastic sheeting to protect slopes; silt fencing to control site perimeter; and straw bale barriers, sand bag barriers, rock filters or sediment basins to control internal erosion, or other methods to stabilize disturbed areas, as approved by the City Engineer.

D 9. Implement dust control measures during construction activities including, but not limited to, daily watering of construction area as frequently as necessary during active and inactive periods, utilizing soil emulsions, limiting construction vehicle speed to 10 miles per hour, stabilizing construction entrances to prevent trackout of sediments, and street sweeping.

B 10. Submit original wet signed and stamped rough grading certifications from the soils engineer and the grading engineer, along with compaction reports, to the City Engineer.

C 11. Submit original wet signed and stamped final grading certification from the grading engineer to the City Engineer.

STREET IMPROVEMENTS

C* 12. Remove existing asphalt concrete dike and construct street improvements on Church Avenue across the entire frontage of the Parcel Map, including, including, but not limited to, , curb and gutter (18 feet west of the centerline of improvements), match-up asphalt concrete pavement, class II aggregate base, 6-foot wide curb adjacent sidewalk, commercial drive approach, street lights etc. in accordance with the typical sections of a Collector street.

C* 13. Prior to occupancy, restripe Church Avenue/ Base Line intersection to include two left-turn lanes and one shared through-right lane at the Church Avenue southbound approach or approved by City Engineer.

C* 14. Prior to occupancy, reconstruct the southbound driveway at the Bonita Drive and Base Line intersection to include: (1) Westbound on Base Line – right in only private driveway access and two through lane and a bike lane, (2) Eastbound on Base Line – restrict left turn/ through movements out of the existing southbound driveway ,and (3) Southbound – restripe and sign accordingly or as approved by City Engineer.

C* 15. Prior to occupancy, restripe Palm Avenue/ Foster Avenue intersection to include one left-turn lane and one right-turn lane at the Foster Avenue westbound approach.

C* 16. Install traffic control signs and pavement markings with locations and types approved by the City Engineer.

A. 17. Design all streets to comply with horizontal and vertical sight distance requirements in accordance with the Caltrans Highway Design Manual and the City street and storm drain improvement checklist.

A 18. Submit street improvement and striping plans for required improvements to the City Engineer for review and approval. Indicate on the plans the location of any existing utility/facility which would affect construction of the improvements. Comply with City

design standards as shown on the City's street and storm drain improvement checklist. The minimum street grade shall be 1 percent.

B 19. Submit a design and a recommendation from a soil engineer for pavement structural sections to be constructed on various on-site and off-site roadway segments that are required for improvements. Design the pavement structural section for a service life of 20 years as outlined in Section 600 of the Caltrans Highway Design Manual. The minimum pavement structural section is 3" A.C./4" A.B. The City Engineer will provide traffic indexes to be used in the pavement design.

A 20. All required improvements shall be designed and constructed in accordance with the State of California Accessibility Standards, Title 24 California Administrative Code.

A 21. Design public improvements including sidewalk, drive approaches, and access ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code. Truncated domes shall be dark gray Armor-Tile Cast in Place System manufactured by Engineered Plastics, Inc. Redesign and reconstruct existing frontage improvements if found not in compliance with City Standards.

WATER QUALITY/DRAINAGE

E 22. Obtain approval by the City Engineer of a Final Water Quality Management Plan (F-WQMP), prepared in accordance with the City's National Pollutant Discharge Elimination System (NPDES) permit requirements in effect at the time the Conceptual Water Quality Management Plan was approved unless subsequent City NPDES permits require otherwise. The F-WQMP shall (1) be prepared, signed, and sealed by a licensed Civil Engineer, (2) include Site Design Low Impact Development and Source Control Best Management Practices (BMPs) appropriate for commercial development, (3) include a BMP implementation, operation, and funding mechanism, and (4) be certified by the property owner. The property owner shall also enter into a Stormwater BMP Transfer, Access, and Maintenance Agreement with the City on the City form. Include a copy of the recorded agreement in the F-WQMP. Construct BMPs in accordance with the approved F-WQMP.

E 23. Submit, with the first submittal of the F-WQMP, copies of the project's grading plan, landscape plan and utility plan.

C 24. Submit two sets of WQMP BMP Exhibits with a "WQMP BMP As-Built Certificate" wet signed and sealed by the Engineer of Record. The Certificate shall state:

"I hereby certify that the Water Quality Management Plan Best Management Practices have been constructed under my supervision in accordance with the approved plans and are functional to the best of my knowledge."

C* 25. Construct on-site drainage system to drain the entire site to the proposed WQMP BMPs in accordance with the Preliminary Water Quality Management Plan, and construct necessary drainage overflow facilities. Design grading, WQMP BMPs, and on-site improvements in such a manner that any overflows from the project to adjoining properties will not exceed the amount of predevelopment flows, and will

not be redirected or concentrated in a manner that will adversely affect the adjoining properties.

E 26. Prepare and submit a hydrology study to determine storm runoff quantities tributary to the site. Include hydraulic calculations to determine the size and type of all drainage facilities.

E 27. Construct underground private storm drain, install pre-treatment catch basin inserts, and connect system to a new hydrodynamic separator units and the new underground infiltration system shown by the approved C-WQMP and Preliminary Grading Plan, dated April 15, 2021.

MAP/DEDICATION/ANNEXATION

B 28. Record a Parcel Map with the San Bernardino County Recorder pursuant to the provisions of the State Subdivision Map Act. Provide a duplicate photo mylar of the recorded map to the City Engineer.

A 29. At the time of Parcel Map submittal, include traverse calculation sheets which show error of closure, copies of recorded maps and deeds used as reference and/or showing original land division, tie notes and benchmarks referenced, and a current title report not older than 30 days. Inverse calculations will not be accepted for plan check.

A 30. Include an Improvement Certificate/Statement on the Parcel Map in accordance with Section 66411.1 of the Subdivision Map Act.

A* 31. Dedicate a landscape easement across the Base Line and Church Avenue frontages as approved by the City Engineer and Community Development Director.

A* 32. Dedicate public street right-of-way on Base Line to provide a 52-foot northerly half-width public street across the project frontage.

A* 33. Dedicate public street right-of-way on Villa Avenue to provide a 30-foot southerly half-width public street across the project frontage.

A 34. Dedicate corner property line cutoffs in accordance with City standards.

A 35. Dedicate all public street rights-of-way and required City sidewalk easements within the project boundary by Parcel Map.

A* 36. Dedicate a 4.5' sidewalk easement to accommodate a pedestrian path to be constructed across the project entrances per Standard 213.

A* 37. Obtain concurrence from the property owner of APN 1200-381-01, the parcel adjoining the north and west line respectively of Parcel R1 and R2 to process a lot line adjustment, to move the common property line to the location of the existing wall or to the proposed relocation of the property line wall. If concurrence cannot be obtained after a verifiable good faith effort has been made, submit an alternate design for review and approval by the City Engineer.

C* 38. Apply to the City to annex the project into the City's Landscape Maintenance District (LMD) for potential City maintenance of parkway and frontage landscaping along Base Line and Church Avenue. Sign the ballots prepared by the City agreeing to the annexation and amount of assessment. The landscaping along the project frontages shall be maintained by the property owner. The City will maintain the landscaping along the project frontages, utilizing LMD revenue, only if the City determines that adequate maintenance is not being provided by the property owner. The amount of assessment will include the estimated on-going maintenance cost and one-time construction cost to convert the privately-maintained system to the City-maintained system.

C* 39. Apply to the City to annex into the City's LMD for future maintenance of a landscaped median to be located on Base Line. Submit a ballot to the City agreeing to the annexation and amount of assessment. The Base Line landscaped median will be maintained by the City utilizing LMD revenue.

FEES/PERMITS/BONDING

D 40. Pay appropriate City fees for bond processing, district annexations, plan check, WQMP review, hydrology study review, lot line adjustment, structural calculation review, on-site and off-site inspection, utility excavation permits, GIS map update, microfilming and storage of maps and plans, and other required fees.

E 41. Post a cash deposit to guarantee installation and maintenance of required erosion control measures. The amount of deposit shall be as approved by the City Engineer. The deposit shall not be released prior to completion of all on-site construction.

