

CITY OF HIGHLAND REGULAR MEETING OF THE PLANNING COMMISSION AGENDA

MEMBERS

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

REGULAR MEETING

May 16, 2023
6:00 p.m.
City Hall
Donahue Council Chambers
27215 Base Line
Highland, California

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

CITY OF HIGHLAND • 27215 BASE LINE • HIGHLAND, CALIFORNIA 92346 • (909) 864-6861 ☎ • (909) 862-3180 📠

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance, please contact the City Clerk's office at (909) 864-6861, ext. 226, at least 72 hours prior to the meeting for any requests for reasonable accommodation to include interpreters.

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: For those wishing to make public comments by email, please submit your comments by email to be read aloud at the meeting. Email comments must be submitted by 5:00 p.m. on May 16, 2023 to publiccomment@cityofhighland.org. If you are submitting a public comment pertaining to an item on the May 16, 2023 agenda, please identify the agenda item number in the subject line.

For those wishing to make public comments 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 close of the public hearing on the corresponding item to be considered part of the record. Please email your comments at publiccomment@cityofhighland.org.

Members of the public will be permitted to make public comments in person.

**PLANNING COMMISSION
REGULAR MEETING AGENDA
May 16, 2023 - 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 May 16, 2023, 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 May 2, 2023 Regular Meeting.

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

PUBLIC HEARINGS

2. Conditional Use Permit (CUP 23-007) requesting the approval of a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station. (NE Corner of Palm Ave and 5th St., APN(s): 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, & 1201-301-19

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2023-____ approving Conditional Use Permit (CUP 23-007) for a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station.
3. Conditional Use Permit CUP-22-011 for the development of a 47,899 square foot speculative industrial warehouse building, Variance VAR-22-004 to allow the building to exceed the maximum building height permitted in the Business Park Zone by 9', and Design Review DRA-22-015 for the project's Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual Landscape Plan. (South side of 6th Street, approximately 930 feet west of Del Rosa Drive, APN: 0279-201-24)

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2023 - _____, approving Conditional Use Permit CUP-22-011 for the development of a 47,899 square foot warehouse/distribution facility and related improvements;
 2. Adopt Resolution No. 2023 - _____ approving Variance VAR-22-004, allowing an increase in the maximum building height for the subject warehouse from 35 feet to 44 feet tall, 9 feet greater than permitted in the Business Park Zone;
 3. 3. Adopt Resolution No. 2023- ____ approving Design Review Application DRA-22-015 for the Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual Landscape Plan, subject to the Conditions of Approval, and the Findings of Fact; and
 4. Adopt Resolution No. 2023-____, approving a Mitigated Negative Declaration and direct Staff to File and Notice of Determination with San Bernardino County Clerk of the Board of Supervisors;
-
4. Revisions to the City of Highland 6th Cycle 2021-2029 Housing Element in response to comments by the California Department of Housing and Community Development pursuant to Government Code Section 65585(h); Related to General Plan Amendment No. GPA-21-003 adopted on January 25, 2022.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution No. 2023-_____ recommending the City Council approve revisions to the 6th Cycle Housing Element.

ANNOUNCEMENTS

ADJOURN

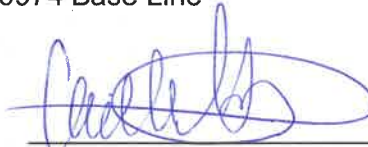
I, Camille Goritz, Administrative Assistant III of the City of Highland, California, certify that I caused to be posted this agenda on or before the 11th of May 2023 by 5:30 p.m. on our website at www.cityofhighland.org and in the following designated areas:

Highland Branch Library
7863 Central Avenue

Fire Station No. 1
26974 Base Line

City Hall
27215 Base Line

Date: May 11, 2023



Camille Goritz Administrative Assistant III



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: May 16, 2023

FROM: Lawrence Mainez, Community Development Director

PREPARED BY: Camille Goritz, Administrative Assistant III *(Signature)*

SUBJECT: Minutes from the May 2, 2023 Planning Commission Regular Meeting.

RECOMMENDATION: Staff recommends the Planning Commission approve the revised 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. <u>1</u>
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		

<i>(Signature)</i>	<i>(Signature)</i>
Recording Secretary	Community Development Director

**PLANNING COMMISSION REGULAR MEETING MINUTES
May 2, 2023 – 6:00 P.M.**

CALL TO ORDER

The regular meeting of the Planning Commission of the City of Highland was called to order at 6:02 p.m. by Chair Hamerly at the Donahue Council Chambers, 27215 Base Line, Highland, California.

Present:	Chair	Randall Hamerly
	Commissioner	Edward Amaya
	Commissioner	Jarrold Miller
	Commissioner	Jessica Sutorus

Absent:	Vice Chair	Chandra Thomas
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Staff Present: Kim Stater, Assistant Community Development Director
Gary Chambers, Code Enforcement Officer
Camille Goritz, Administrative Assistant III

Chair Hamerly led the Pledge of Allegiance.

COMMUNITY INPUT (ITEMS NOT ON THE AGENDA)

None.

CONSENT CALENDAR

1. Minutes from the April 4, 2023 Regular Meeting.

A MOTION was made by Commissioner Miller, seconded by Commissioner Sutorus, to approve as amended. Motion carried, 4-0, with Vice Chair Thomas being absent.

2. Minutes from the April 18, 2023 Regular Meeting.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Miller, to approve as amended. Motion carried, 4-0, with Vice Chair Thomas being absent.

PUBLIC HEARING

3. 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 7712 Victoria Ave., Highland, CA 92346, Tax Assessor's Parcel Number 1192-261-20.

Code Enforcement Officer Chambers presented the staff report.

Commissioner Amaya asked is this property zoned as Business Park?

Code Enforcement Officer Chambers stated yes.

Chair Hamerly stated if the building and the property is secured, would there be anything in the Business Park Ordinance that would not allow for the storage of material inside a secure and lot facility?

Code Enforcement Officer Chambers stated the building needs to be emptied of all storage and the property owner would need to go through the proper process to get some type of permitted business on the property before they could store anything.

Chair Hamerly asked in the absence of a business license, the building would have to be vacant in Business Park?

Code Enforcement Officer Chambers stated that is my understanding while speaking to the Planning and Building and Safety Department.

Chair Hamerly opened the public hearing.

Applicants Representative John Tindall stated I'm a friend of many Vietnamese people and the people that are on this property now are Vietnamese. I've been helping Vietnamese people since the 1980s. A year ago they called me and said we have this problem with the City, and I said we can address it and take care of it. When I got to the property it was a mess. You can see all the vehicles, RVs, and animals, it was possibly creating an odor. Right across the street there's a burnt-out building, on the other side of the street is a big yard with chickens and animals. So why is this one targeted? I'm not saying Code Enforcement targeted, but Code Enforcement Officer Gary Chambers has been great. He's given more than a year to clean it up, but if you look at the pictures that are attached to the memo I sent, it's a beautiful place, except everything is inside. They've hauled away tons of stuff, they have gotten rid of abandoned vehicles. The two old Vietnamese guys who escaped North Vietnam escaped from South Vietnam, built their own boat, got to Malaysia, had the church sponsor them come to San Diego. They are coming to America; they're trying to improve everything. Just to call it a nuisance and have an abatement puts those people in harm's way. The owners of the property are in San Diego, the guy does not care. You can call him; he doesn't call back. His brothers are the ones that are on the property who were cleaning it up. One of them ended up in the hospital and had been in intensive care at Rancho Cucamonga. He can't work or speak. I can't get the property owner to respond, Code Enforcement Officer Chambers can't get the property owner to respond, but can this property be salvaged? Can it be saved? Regarding the property owners not responding, I've looked at the record and I have got to thank you for your service to the city and the public. They were trying to salvage the property and the county records show that it was a service garage at one time. I am asking to give them more time. I can't really take credit for any of the improvements that they made because Code Enforcement Officer Chambers has been patient with this. I have not been retained. I have not sent the property owner a bill, I have no interest in the property. Look at the memo that I sent and think about the quality-of-life initiative and every time that you have any kind of hearing, any other properties look at that and use that as your guiding light. Are we trying to improve the property and all the all the priorities there? Yes. Postpone this public hearing and this adoption of the resolution.

Chair Hamerly stated regarding your initial statement in the letter, the very first entry on February 25, 2022 gives you your answer to the targeting issue. This case was initiated due to a complaint received regarding unpermitted storage and animal keeping on the subject property.

Representative John Tindall stated I am asking if there is a picture that can target that property. We can declare a nuisance there, but what are we doing across the street?

Chair Hamerly stated the non-conforming use issue is also a legal planning term. So, when you say it's a non-conforming use, it can take one of two forms. It can be legal non-conforming or it's just non-conforming. If it had been in continuous and active use and the property was rezoned and that use if it was legal when it first started, and it had permits, then it's legal non-conforming use and it can continue. If that use ever ceases, then it becomes a non-conforming use, it is no longer legal because it was terminated. The property has not had an active business license for a number of years, so any activity of any kind would be operating without a business license, and it would still be non-conforming.