A 42. Post a cash deposit for monumentation based on an estimate of the cost to perform the work prepared by the project surveyor or engineer as approved by the City Engineer. The deposit shall not be released prior to written verification from the surveyor or engineer that the monuments have been set and payment for the work has been received.

E 43. Comply with applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit program. Provide an approved Rainfall Erosivity Waiver or written verification from the Regional Water Quality Control Board specifying the project's WDID number.

C* 44. Pay fair share traffic mitigation fees for all locations found to be deficient due to cumulative project impacts inside of the City of Highland impacted by development of the Tractor Supply Store as identified in Table 12 of the Traffic Impact Analysis dated Oct. 6th, 2021. The amount of mitigation fees required of the Tractor Supply Store shall be based on the estimated cost of mitigation measeures as determined by the City Engineer and the project fair share percentages as calculated in the traffic study. Pay the traffic mitigation fee for the entire phase prior to occupancy of the first building.

E 45. Obtain a grading and/or construction permit from the City Engineer prior to any on-site grading or construction within the City's right-of-way.

D 46. Obtain written permission from affected adjacent property and easement owners for any grading or construction work to be done outside of the Parcel Map or within easement areas.

A 47. Submit bonds for all required street, drainage, grading, and landscape maintenance district landscaping, in accordance with the City's Municipal Code.

A 48. Enter into an agreement for construction of improvements with the City using the adopted City form.

UTILITIES/CONSTRUCTION

D 49. Install construction fencing and screening in accordance with Building and Safety Division Policy 335.

B 50. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.

B 51. Provide utility services to the proposed building, including sanitary sewers, water, electric, cable, internet, gas, and telephone. All onsite utilities are to be underground.

B 52. Reconstruct existing public improvements removed or damaged during construction as approved by the City Engineer. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal shall be across all or a portion of damaged pavement as determined by the City Engineer.

D 53. Comply with applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit program. Provide written verification from the Regional Water Quality Control Board specifying the project's WDID number.

B 54. Destroy any abandoned wells on the property or similar structures that might result in contamination of underground waters in a manner approved by the City Engineer.

B 55. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.

C 56. Comply with the prevailing City design and construction standards and requirements at the time of permit issuance.

D 57. Plot all easements on grading plan and note disposition of any existing utilities, appurtenances, fences, and access roads.

B 58. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.

D 59. Submit "Record Revisions" to construction plans which reflect the improvements as constructed, and any changes made during construction of public improvements such as streets, storm drains, parks, trails, public landscaping, etc. Provide original mylars and AutoCAD files.

D 60. Comply with the City's Public Works Policies, Standards and Procedures prevailing at the time of permit issuance.

STAFF REPORT

TO THE PLANNING COMMISSION/APPEALS BOARD

DATE: December 7, 2021

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Barrie Owens, Code Compliance Officer

SUBJECT: A Public Hearing to declare the existence of a Public Nuisance in accordance with Title 8, Chapter 8.32, of the Highland Municipal Code, and authorize the abatement thereof, at the Property generally located at **7914 Calle Del Rio, Highland, CA 92346**

RECOMMENDATION: Staff recommends the Appeals Board conduct the required Public Hearing and adopt Appeals Board Resolution No 2021 ____, declaring the existence of a public nuisance on the property located at 7914 Calle Del Rio, Highland, CA 92346 and order the abatement thereof.

OWNER/CITEE: Kathleen Pearce

FISCAL IMPACT: The full cost to the City regarding the abatement of the Public Nuisance is currently unknown. Staff has accounted for its time in its attempt to abate the nuisance conditions on the Property. Staff will present the Property Owner of record with the cost of the City's efforts to abate the violations at the time all violations are remedied. If the Property Owner(s) elect not to pay for the City's cost to abate the violations, a Public Hearing will be held to assess the property for the cost of the abatement process.

Approved _____	Motion _____	Second _____	Agenda Item No. 4
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

Recording Secretary

Community Development Director

PUBLIC NOTICE: Pursuant to Chapter 8.32, **Public Hearing Notices** were mailed First Class Mail, and Certified Mail to the property owner on **November 16, 2021**. (Attached hereto as Exhibit "J" and incorporated herein by reference). In addition, on November 17, 2021, staff posted the Public Hearing Notice at the subject property and the agenda was posted at three designated locations in accordance with City policy, and a copy of said Agenda was placed on the City's Website.

BACKGROUND:

May 28, 2011 This case was initiated by Code Compliance Officer Steven Rondina as he observed the damaged block wall.

June 1, 2011 Code Compliance Officer Rondina issued **a Notice of Violation**, for violation of the Highland Municipal Code 15.28.010/Uniform Housing Code 1001.3 structural hazards, noting the soil has eroded from the block wall footings. The Property Owner was instructed to remove or repair the hazardous portion of the block wall within 14 days.

October 5, 2011 through November 28, 2012:

Officer Rondina conducted reinspections from October 5, 2011, through November 28, 2012. The block wall was not repaired, and the following administrative citations were issued:

10/6/2011 **Warning Citation #5262**, no fine, correction by 10/21/2011

10/21/2011 **Citation #5232**, fine $100, correction by 11/17/2011

11/18/2011 **Citation #5239**, fine $200, correction by 12/15/11.

6/12/2012 **Citation #5628**, fine $1,000, correction by 7/2/2012.

11/28/12 **Citation #10151**, fine $1,000 correction by 1/3/2013.

March 27, 2018 Code Compliance Officer Teresa Jones mailed a **Courtesy Letter** to the Property Owner as0king her to contact Building and Safety within 14 days.

April 24, 2018 Code Compliance Officer Barrie Owens inspected the property and observed the block wall had not been repaired. Code Compliance

Officer Owens issued and mailed **Warning Citation #14589** to the Property Owner.

May 22, 2018 Code Compliance Officer Owens mailed a **Courtesy Letter** to the Property Owner asking her to contact Code Compliance or obtain a building permit within 10 days.

June 22, 2020 The Proper Owner informed Code Compliance that she contacted three (3) contractors to provide estimates to repair the block wall.

June 26, 2018 Code Compliance Officer Owens met the Property Owner at the residence. The Property Owner said the City inspected the wall and told her the damage was caused by poor draining on her property. She said she had the wall secured and stabilized. Code Compliance Officer Owens asked the Property Owner to send her documentation of the wall repair within 14 days. The Property Owner failed to provide documentation of the repair. Two courtesy letters were mailed to Property Owner on May 22, 2018, and July 12, 2018, reminding her to contact Code Compliance and/or to obtain a building permit. On October 20, 2018, Code Compliance Officer Owens mailed a letter to the Property Owner, reminding her she has not provided proof of repair or obtained a building permit, and she was given a compliance date of November 8, 2018.

March 14, 2019 Code Compliance Officer Owens sent the Property Owner a letter informing her she has accumulated over $2,300 in fines and penalties for failing to obtain a building permit and repair the block wall. The Property Owner was given the opportunity to contact Code Compliance Officer Owens and schedule a meeting with her and the Building Official to discuss the required block wall repair. The Property Owner failed to respond to the letter.

May 4, 2020 Community Development Director Lawrence Mainez received notification from the City Public Works Manager of damages to the City's Landscape Maintenance District. Damages appear to be caused by improper drainage from the Property Owner's rear yard, undermining the block wall footings and creating the soil erosion damages to the Landscape Maintenance District. The block wall deterioration and instability caused by the improper drainage from the rear yard have created the potential for the block wall to fall.

May 21, 2020 Code Compliance Officer Owens mailed a **Certified Letter** to the Property Owner informing her of the recent damage assessment of the Landscape Maintenance District due to the unrepaired, failing block wall and improper draining from her property. The Property

Owner was given a timeline to submit all required plans, obtain all building permits, repair the block wall, and pass all building

inspections no later than June 22, 2020. A copy of the letter was posted on the front door of the residence on June 18, 2020, after verifying the Certified letter had not yet been delivered by the US Postal Service.

June 22, 2020 The Property Owner informed Code Compliance that she contacted three (3) contractors to provide estimates to repair the block wall.

October 29, 2020 Code Compliance Officer Owens posted a letter on the Property Owner's front door, informing her **the case has been referred to the City Attorney**.

June 25, 2021 The City Attorney mailed a letter to the Property Owner with an **"Order to Abate Public Nuisance Conditions"**. Code Compliance Officer Owens posted the letter on the front door of Property Owner's residence on June 25, 2021. The Property Owner was directed to obtain the necessary permits to fix or remove the wall by July 29, 2021.

Note: The Property Owner did not respond to the City Attorney's letter. Code Compliance Officer Owens attempted to contact the Property Owner from August 26, 2021, through September 4, 2021, at the residence and by phone, leaving multiple voicemail messages. The Property Owner failed to respond.

September 14, 2021 The City Attorney mailed a second letter to the Property Owner via US Postal Service certified mail and Code Compliance Officer Owens posted a copy of the letter on the Property Owner's front door. The letter **requested consent to enter the property to conduct an inspection** of the block wall and rear yard areas.

October 6, 2021 **A joint site inspection** was conducted at 11 a.m., and included Code Compliance Officer Owens, Matt Wirz (Building Official), Matt Bennett (Assistant Public Works Director), Jim Richardson (Public Works Manager), Angela Tafolla (Assistant Planner), John Baker (Building Inspector) and City Attorney Jack Hensley. The Property Owner's representative Tonja Wright met us at the residence and opened the side yard gate, allowing entrance to conduct our inspection. Staff conducted a full inspection of the block wall, including all rear yard areas adjacent to the block wall. Staff continued with additional inspection of the exterior block wall and

slope areas within the Landscape Maintenance District and City right-of-way areas.

October 29, 2021 The City Attorney mailed a third letter to the Property Owner, requiring abatement of the Public Nuisance by November 12, 2021, or the City will proceed with a Public Nuisance Hearing. Code compliance Officer Owens posted a copy of the letter on the Property Owner's front door.

Note: The Property Owner did not respond to the City Attorney's letter or obtain a building permit as of November 16, 2021.

November 16, 2021 **The Public Nuisance Hearing Notice** was mailed to the Property Owner and a copy was posted on the front door of the residence on November 17, 2021.

Note: As of November 24, 2021, Property Owner has not obtained a City building permit.

November 29, 2021 Building Official Matt Wirz prepared a Special Inspection Report of his assessment of damages and probable causes for the substandard conditions of the block wall, exterior slope areas, and Landscape Maintenance District and a copy was provided to the Property Owner/Citee (see Exhibit 1, "K").

CONCLUSION: As evidenced by all inspections conducted and the exhibits incorporated herein by reference, the property has been permitted to exist in violation of the following sections of the Highland Municipal Code, and therefore constitutes a public nuisance. Specifically, the property is in violation of the following provisions of the Highland Municipal Code and 1997 Uniform Housing Code:

I. Highland Municipal Code Section 8.32.020 (A)(1). A public nuisance is created by every building or structure which has become dilapidated, dangerous or at risk of collapse resulting from decay, damage, faulty construction or arrangement, fire, wind, earthquake, flood, old age, or neglect;

II. Highland Municipal Code Section 8.32.020 (C). A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California).

III. Highland Municipal Code 15.28.010. The 1997 version of the Uniform Housing Code as first published by the International Conference of Building Officials and currently published by the International Code Council, on file in the office of the city clerk, is

hereby designated and adopted by reference as part of the property maintenance code for the city of Highland.

IV. Uniform Housing Code Chapter 10, Section 1001.3. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards.

The property owner(s) is requested to obtain all required City building permits, repair the damaged block wall, and repair all improper drainage from the property by no later than forty-five (45) days from the issuance of an order of the Public Nuisance Hearing Board in accordance with Chapter 8.32 of Title 8 of the Highland Municipal Code.

Exhibit 1: Appeals Board Resolution 2021_____, inclusive of the following attachments:

Initial Contact Letters 1-5

A. Notice of Violation dated 01/16/2018

B. Notice of Violation dated 02/21/2018

C. Building Official Report dated 11/29/2021

D. Notice of Public Hearing/Affidavit of Mailing (Owner Copy)

E. City Attorney Nuisance Letter 06/24/24/2021

F. Administrative Citation # 10151 ($1,000.00)

G. Administrative Citation # 05628 ($1,000.00)

H. Administrative Citation # 05262 (warning – no fine)

I. Administrative Citation # 05239 ($200.00)

J. Administrative Citation # 05232 ($100.00)

K. Administrative Citation # 14589 (warning – no fine)

Exhibit 2: Case Photo documentation

RESOLUTION NO. 2021-

A RESOLUTION OF THE PLANNING COMMISSION/APPEALS BOARD OF THE CITY OF HIGHLAND, CALIFORNIA, DECLARING THAT A PUBLIC NUISANCE EXISTS ON THE PROPERTY IDENTIFIED AS 7914 CALLE DEL RIO ST. (APN 1210-451-01-0000), GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CALLE DEL RIO ST. AND GREENSPOT RD. AND ORDERING THE OWNERS OF THE PROPERTIES TO ABATE THE NUISANCE CONTAINED THEREON.

(CODE CASE #4744)

A. RECITALS

1. On May 28, 2011, the City Code Compliance Officer Steven Rondina observed soil eroding from the footings of the exterior block wall located on the southwest corner of the property, creating a hazardous condition. The property was identified as 7914 Calle Del Rio St., San Bernardino County (APN 1210-451-01-0000).

2. The City of Highland has since inspected the property numerous times and discovered the continued deterioration of the block wall, damages to the City's Landscape Maintenance District, creating a public safety hazard, in violation of multiple sections of the Highland Municipal Code, and therefore constitutes a public nuisance.

3. Courtesy/Reminder Letters issued/mailed on:

   03/27/2018 (Initial Contact Letter 1)
   05/22/2018 (Initial Contact Letter 2)
   07/12/2018 (Initial Contact Letter 3)
   10/20/2018 (Initial Contact Letter 4)
   03/14/2019 (Initial Contact Letter 5)

4. Notices of Violation mailed on;

   01/16/2018 (Attachment A)
   02/21/2018 (Attachment B)

5. Administrative/Warning Citations, issued/mailed on;

   10/06/2011 - Citation # 05262 (Attachment C)
   10/21/2011 - Citation # 05232 (Attachment D)
   11/18/2011 - Citation # 05239 (Attachment E)
   06/12/2012 - Citation # 05628 (Attachment F)
   11/28/2012 - Citation # 10151 (Attachment G)

04/24/2018 - Citation # 14589 (Attachment H)

6. Letters from City Attorney issued/mailed on;

   06/24/2021 - Notice to Correct Violation (Attachment I)

7. Pursuant to Chapter 8.32 of the Highland Municipal Code, a Notice of Public Hearing was mailed via First Class Mail, and Certified Mail, Return Receipt Requested, to the property owner on November 16th, 2021. A copy of the notice was also posted at the Property (Attachment J).

8. Building Official's Special Inspection Report issued on:

   11/29/2021 (Attachment K)

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined, and resolved by the Planning Commission/Appeals Board of the City of Highland as follows:

1. All of the facts set forth in the Recitals of this Resolution are true and correct and are hereby incorporated into this Resolution by this reference.

2. Staff timely notified the owner of the property that the Planning Commission/Appeals Board would be Holding a Public Hearing on December 7th, 2021; that Notice is attached hereto as Attachment G. The Public Nuisance Board held a Public Hearing on that Hearing Date, at which time, all written and oral evidence and testimony from the owner of the property, the Public, and Staff were considered.

3. All necessary hearings and opportunities for testimony, and comment have been conducted in compliance with the Municipal Code of the City of Highland.

4. The Public Nuisance Hearing has independently considered all relevant information of both the public, and Staff testimony, written and oral, including the Staff Report and its exhibits which are incorporated herein by this reference.

Order Finding and Ordering Abatement of Public Nuisance

5. Based upon substantial evidence in the record, the Planning Commission/Appeals Board hereby declares that a public nuisance, as defined by Highland Municipal Code 8.32.020, has been allowed to exist on the property generally located at 7914 Calle Del Rio St. (APN 1210-451-01-

0000), the southwest corner of Calle Del Rio St. and Greenspot Rd., Highland, California 92346, since at least May 28th, 2011.