Representative John Tindall stated I understand.

Chair Hamerly stated I admire you for your diligence. By declaring it a public nuisance, the city has more authority and its legal authority to do this in a certain amount of time. Or there will be a remedy in either you abate it, or the city can come in and abate it and send the bill. It's not saying that the people that you're working with did anything wrong, but the property owner has a duty to maintain their property and do things legally. There has been remarkable amount of patience that's been exercised and asking to remedy the situation. The pictures in the report are taken from a Google image from October 2022. In April 2023 there is still the presence of debris and material on site that shows there is still debris.

Representative John Tindall stated I was referring to the car lifts. The animals are gone.

Chair Hamerly stated there are tarps, buckets, and coolers on the property that should not be there.

Brother of Applicant, Carl Nguyen stated the landlord is my brother. [INAUDIBLE] He bought it a long time ago. [INAUDIBLE]

Representative John Tindall stated thank you for your consideration.

Chair Hamerly asked what is the timeframe for administrative review to secure a business license with the city?

Assistant Community Development Director Stater stated I would say 30 days.

Chair Hamerly stated that is within the 60 days of abatement.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Amaya, seconded by Commissioner Miller, to adopt Appeals Board Resolution No 2023 -017, declaring the existence of a public nuisance on the Property generally located at 7712 Victoria Ave., Highland, CA 92346 and order the abatement thereof. Motion carried, 4-0, with Vice Chair Thomas being absent.

RESOLUTION NO. 2023-017

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 APN: 1192-261-20, GENERALLY LOCATED AT 7712 VICTORIA AVE., HIGHLAND, CA 92346, AND ORDERING THE OWNER(S) OF THE PROPERTY TO ABATE THE NUISANCE CONTAINED THEREON.

1. 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 8046 Central Ave., Highland, CA 92346, Tax Assessor's Parcel Number 1192-561-10.

Code Enforcement Officer Chambers presented the staff report.

Chair Hamerly opened the public hearing.

Applicant Anshu Pathak stated Code Enforcement Officer Chambers is a good gentleman, always nice to everybody and that is a problem because he's too nice. The same people who parked the vehicles on my other property in San Bernardino, the Code Enforcement Officer is the real Code Enforcement Officer. He did whatever he wanted to do, he got the police and all the people out. We went to court and there are 2 pending actions in the properties right now. CIV 220-7977 and CIV 220-9567. The judge approved to remove everything in San Bernardino property. In Highland property, I subpoena Mr. Code Enforcement Officer to explain the [INAUDIBLE] Judge refused to remove the vehicle in front of him. If I file a motion, then the judge will understand what the issues are going on. But now what I'm going to do is this, you understand law very well so I'm going to subpoena you to be at the courthouse and you will be explaining to the judge the real issue. So, I request that I file the motion within 10 days. I will notify the city that this is the date the court has given me, and you be present, and we will solve it. In 2014, that lawsuit ended from 2014 to 2022, they sued the towing company. Ultimately the case was dismissed with prejudice and the people who sued are not the owners of the vehicles. I request you to give me 2 weeks to file the motion.

Chair Hamerly asked if you had the declarants of a Public Nuisance, that's the declaration that the judge is needing in order to file that motion?

Applicant Anshu Pathak stated yes.

Chair Hamerly asked how did Mr. Mangione get on the property?

Applicant Anshu Pathak stated that was my mistake. He was evicted from my next-door neighbor. So, he requested to rent for 3 -60 days. I made a mistake, and I said yes. He's been on the property since 2019 or 2020. He is coming up with all kinds of excuses and he's operating with some other people who are harassing me, so they are all together. A judge had the documents to prove that I was not on the property at 9:30 at night, I showed I was at my home because of security camera from my gated community.

Chair Hamerly closed the public hearing.

A MOTION was made by Commissioner Miller, seconded by Commissioner Sutorus, to adopt Appeals Board Resolution No 2023 - 018, declaring the existence of a public

nuisance on the Property generally located at 8046 Central Ave., Highland, CA 92346 and order the abatement thereof. Motion carried, 4-0, with Vice Chair Thomas being absent.

RESOLUTION NO. 2023-018

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 APN: 1192-561-10, GENERALLY LOCATED AT 8046 CENTRAL AVE., HIGHLAND, CA 92346, AND ORDERING THE OWNER OF THE PROPERTY TO ABATE THE NUISANCE CONTAINED THEREON.