6. Specifically, based upon the evidence and testimony presented to the Planning Commission/Appeals Board during the above-referenced Hearing, the Planning Commission/Appeals Board finds as follows;

   a. Highland Municipal Code Section 8.32.020 (A)(1). A public nuisance is created by every building or structure which has become dilapidated, dangerous or at risk of collapse resulting from decay, damage, faulty construction or arrangement, fire, wind, earthquake, flood, old age, or neglect.

   b. Highland Municipal Code Section 8.32.020 (C). A public nuisance is created by any building, structure, or property that is in violation of any provision of the Highland Municipal Code, including the Highland Development Code, or the statutes of the state of California).

   c. Highland Municipal Code 15.28.010, adoption of 1997 Uniform Housing Code; Uniform Housing Code Chapter 10, Section 1001.3. Buildings or portions thereof shall be deemed substandard when they are or contain structural hazards.

7. The Property Owner has continued to maintain a public nuisance and public safety hazard for failing to repair the damaged block wall and improper drainage, additionally causing damages to the City's Landscaped Maintenance District.

8. The Planning Commission/Appeals Board of the City of Highland hereby finds that the aforementioned Violations constitute a public nuisance, and hereby orders the Property Owner(s) to abate the aforementioned Violations, **within forty-five (45) days**. The Planning Commission/Appeals Board of the City of Highland hereby sets forth the actions necessary to abate the public nuisance from the Properties as follows:

   a. Obtain all City Planning Approvals and Building Permit(s) to repair the damaged block wall.

   b. Repair the damaged block wall and remove all drainage causing damages to the City's Landscape Maintenance District.

9. The administrative and incidental costs and expenses incurred in abating the nuisance, which are proved in accordance with provision of Highland Municipal Code Section 8.32.180, shall be assessed against the Properties and shall result in a lien until paid.

10. Pursuant to Highland Municipal Code Section 8.32.110, the Planning Commission/Appeals Board of the City of Highland authorizes the abatement of the public nuisance by the city as follows:

    (a) If the owner, agent of the owner, lessee, occupant, or person in possession of the Properties who are served with a notice of the final decision of the Planning Commission/Appeals Board finding and ordering the abatement of a public nuisance, shall fail to take the required action **within forty-five (45) days** as specified above, the City shall commence with the lawful procedures to have the Properties abated.

    (b) The costs and expenses of demolition, removal, and abatement by the City, including any additional administrative and legal and incidental expenses, pursuant to Highland Municipal Code Section 8.32.110, shall also be assessed and result in a lien upon the Properties until paid.

11. Any owner, occupant, or other party who has a legal or equitable interest in the Properties may appeal the final order of the Planning Commission/Appeals Board finding and ordering the abatement of a public nuisance pursuant to Highland Municipal Code Section 8.32.210. The appeal must be in writing and must be filed with the City Council no later than 10 days from the date of service of this Planning Commission/Appeals Board Resolution finding and ordering the abatement of a public nuisance. After 10 days from the date of service of the Planning Commission/Appeals Board resolution finding and ordering the abatement of the public nuisance, the order is deemed final and may no longer be appealed.

12. A property owner also has a right to appeal the order ordering liability incidental and administrative expenses incurred and ordering the abatement of a public nuisance

PASSED, APPROVED AND ADOPTED this 7th day of December 2021.

ATTEST:

Randall Hamerly, Planning Commission/Appeals Board Chair	Lawrence A. Mainez, Community Development Director

INITIAL CONTACT LETTER 1

CITY OF HIGHLAND

27215 Baseline
Highland, CA 92346
909-864-6861

March 27, 2018

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

RE: 7914 Calle Del Rio, Highland, CA 92346

Dear Property Owner(s):

I'm sending this courtesy letter to advise you that I am getting ready to issue an Administrative Citation(s) for the above mentioned address. I've mailed Notices with no response. Please come to City Hall Building Safety Dept. **within the next 14 days** so that we can get compliance to this issue.

Thank you.

Teresa Jones
Code Enforcement
City of Highland
(909) 864-6861 ext. 256

tjones@cityofhighland.org
http://www.cityofhighland.org

OUR OFFICE IS CLOSED ON FRIDAYS
Office Hours: Monday-Thursday 7:30 AM to 5:30 PM (no permits issued after 5:00 PM)

INITIAL CONTACT LETTER 2

CITY OF HIGHLAND

27215 Baseline
Highland, CA 92346
909-864-6861

May 22, 2018

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

RE: Highland, CA 92346

Dear Property Owner(s):

I'm sending this courtesy letter to you in an attempt to contact you regarding the damaged block wall on the exterior corner of your property.

Previous notices have been mailed to you and I attempted to contact you in person and you have not responded or obtained any permits. Failure to contact me or obtain permits may result in Administrative Citations and fines. Please contact me **within the next 10 days** to discuss this matter.

Thank you.

Barrie Owens
Code Enforcement Officer

Barrie Owens
Code Enforcement
City of Highland
(909) 864-6861 ext. 256

bowens@cityofhighland.org
http://www.cityofhighland.org

OUR OFFICE IS CLOSED ON FRIDAYS
Office Hours: Monday-Thursday 7:30 AM to 5:30 PM (no permits issued after 5:00 PM)

INITIAL CONTACT LETTER 3

CITY OF HIGHLAND

27215 Baseline
Highland, CA 92346
909-864-6861

July 12, 2018

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

RE: 7914 Calle Del Rio, Highland, CA 92346

Dear Ms. Pearce,

On June 26, 2018, I spoke with you at your residence regarding the damaged rear yard block wall on your property. At that time, you stated you had the wall secured and would provide documentation for our Building Official to review.

As of today, I have not received any response or documentation from you. It is important that you provide proof of repair for review or additional Code Enforcement action may be required.

Please provide me with your proof of repair by July 19, 2018 in person, by fax (909) 862-3180, or by e-mail (bowens@cityofhighland.org).

You can also contact me by phone at (909) 864-6861 ext. 256 if you have any questions.

I look forward to your response and your prompt attention to this matter.

Thank you.

Barrie Owens
Code Enforcement Officer
City of Highland

INITIAL CONTACT LETTER 4

CITY OF HIGHLAND

27215 Baseline
Highland, CA 92346
909-864-6861

October 20, 2018

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

RE: 7914 Calle Del Rio, Highland, CA 92346

Dear Ms. Pearce,

On June 26, 2018, I spoke with you at your residence regarding the damaged rear yard block wall on your property. The City has also mailed multiple letters and citations regarding this matter.

As of today, we have not received any response from you. You must obtain a building permit to repair(s) the block wall or provide all proof of repair by November 8, 2018 or additional Code Enforcement action may be required.

Thank you for your prompt attention to this matter.

Barrie Owens
Code Enforcement Officer

Barrie Owens
Code Enforcement
City of Highland
(909) 864-6861 ext. 256

bowens@cityofhighland.org
http://www.cityofhighland.org

OUR OFFICE IS CLOSED ON FRIDAYS
Office Hours: Monday-Thursday 7:30 AM to 5:30 PM (no permits issued after 5:00 PM)

INITIAL CONTACT LETTER 5

CITY OF HIGHLAND

27215 Baseline
Highland, CA 92346
909-864-6861

March 14, 2019

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

RE: 7914 Calle Del Rio, Highland, CA 92346

Dear Ms. Pearce,

As you are aware, the City has made multiple attempts to contact you regarding the damaged rear yard block wall on your property.

I spoke with you at your residence on June 26, 2018, and you said you would provide proof of repair for the City Building Official to review. As of today, we have not received any response from you. I reviewed the property records and see the City has issued multiple citations totaling over $2300 regarding this matter.

I would like to schedule a meeting with you and the City Building Official to discuss this matter. Please contact me at (909) 864-6861 ext. 256 by April 1, 2019. Please note failure to contact me, provide proof of correction, or obtain a building permit by April 1, 2019 may result in additional citations and case referral to the City Attorney.

I look forward to your response and your prompt attention to this matter.

Barrie Owens
Code Enforcement Officer

Barrie Owens
Code Enforcement
City of Highland
(909) 864-6861 ext. 256

bowens@cityofhighland.org
http://www.cityofhighland.org

OUR OFFICE IS CLOSED ON FRIDAYS
Office Hours: Monday-Thursday 7:30 AM to 5:30 PM (no permits issued after 5:00 PM)

ATTACHMENT A

NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: Kathleen Pearce
Issued To: VIOLATION ADDRESS: 7914 Calle Del Rio, Highland, CA 92346
Address SAME
D.L. #
D.O.B.

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☐ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☐ 15.14.010 CRC R105.1 Permits
- ☑ Other

Required Action Rear block wall requires repair.
* Come to City Hall / Building & Safety Dept. to obtain information and schedule inspection(s) to final the Permit(s) within the time frame.

Failure to take "Required Action" within **30** days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 256

Teresa Jones
CODE COMPLIANCE OFFICER

1/16/2018
Date

I acknowledge receipt of this NOTICE OF VIOLATION of the Municipal Code

ATTACHMENT B

NOTICE OF VIOLATION

City of Highland
CALIFORNIA
Community Development Dept.
Code Compliance Division
27215 E. Base Line
Highland, CA 92346
(909) 864-6861

Property Owner: Kathleen Pearce
Issued To: VIOLATION ADDRESS: 7914 Calle Del Rio, Highland, CA 92346
Address SAME
D.L. #
D.O.B.

THIS IS TO INFORM YOU that you are in VIOLATION of one or more Sections of the Municipal Code as indicated:

- ☐ 8.20.040 CFC 605.5 Extension Cords
- ☐ 15.04.020 CBC 105.1 Permits
- ☐ 15.04.020 CBC 115 Stop Work
- ☐ 15.14.010 CRC 114 Stop Work
- ☑ 15.14.010 CRC R105.1 Permits
- ☐ Other

Required Action 2nd NOTICE - Rear Block Wall damage
* Come to City Hall / Building & Safety Dept. to obtain Permit(s) and schedule inspection(s) to final the Permit(s).

* Failure to comply may result in issuance of CITATIONS: *Cite#1= $500; *Cite#2 = $750; *Cite#3 - $1,000.

Failure to take "Required Action" within **30** days will result in referral of this matter for legal action under the provisions of the Municipal Code.

Each day that the violation continues constitutes a new and separate offense.

FOR FURTHER INFORMATION TELEPHONE
Phone Ex. 256

Teresa Jones
CODE COMPLIANCE OFFICER

2/21/2018
Date

I acknowledge receipt of this NOTICE OF VIOLATION of the Municipal Code

ATTACHMENT C

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 05262

ADMINISTRATIVE CITATION

☐ **WARNING** Date: 10/6/11 Time: 9:05 (Violation observed)

☐ 1st Citation - $100 ☐ 2nd Citation - $200 ☐ 3rd Citation - $500 (and subsequent within 12 mos.)

Payment of $ Ø is due on Ø (See reverse side for payment instructions).

Corrections indicated below are required by 10-21-11. If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

PERSON CITED: PEARCE, KATHLEEN
LAST FIRST MIDDLE

RELATION TO VIOLATION: Owner Tenant Manager Agent Other

MAILING ADDRESS: SAME

BUSINESS NAME: (if any)

VIOLATION ADDRESS: 7914 CALLE DEL RIO, HI CA

ASSESSOR'S PARCEL NUMBER

MUNI. CODE SEC. VIOLATED	VIOLATION DESCRIPTION
15.28.010	UNIFORM HOUSING CODE SEC. 1001.3 STRUCTURAL HAZARDS

CORRECTIONS REQUIRED:

Repair Back Wall

Signature of Issuing Officer: S. Rowland

Issued Date: 10/6/11

Acknowledgment of Receipt: MAILED

Printed Name of Issuing Officer: S. Rowland

Signature

READ REVERSE SIDE FOR IMPORTANT INFORMATION

WHITE COPY: Citee GREEN: Officer PINK: Court CANARY: File

91 7199 9991 7030 5066 7260

10-7-11

ATTACHMENT D

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 05232

ADMINISTRATIVE CITATION

☐ **WARNING** Date: 10-21-11 Time: 1:51 (Violation observed)

☐ 1st Citation - $100 ☐ 2nd Citation - $200 ☐ 3rd Citation - $500 (and subsequent within 12 mos.)

Payment of $ 100.00 is due on 11-21-11 (See reverse side for payment instructions).

Corrections indicated below are required by 11-17-11. If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

PERSON CITED: Ponce Kathleen
LAST FIRST MIDDLE

RELATION TO VIOLATION: Owner Tenant Manager Agent Other:

MAILING ADDRESS: Same

BUSINESS NAME: (if any)

VIOLATION ADDRESS: 7914 Calle Del Rio

ASSESSOR'S PARCEL NUMBER

MUNI. CODE SEC. VIOLATED	VIOLATION DESCRIPTION
15.28.010	Up From Housing Code Sec 1001.3 Structural Hazards

CORRECTIONS REQUIRED:

Repair Back Wall

Signature of Issuing Officer: Issued Date: Acknowledgment of Receipt:

Printed Name of Issuing Officer: S. Gordon

10/21/11

Signature

READ REVERSE SIDE FOR IMPORTANT INFORMATION

WHITE COPY: Citee GREEN: Officer PINK: Court CANARY: File

91 7199 9991 7030 5066 7468

10-24-11

ATTACHMENT E

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 05239

ADMINISTRATIVE CITATION

☐ **WARNING** Date: 11-18-11 Time: 9:00 AM (Violation observed)

☐ 1st Citation - $100 ☒ 2nd Citation - $200 ☐ 3rd Citation - $500 (and subsequent within 12 mos.)

Payment of $ 200.00 is due on 12-18-11 (See reverse side for payment instructions).

Corrections indicated below are required by 12-18-11. If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

PERSON CITED: Pearce Kathleen LAST FIRST MIDDLE	RELATION TO VIOLATION: Owner Tenant Manager Agent Other:
MAILING ADDRESS: Same	BUSINESS NAME: (if any)
VIOLATION ADDRESS: 7914 Calle Del Rio Hi, ca	ASSESSOR'S PARCEL NUMBER

MUNI CODE SEC. VIOLATED	VIOLATION DESCRIPTION
15.23.010	Uniform Housing Code Sec 10013 Structural Hazard

CORRECTIONS REQUIRED:

Repair Back wall or Remove Hazard

Signature of Issuing Officer: Issued Date: **Acknowledgment of Receipt:**

Sergeant 11-18-11 [signature]

Printed Name of Issuing Officer: Signature

Sergeant

READ REVERSE SIDE FOR IMPORTANT INFORMATION

WHITE COPY: Citee GREEN: Officer PINK: Court CANARY: File

11-18-11

9L 7199 9991 7030 5074 1364

ATTACHMENT F

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 05628

ADMINISTRATIVE CITATION

☐ **WARNING** Date: 6-12-12 Time: 1248 (Violation observed)

☐ 1st Citation - $100 ☐ 2nd Citation - $200 ☐ 3rd Citation - $500 (and subsequent within 12 mos.)

$1,000.00

Payment of $1,000.00 is due on 7-12-12 (See reverse side for payment instructions).

Corrections indicated below are required by 7/2/12. If you fail to make the indicated corrections by this date, the next level citation may be issued. Other enforcement action may result if compliance is not achieved by the third citation.