ANNOUNCEMENTS

None.

ADJOURN

There being no further business, Chair Hamerly declared the meeting adjourned at 6:55 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: May 16, 2023

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 23-007) requesting the approval of a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station.

LOCATION: Northeast corner of Palm Avenue and 5th Street.
Assessor's Parcel Number(s): 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, & 1201-301-19

APPLICANT: Harikrishna Gas, Inc.

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2023-____ approving Conditional Use Permit (CUP 23-007) for a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station.

PUBLIC NOTICE: A Public Hearing Notice was published in the Sun Newspaper on May 5, 2023. The Notice was posted on the City's website and at the three (3) designated public posting locations per City Council Resolution. The Project notice was mailed to interested agencies and property owners within 300 feet of the site on April 13, 2023. The Notice of Public Hearing was mailed to property owners within 300 feet of the site on May 4, 2023.

ENVIRONMENTAL REVIEW: This project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 1, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines, since the proposed project consists of issuance of a license by another agency and an alteration to operational characteristics for an existing use.

Approved _____	Motion _____	Second _____	Agenda Item No. <u>2</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

PUBLIC COMMENT: Staff received no public comments in response to the project notice or notice of public hearing at the time of preparing this staff report.

BACKGROUND: On May 9, 2023, the Highland City Council approved a General Plan Amendment (GPA 22-001) to change the land use and designation of seven (7) parcels located at the northeast corner of 5th Street and Palm Avenue from to Industrial (I) to Business Park (BP). This change pertained to the development of a vehicle fueling station, convenience store, and carwash as part of Conditional Use Permit (CUP 22-008), Design Review Application (DRA 21-019), and Tentative Parcel Map No. 19209 (TPM 22-006). The Council also introduced an Ordinance for Zone Change (ZC 22-001) to modify the zoning designation of the seven (7) parcels from Industrial (I) to Business Park. The second reading of the Ordinance is scheduled for June 13, 2023.

DESCRIPTION OF SITE: The proposed site is accessible from Meines Court to the north, 5th Street to the south, and Palm Avenue to the west. While six (6) of the existing parcels have remained vacant since prior to the City's incorporation, the parcel at the northeast corner of the site was previously used as a contractor's storage facility. The equipment on the site will be removed prior to the start of construction and recordation of Tentative Parcel Map No. 19209 (TPM 22-006) (Exhibit A – Area Map).

Surrounding Land Uses

North: Vacant Parcel / Contractors Storage Yard

South: ARCO Gas Station and Carwash

East: Semi-Truck/Trailer Parking Facility

West: Farmer Boys Restaurant / KCB Towers Industrial

Location	General Plan	Zoning
North:	Industrial (I)	Industrial (I)
South:	Business Park (BP)	Business Park (BP)
East:	Industrial (I)	Industrial (I)
West:	Business Park (BP) & Industrial (I)	Business Park (BP) & Industrial (I)

PROJECT REVIEW/ANALYSIS: The Applicant is requesting the approval of a Type 20 ABC License for off-sale Beer and Wine at the approved convenience store and fueling station. While the vehicle fueling station and convenience store will remain open for business 24-hours a day, beer and wine will only be sold between 6:00 am and 2:00 am, seven (7) days a week.

The Department of Alcoholic Beverage Control (ABC) is the public agency that issues licenses for alcohol sales within the State of California. State law includes provisions aimed at avoiding what is deemed an 'undue concentration' of licenses and ABC utilizes census tracts as the statistical subdivision to track and determine the number of licenses to be issued.

ABC separates licenses into two distinct categories; 'On-sale' and 'Off-sale'. 'On-sale' refers to licenses issued by ABC which allow for the consumption of alcohol on the

premise of which it is sold, such as a bar, lounge, or restaurant. 'Off-sale' refers to licenses which allow for the sale of pre-packaged alcohol and its consumption off premises, such as grocery stores, convenience stores, and liquor stores.

This project site is located within Census Tract 76.04, which has a current population of 4,844, as determined by ABC. Per the population of this census tract, ABC authorizes a maximum of three (3) 'off-sale' licenses to be issued (Attachment 1 – Number of ABC Licenses per Census Tract). As of March 2023, there are seven (7) active 'off-sale' licenses within the census tract (Attachment 2 – Active 'Off-Sale' ABC licenses within Census Tract 76.04). 'Off-sale' ABC licenses comprise of Type 20 and Type 21 licenses. While both allow for the sale of beer and wine for consumption off premises, a Type 21 license included the sale of distilled spirits.