PERSON CITED: PEREZ KATHLEEN LAST FIRST MIDDLE	RELATION TO VIOLATION: Owner Tenant Manager Agent Other
MAILING ADDRESS: SAME	BUSINESS NAME: (if any)
VIOLATION ADDRESS: 7914 CALLE DEL RIO HI	ASSESSOR'S PARCEL NUMBER

MUNI. CODE SEC. VIOLATED	VIOLATION DESCRIPTION
15.28.010	UNIFORM HOUSING CODE, SEC 1001.3 STRUCTURAL HAZARD

CORRECTIONS REQUIRED:

REPAIR REAR BLOCK WALL OR REMOVE HAZARD

Signature of Issuing Officer: S. KOENIG

Issued Date: 6-12-12

Acknowledgment of Receipt: MAILED

Printed Name of Issuing Officer: S. KOENIG

Signature

READ REVERSE SIDE FOR IMPORTANT INFORMATION

WHITE COPY: Citee GREEN: Officer PINK: Court CANARY: File

91 7199 9991 7031 7079 6253

6-14-12

ATTACHMENT G

(909) 864-8563

91 7199 9991 7031 7132 5650

11-29-12
Cert
1st class

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 10151

ADMINISTRATIVE CITATION

Date: 11-28-12 Time: 3:35 (Violation Observed)

☐ WARNING

☐ 1st Citation - $ — ☐ 2nd Citation - $ —

☒ 3rd Subsequent - $ 1,000.00

The payment listed above is due by 12-27-12 See reverse side for payment and appeal instructions.

Corrections indicated below are required by 1-3-13. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: *LAST FIRST MIDDLE*
PEARCE, KATHLEEN

DL #: DOB:

MAILING ADDRESS:
7914 Calle Del Rio
VIOLATION ADDRESS
Same

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
15.23.010	Uniform Housing Code, Sec 1001.3 Structural Hazard

CORRECTIONS REQUIRED:

Repair Rear Block Wall or Remove Hazardous Part of Wall

Signature of Issuing Officer 11-28-12 *Issued Date*

Printed Name of Issuing Officer

Posted
Acknowledgement of Receipt (Signature)

READ REVERSE SIDE FOR IMPORTANT INFORMATION

GREEN: FILE

ATTACHMENT H

CITY OF HIGHLAND
FINANCE DEPARTMENT
27215 BASE LINE
HIGHLAND, CA 92346
(909) 864-6861

CITATION NO. 14589

ADMINISTRATIVE CITATION

Date: 4/24/2018 Time: 11:00am (Violation Observed)

☑ WARNING

☐ 1st Citation - $ 500.00 ☐ 2nd Citation - $ 750.00

☐ 3rd Subsequent - $ 1000.00

The payment listed above is due by —. See reverse side for payment and appeal instructions.

Corrections indicated below are required by 5/09/2018. If you fail to make the indicated corrections by this date, the next level citation may be issued or the City may take other enforcement action or actions.

PERSON CITED: *LAST FIRST MIDDLE*
Pearce, Kathleen

DL #:

DOB:

MAILING ADDRESS:
7914 Calle Del Rio St, Highland CA 92346

VIOLATION ADDRESS:
7914 Calle Del Rio St, Highland CA, 92346

MUNI. / STATE CODE SECTION VIOLATED	VIOLATION DESCRIPTION
HMC 15.29	Rear block wall damaged -
IPMC 302.7	requires repair
	Unmarked wall.

CORRECTIONS REQUIRED: Repair damaged rear block wall. Obtain all Building permits prior to repair.

Barrie Owens
Signature of Issuing Officer

4/24/2018
Issued Date

BARRIE OWENS
Printed Name of Issuing Officer

MAILED
Acknowledgement of Receipt (Signature)

READ REVERSE SIDE FOR IMPORTANT INFORMATION

WHITE COPY: FINANCE

ATTACHMENT I

Jack Hensley

T 213.626.8484
F 213.626.0078
E jhensley@rwglaw.com

350 South Grand Avenue
37th Floor
Los Angeles, CA 90071
rwglaw.com

June 24, 2021

Kathleen Pearce
7914 Calle Del Rio
Highland, California 92346

Re: **Order to Abate Public Nuisance Conditions at 7914 Calle Del Rio**

Dear Ms. Pearce:

Our office serves as the City Attorney for the City of Highland ("City"). Pursuant to Highland Municipal Code ("Municipal Code") section 8.32.030, this letter serves as your notice of an alleged nuisance on your property located at 7914 Calle Del Rio, Highland, CA 92346 (A.P.N. 1210-451-01-0-000) ("Property") and directs you to abate the nuisance immediately.

The nuisance on your property is located at the southeast corner of the outer wall. Specifically, the wall is in violation of Municipal Code section 15.28.010 and Uniform Housing Code ("UHC") section 1001.3, which states that "[b]uildings or portions thereof shall be deemed substandard when they are or contain structural hazards." The wall on your property is substandard and a structural hazard due to a deteriorated foundation which has caused the wall to split, lean, and buckle.[1] Furthermore, the wall is in violation of Municipal Code section 8.32.020(A)(1), in that the wall "[h]as become dilapidated, dangerous or at risk of collapse resulting from decay [or] damage." City staff have attempted to work informally with you to abate this nuisance for nearly a decade. Repeated attempts to work with you have been unsuccessful, and the danger this wall poses now requires the City to take formal action.

You are hereby directed to begin abatement of the described nuisance no later than the close of business on Thursday, July 29, 2021 by obtaining the necessary permits to fix or remove your wall. Failure to begin the abatement process before July 29, 2021 will subject you to a nuisance hearing pursuant to Municipal Code section 8.32.060. At that hearing the City will pursue all lawful remedies to cure the nuisance, including an order to abate the public nuisance

[1] UHC §§ 1001.3(1), 1001.3(4).

and an assessment lien against your property for the City's administrative and incidental costs incurred in the abatement process.

Furthermore, if you fail to obey the order to abate this nuisance, the City may abate the nuisance unilaterally, by the rehabilitation, repair, or demolition of the building or structures, or by otherwise eliminating the nuisance from the Property. The costs and expenses of abating the nuisance including the City's incidental and administrative expenses, will be assessed upon the Property, together with interest on the entire amount owed, and will result in a lien upon the Property until it is paid.

Please contact us no later than the close of business on Wednesday, July 28, 2021 to arrange for assistance to abate this nuisance. After that date, the City will commence formal abatement hearings against you.

Sincerely,

Jack D. Hensley

Jack D. Hensley

11026-0008\2549208v2.doc

ATTACHMENT J

City of
HIGHLAND
Inc. 1987

NOTICE OF HEARING ON THE

ABATEMENT OF A PUBLIC NUISANCE

Dear Kathleen Pearce:

This notice is to inform you of a hearing to be held before the Planning Commission/Appeals Board to determine whether certain conditions and/or uses existing at 7914 Calle Del Rio, Highland, California 92346 (referred to after this as the "Property") constitute a public nuisance pursuant to the Highland Municipal Code & Ordinances of the City of Highland. The public hearing shall take place at the following place, day and time:

Time and date of hearing: 6:00 pm; December 7, 2021

Location of hearing: Highland City Hall, Council Chambers, 27215 Base Line, Highland, California 92346

The Property is more particularly described as follows:

San Bernardino County Assessor's Parcel Number: 1210-451-01-0-000

Street Address: 7914 Calle Del Rio, Highland, California 92346

You may bring any witnesses, pictures, photographs, reports, or any other exhibits to this hearing which you feel will establish or prove the Property is not a public nuisance. You may be represented by an attorney. You will have an opportunity to examine all evidence and witnesses testifying against you. The Appeals Board/Planning Commission staff report will be available Thursday, December 2, 2021, in the afternoon, and will be posted on the City's website. The staff report will be hand-delivered, mailed certified, and emailed if an email address is on file. For further information related to this hearing, please contact Community Development Director Lawrence Mainez, by telephone at (909) 864-6861 ext. 215, or by e-mail at lmainez@cityofhighland.org.

If the Planning Commission/Appeals Board determines at the end of the hearing that this Property is in fact a public nuisance, you will be ordered to abate the public nuisance or the condition thereof and your property will be assessed the City's administrative and incidental costs incurred up to that stage in the abatement process. This assessment will result in a lien upon your property until paid. Thereupon, if you fail to obey the Planning Commission/Appeal Board's order to abate this nuisance, the City may do so for you, by the rehabilitation, repair, or demolition of the building or structures, or by otherwise eliminating the nuisance from the Property. The costs and expense of abating the nuisance including the City's incidental and administrative expenses will be assessed upon the Property, and will result in a lien upon the Property until it is paid.

In addition, you may also be cited for violations by the City of Highland, including but not limited to the Highland Municipal Code and/or Development Code and be subject to criminal proceedings.

Mayor	Mayor Pro Tem	City Council	City Council	City Council	City Manager
Penny Lilburn	Larry McCallon	Jesse Chavez	Anaeli Solano	John P. Timmer	Joseph A. Hughes

27215 Base Line • Highland, CA 92346
Tel: 909.864.6861 • Fax: 909.862.3180 • www.cityofhighland.org

The conditions of the Property constituting a public nuisance are as follows:

> The block wall on the southwest corner of your Property is in violation of Municipal Code section 15.28.010, and Uniform Housing Code ("UHC") section 1001.3. UHC section 1001.3 states that "[b]uildings or portions thereof shall be deemed substandard when they are or contain structural hazards." The wall on your Property is substandard and a structural and public safety hazard due to a deteriorating foundation, which has caused the wall to split, lean, and buckle.[1] Furthermore, the wall is in violation of Municipal Code section 8.32.020(A)(1), as the wall "[h]as become dilapidated, dangerous, or at risk of collapse resulting from decay [or] damage." Additionally, the current apparatus that is being used to hold the wall in place and prevent it from collapsing is a public safety hazard and an unacceptable remedy for the situation.

You may voluntarily abate the nuisance yourself by doing the following things:

> Obtain all necessary permits to remove and reconstruct the portions of the wall segment that have failed. Additionally, in order to prevent the wall from failing in the future, the underlying foundation and drainage system may also need to be repaired and/or replaced. Please contact the City's Building Official Matt Wirz at 909-864-8732 ext. 202 between the hours of 7:30 a.m. and 5:00 p.m., so that he can provide you with further details and instructions on how to abate the nuisance conditions.

If you choose to voluntarily abate this nuisance prior to this hearing, you may notify the Community Development Director at least three (3) days prior to the date of hearing set forth above, for a prehearing inspection.

Dated this 16 day of November 2021.

Lawrence A. Mainez,

Community Development Director

Cc: Barrie Owens, Code Enforcement Officer

Code Enforcement File

[1] UHC §§ 1001.3(1), 1001.3(4).

AFFIDAVIT OF MAILING

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

I am a citizen of the United States, over the age of eighteen years of age, not a party to this action, and I am a resident of and or employed in San Bernardino County where the mailing took place. My business address is City of Highland, 27215 Base Line, Highland, CA 92346.

On November 16, 2021, I caused to be served a copy of the attached Public Hearing Certified Mail, Return Receipt Requested, to the following parties: Wesley Cover. Said service was made by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail, at Highland, California, and addressed to the Parties as more fully detailed below.

Kathleen Pearce
7914 Calle Del Rio
Highland, CA 92346

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 11-16-2021

Shannon Wisniewski,
Administrative Assistant III
City of Highland

ATTACHMENT K

11/29/2021

RE: **Code Special Investigation – Wall**
Site Address: 7914 Calle Del Rio St. Highland, CA 92346
Owner: Kathleen Pearce

Dear Property Owner,

This letter has been provided to the Property owner to outline the observed conditions of the block wall structure at the subject address as requested by Mr. Lawrence Mainez, the City of Highland's Community Development Director.

The City of Highland, Building and Safety Division, conducted an inspection of the above property on Wednesday, October 06, 2021, at 10:30 am. The following is a list of conditions or items noted from the Joint interdepartmental inspection.

Standard Application

1. Prior to the commencement of work, planning department approvals and a Building Permit must be obtained if the wall is to be removed and replaced.
2. Prior to permit issuance, provide a plot plan or report of survey of the entire property, indicating all structures and distances from property lines. (It is recommended that the Planning Department review preliminary plans prior to full plans being developed and submitted).
3. Please provide (3) copies of all submitted information. Include the property owner's name, site address and phone numbers on all submitted sheets. If different than the property owner, provide contact information of the person in charge of the plan design. Structural Calculations shall be required for a proposed wall design unless an approved City Standard Design is used.

Specific Items to Address

1. The Southwestern portion of a free-standing wall structure is pulling away from other wall segments. The failed wall segments measure an approximate:
   a. Eight-foot segment with two pilaster columns on the western wall and
   b. A Twenty-foot segment to the southern wall.

   The structure appears to be a standard six-foot tall concrete masonry wall with twelve-inch-deep footing.
   A portion of the wall, an eight-foot segment, is currently being braced with a temporary cable attached to a driven pole resisting the wall overturning. The overturning is also opposed by the dirt slope retaining the bottom portion of the West Wall and foundation from the exterior side.

PERMIT APPLICATION

CITY OF HIGHLAND BUILDING DIVISION
27215 BASE LINE, HIGHLAND, CA 92346
(909) 864-8732

BULLETIN

January 2020

#1 IDENTIFY YOUR BUILDING PROJECT

SITE ADDRESS _____

TRACT _____ LOT NO. _____ ASSESSORS PARCEL NUMBER _____

OWNER NAME _____ PHONE _____ EMAIL _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

DESCRIPTION OF WORK _____

SQUARE FEET _____ TYPE OF CONSTRUCTION _____ VALUATION _____

AGENTS NAME _____ PHONE _____ EMAIL _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

NOTARIZED LETTER REQUIRED _____ YES _____ NO

CONTRACTOR, ARCHITECT AND ENGINEER INFORMATION

CONTRACTOR _____ PHONE _____ EMAIL _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

STATE LICENSE NO. _____ LICENSE TYPE _____ EXPIRE DATE _____

CITY LICENSE NO. _____ WORKMAN COMP INS. CO. _____

POLICY NO. _____ EXP. DATE _____ PHONE _____

ARCHITECT _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

STATE LICENSE NO. _____ EXP. DATE _____

ENGINEER _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

STATE LICENSE NO. _____ EXP. DATE _____

#2 IDENTIFY WHO WILL PERFORM THE WORK (Complete *either* 2a *or* 2b)

2a – CALIFORNIA LICENSED CONTRACTOR'S DECLARATION

I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code, and my license is in full force and effect.

Contractor Name and Address: _____

License, Class and No. _____ Contractor Signature _____

2b – OWNER-BUILDER'S DECLARATION

I hereby affirm under penalty of perjury that I am exempt from the Contractors' State License Law for the reason(s) indicated below by the checkmark(s) I have placed next to the applicable item(s) (Section 7031.5, Business and Professions Code: Any city or county that requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for the permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code) or that he or she is exempt from licensure and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars ($500).):

❑ **I, as owner of the property, or my employees with wages as their sole compensation, will do ❑ all of *or* ❑ portions of the work,** and the structure is not intended or offered for sale (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who, through employees' or personal effort, builds or improves the property, provided that the improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the Owner-Builder will have the burden of proving that it was not built or improved for the purpose of sale.).

❑ **I, as owner of the property, am exclusively contracting with licensed Contractors to construct the project** (Section 7044, Business and Professions Code: The Contractors' State License Law does not apply to an owner of property who builds or improves thereon, and who contracts for the projects with a licensed Contractor pursuant to the Contractors' State License Law.).

❑ **I am exempt from licensure under the Contractors' State License Law for the following reason:**

_____

By my signature below I acknowledge that, except for my personal residence in which I must have resided for at least one year prior to completion of the improvements covered by this permit, I cannot legally sell a structure that I have built as an owner-builder if it has not been constructed in its entirety by licensed contractors. I understand that a copy of the applicable law, Section 7044 of the Business and Professions Code, is available upon request when this application is submitted or at the following Web site: http://www.leginfo.ca.gov/calaw.html.

Property Owner or Authorized Agent Signature_____ **Date** _____

#3 IDENTIFY WORKERS' COMPENSTATION COVERAGE AND LENDING AGENCY

WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL, AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS ($100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

WORKERS' COMPENSATION DECLARATION

I hereby affirm under penalty of perjury one of the following declarations:

( ) **I have and will maintain a certificate of consent to self-insure for workers' compensation, issued by the Director of Industrial Relations** as provided for by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. Policy No. _____

( ) **I have and will maintain workers' compensation insurance,** as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier_____ Policy No_____ Expiration Date_____

Name of Agent _____ Tel No _____

( ) **I certify that, in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California,** and agree that, if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

DECLARATION REGARDING CONSTRUCTION LENDING AGENCY

I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Section 3097, Civil Code).