Census Tract 76.04 also authorizes a maximum of three (3) 'on sale' licenses to be issued to eating establishments for the sale and consumption of alcohol on site. As of 2018, the number of businesses within the Census Tract with "on sale" licenses is six (6).

The issuance of the requested Type 20 license would further an 'undue concentration' of permits as the existing licenses are:

Business Name	License Type & Status	Location
Cee Vee Liquor	21 – Active (off-sale)	7750 Palm Ave.
Valero – Base Line	21 – Active (off-sale)	27767 Base Line
Chevron – Base Line	20 – Active (off-sale)	27627 Base Line
Arco – Base Line	20 – Active (off-sale)	27727 Base Line
Chevron – Greenspot Rd.	20 – Active (off-sale)	27981 Greenspot Rd.
Valero – Greenspot Rd.	20 – Active (off-sale)	7955 Webster St.
Arco – 5 th St.	20 – Active (off-sale)	27323 5 th Street.
Thai Spoon	41 – Active (on-sale)	7750 Palm Ave, Ste H
The Green Frog	48 – Active (on-sale)	7750 Palm Ave, Ste K&L
I Love Sushi	41 – Active (on-sale)	7750 Palm Ave, Ste S
Candy's Bar	41 – Active (on-sale)	26998 3 rd Street
JJ's Sports Bar & Grill	47 – Active (on-sale)	7955 Webster Street
Dicky's Barbeque Pit	41 – Active (on-sale)	27949 Greenspot Rd, Ste D

The Sherriff's Department did not provide any objections to the ABC request.

SUMMARY: According to the Business and Professions Code, a jurisdiction must make a finding of "public convenience or necessity" if there is an overconcentration of similar liquor licenses within the census tract associated with the project, as in this case. Aside from the ARCO gas station and convenience store located across 5th Street, south of the property, there is no other establishment with a Type 20 ABC license within one (1) mile of the site. The addition of an ABC license will increase convenience for the public.

The absence of an ABC license and availability of alcohol for sale at this location would be detrimental as many patrons visit gas station convenience stores strictly to purchase beer or wine. For this reason, Staff finds the need for this Type 20 ABC license to be a "public convenience or necessity". Staff supports the request and does not foresee any negative impacts with the approval of this Type 20 ABC License. However, should the Applicant lose their State License or should there arise any significant issues, the Conditional Use Permit may be revoked by action of the Planning Commission. Staff recommends approval of the Type 20 ABC License, subject to findings within the attached Resolution.

EXHIBITS:

- A) Area Map
- B) Site Plan
- C) Floor Plan

ATTACHMENTS:

1. Number of ABC Licenses per Census Tract
2. Active 'Off-Sale' ABC licenses within Census Tract 76.04
3. Letter of Justification from Applicant
4. Resolution 2023 – ____ for Conditional Use Permit (CUP 23-007)
Exhibit 1: Conditions of Approval

Exhibit A:

Area Map

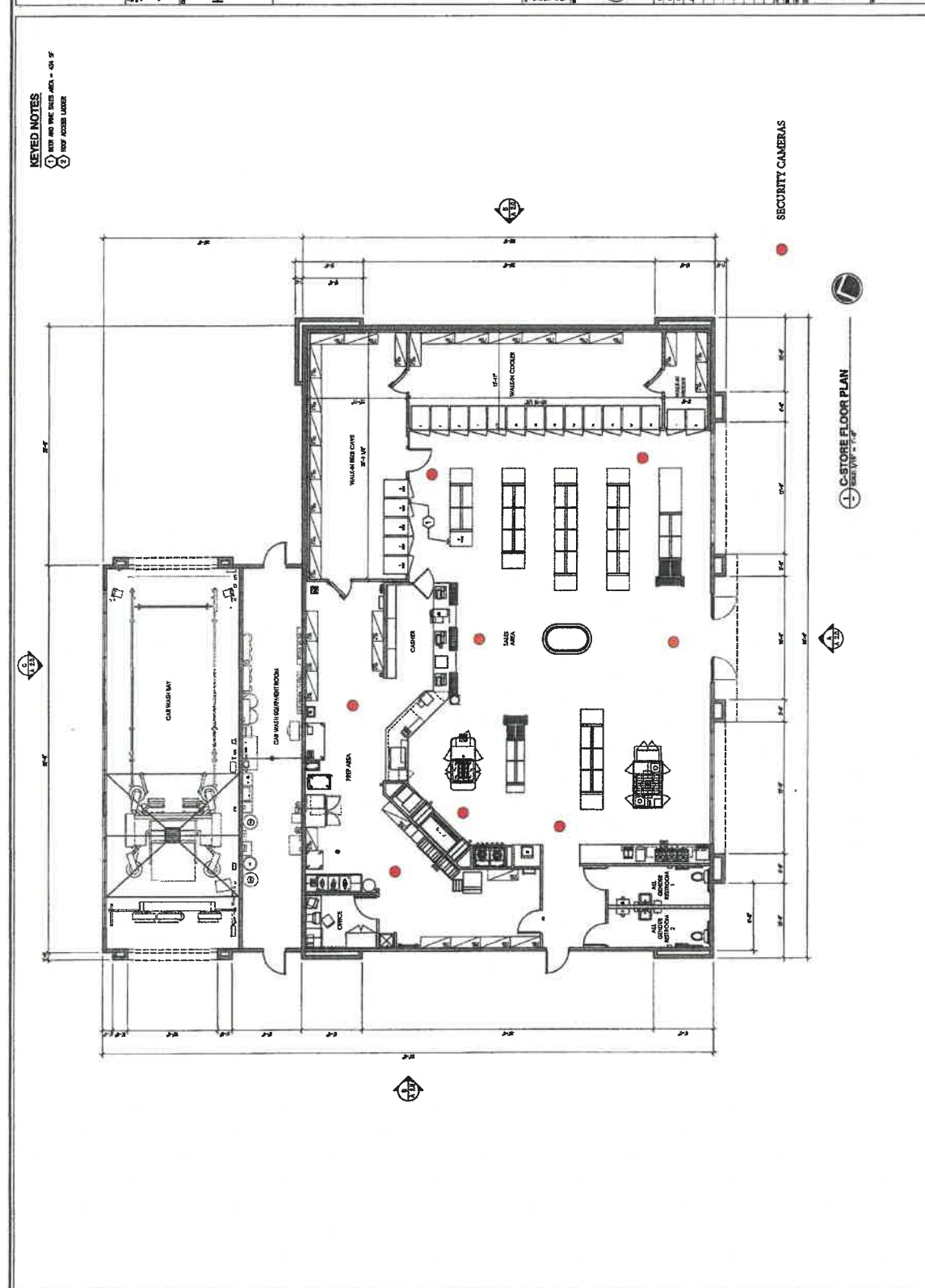


Exhibit B:

Site Plan

Exhibit C:

Floor Plan

[illegible]

Attachment 1:

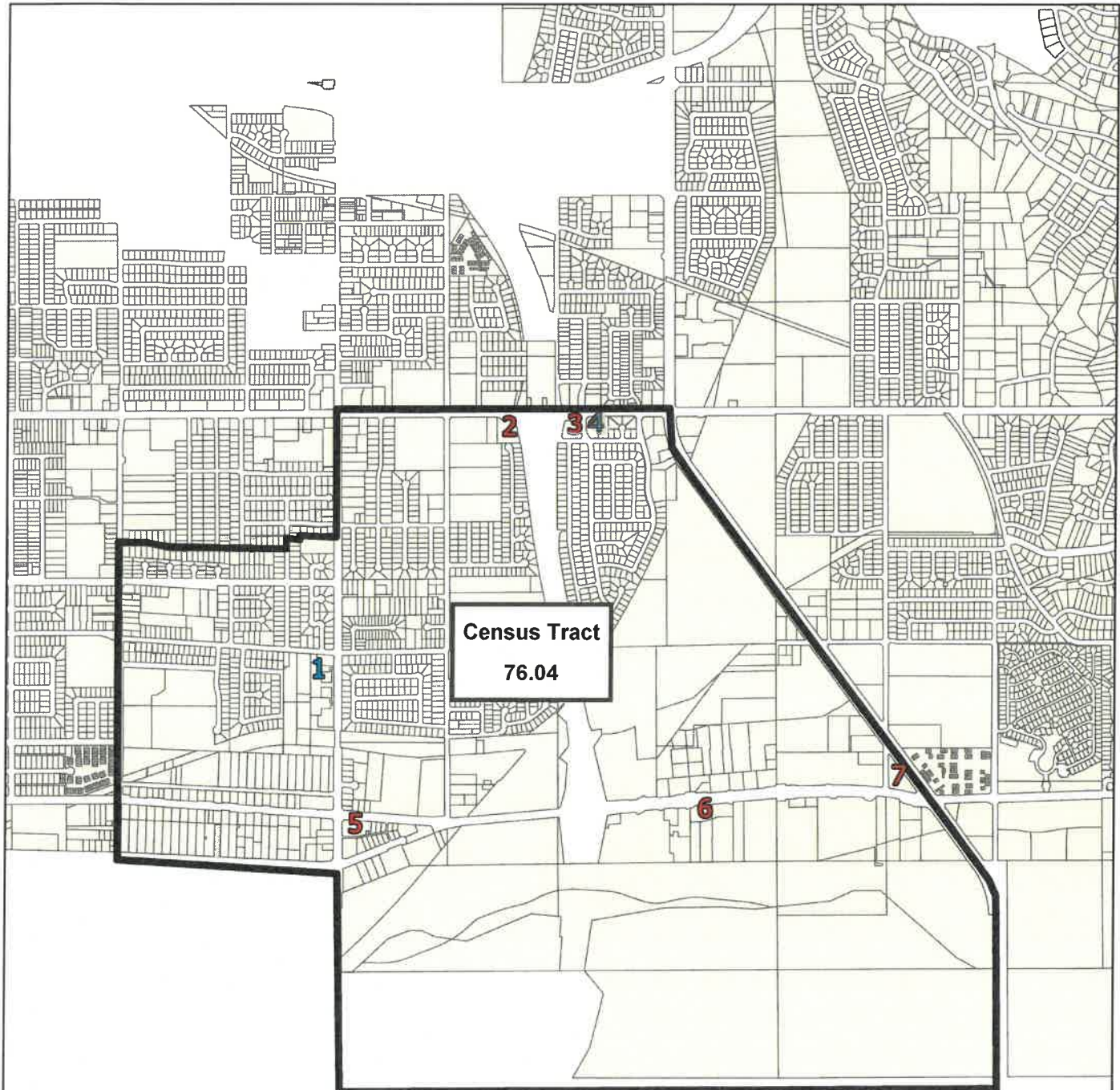
Number of ABC Licenses per Census Tract

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
NUMBER OF LICENSES AUTHORIZED
BY CENSUS TRACT

County Name	County Population	County Ratio On Sale	County Ratio Off Sale	Census Tract #	Census Tract Population	On Sale	Off Sale
SAN BERNARDINO	2,175,909	1216	1,429	73.08	5,074	4	3
SAN BERNARDINO	2,175,909	1216	1,429	74.04	4,638	3	3
SAN BERNARDINO	2,175,909	1216	1,429	74.07	3,119	2	2
SAN BERNARDINO	2,175,909	1216	1,429	74.08	4,432	3	3
SAN BERNARDINO	2,175,909	1216	1,429	74.09	6,278	5	4
SAN BERNARDINO	2,175,909	1216	1,429	74.10	6,091	5	4
SAN BERNARDINO	2,175,909	1216	1,429	74.11	1,729	1	1
SAN BERNARDINO	2,175,909	1216	1,429	74.12	6,645	5	4
SAN BERNARDINO	2,175,909	1216	1,429	76.03	5,059	4	3
SAN BERNARDINO	2,175,909	1216	1,429	76.04	4,844	3	3
SAN BERNARDINO	2,175,909	1216	1,429	76.05	4,233	3	2
SAN BERNARDINO	2,175,909	1216	1,429	76.06	3,556	2	2
SAN BERNARDINO	2,175,909	1216	1,429	78.00	6,632	5	4
SAN BERNARDINO	2,175,909	1216	1,429	79.03	4,931	4	3
SAN BERNARDINO	2,175,909	1216	1,429	79.04	7,061	5	4
SAN BERNARDINO	2,175,909	1216	1,429	79.05	3,600	2	2
SAN BERNARDINO	2,175,909	1216	1,429	79.06	4,343	3	3
SAN BERNARDINO	2,175,909	1216	1,429	80.01	7,038	5	4
SAN BERNARDINO	2,175,909	1216	1,429	80.03	4,222	3	2
SAN BERNARDINO	2,175,909	1216	1,429	80.04	3,250	2	2
SAN BERNARDINO	2,175,909	1216	1,429	81.00	3,326	2	2
SAN BERNARDINO	2,175,909	1216	1,429	82.01	3,323	2	2
SAN BERNARDINO	2,175,909	1216	1,429	82.02	2,576	2	1
SAN BERNARDINO	2,175,909	1216	1,429	83.01	6,616	5	4
SAN BERNARDINO	2,175,909	1216	1,429	83.02	3,268	2	2
SAN BERNARDINO	2,175,909	1216	1,429	84.02	6,501	5	4
SAN BERNARDINO	2,175,909	1216	1,429	84.03	5,791	4	4
SAN BERNARDINO	2,175,909	1216	1,429	84.04	2,931	2	2
SAN BERNARDINO	2,175,909	1216	1,429	84.05	5,752	4	4
SAN BERNARDINO	2,175,909	1216	1,429	84.06	5,254	4	3
SAN BERNARDINO	2,175,909	1216	1,429	85.01	3,945	3	2
SAN BERNARDINO	2,175,909	1216	1,429	85.02	4,782	3	3
SAN BERNARDINO	2,175,909	1216	1,429	86.01	6,404	5	4
SAN BERNARDINO	2,175,909	1216	1,429	86.02	3,641	2	2
SAN BERNARDINO	2,175,909	1216	1,429	87.05	4,669	3	3
SAN BERNARDINO	2,175,909	1216	1,429	87.08	4,415	3	3
SAN BERNARDINO	2,175,909	1216	1,429	87.09	4,627	3	3
SAN BERNARDINO	2,175,909	1216	1,429	87.10	4,700	3	3
SAN BERNARDINO	2,175,909	1216	1,429	87.11	3,720	3	2
SAN BERNARDINO	2,175,909	1216	1,429	87.12	4,102	3	2
SAN BERNARDINO	2,175,909	1216	1,429	87.13	4,224	3	2
SAN BERNARDINO	2,175,909	1216	1,429	87.14	4,314	3	3
SAN BERNARDINO	2,175,909	1216	1,429	87.15	7,091	5	4
SAN BERNARDINO	2,175,909	1216	1,429	87.16	6,650	5	4
SAN BERNARDINO	2,175,909	1216	1,429	88.00	6,520	5	4