Lender's Name and Address_____

_____

#4 DECLARATION BY CONSTRUCTION PERMIT APPLICANT

4A – HAZARDOUS MATERIALS

If the intended occupancy will use chemicals you acknowledge that Health and Safety Code Sections 25502, 25533 and 25534 as well as filling directions were made available to you. I am aware of my responsibilities to implement lead-safe work practices as required by the Health and Safety Code Section 17920.10 and 105256 when conducting renovation, repair or painting work in pre-1978 residences, childcare facilities or schools. I will ensure that any paint disturbed work will be done by or supervised by RRP certified individuals. Failure to follow this rule may result in enforcement action by the EPA.

4B – PERMIT DECLARATION SIGNATURE

By my signature below, I certify to each of the following:

I am ( ) a California licensed contractor or ( ) the property owner* or ( ) authorized to act on the property owner's behalf.**

I have read this construction permit application and the information I have provided is correct.
I agree to comply with all applicable city and county ordinances and state laws relating to building construction.
I authorize representatives of this city to enter the above-identified property for inspection purposes.

California Licensed Contractor, Property Owner* or Authorized Agent**:

Applicant's Signature _____ **Date** _____

**requires separate verification* ***requires separate authorization*

This permit/plan review expires by time limitation and becomes null and void if the work authorized by the permit is not commenced within 180 days from the date of permit issuance or if the permit is not obtained within 180 days from the date of the plan submittal. This permit expires and becomes null and void if any work authorized by this permit is suspended or abandoned for 180 days or if no progressive work has been verified by the City building inspector for a period of 180 consecutive days.

CALLS FOR INSPECTION

Request for inspection must be make at least one business day in advance of the inspection by telephone at (909) 864-2136 ext. 228

EXHIBIT 2


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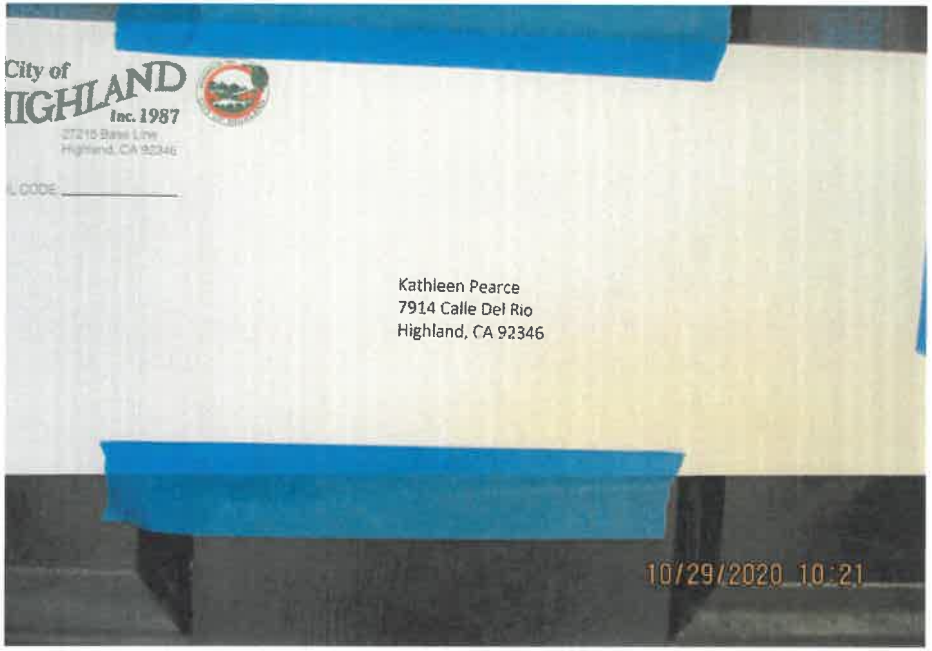

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City of
IGHLAND
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10/29/2020 10:21


Welcome
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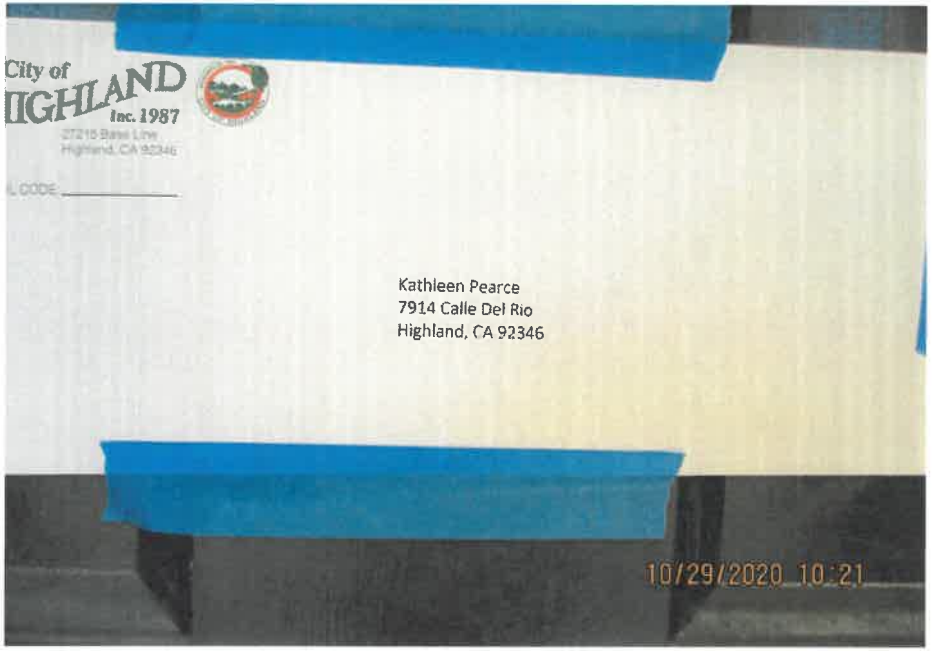

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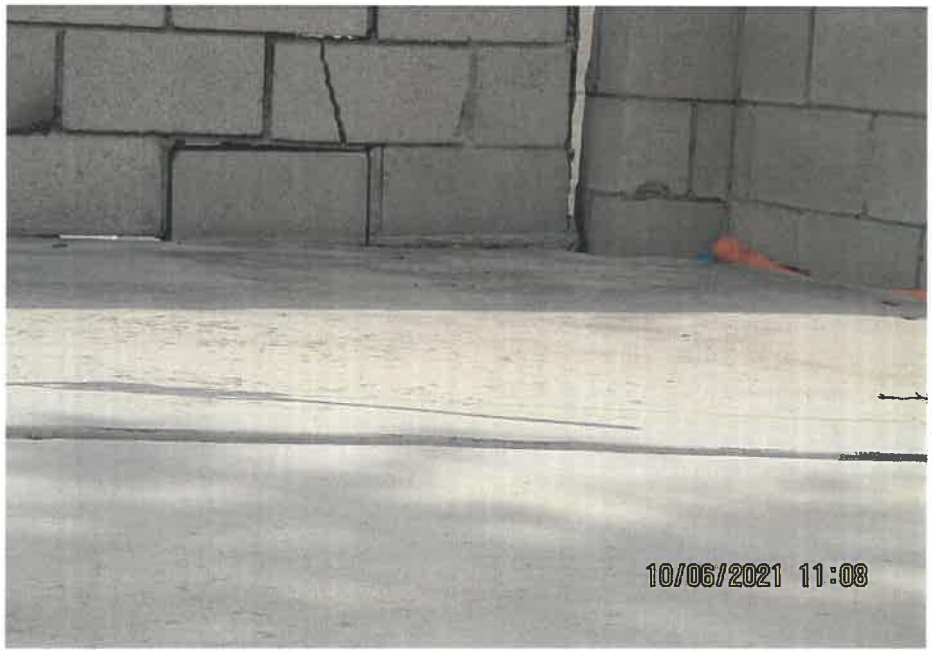

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