Attachment 2:
Active 'Off-Sale' ABC licenses
within Census Tract 76.04

Existing Type 21 and Type 20 (off-sale) ABC Licenses
In Census Tract 76.04



	License Type	Business
1	21	Cee Vee Liquor
2	20	Chevron - Base Line
3	20	Arco - Base Line
4	20	Valero - Base Line
5	20	Arco - 5th St.
6	20	Chevron - Greenspot
7	20	Valero - Greenspot



Attachment 3:

Letter of Justification from Applicant

City of Highland
Highland City Hall
NEC of Palm Ave & 5th Street

Letter of Intent

Applicant:

Harikrishna Gas, Inc.
8202 Bella Vista Drive
Rancho Cucamonga, CA. 91701

Parcel (APN): 1201-311-02,03,04 & 05, 1201-301-14,15 & 19

Request:

Harikrishna Gas, Inc. is proposing to develop the 1.8 acres portion of the North East corner of Palm Ave & 5th street on a vacant lot located at NEC of Palm Ave & 5th Street. with a new 4,620 square foot convenience market, a gas station consisting of a 4,042 square foot canopy and six fuel dispensers, a 2,520 square foot high speed diesel canopy, and a 1,387 square foot automated car wash. The operation hours will be 24 hours daily with alcohol sales from 6am-2am daily. The proposed use adds to the diversification of uses within this part of the city and should remain in proper relation to the adjacent uses. The instant request is an organic extension of the current surrounding uses and will therefore remain in appropriate relation to the contiguous uses and ongoing development of the community.

The subject property is a level, rectangular-shaped lot with a frontage on Palm Ave and 5th Street and is located in the M1 with the zone change to BP zone of the General Plan. The site will be developed with a convenience market, gas station, and car wash. The design of the building, parking area, signs, landscaping, luminaires and other site features indicates that proper consideration has been given to both functional aspects of the site development when viewed from public streets.

This location will have sufficient parking lot lighting, a state of the art security system and crime deterrence program that helps ensure the peace, comfort and welfare of its customers and the surrounding community. In addition, Harikrishna Gas Inc. has a zero- tolerance loitering policy in front of the convenience store to protect its customers and any passer-by. The approval of this project will allow Harikrishna Gas Inc., to offer the community a variety of products at one convenient stop. In addition, two or more employees will be on site at all times.

The sale of beer and wine will be incidental in the convenience store as Harikrishna Gas Inc., will provide a variety of products to serve those who live and work nearby. The addition of beer and wine will permit Harikrishna Gas Inc., neighbors to patronize a local establishment rather than drive elsewhere. This convenience store will offer packaged items, fresh food, hot food, dairy products, fruits, breads, a coffee station, beauty products and other essential products used for daily living.

This new business will only enhance this part of the community and offer 8- 15 new jobs to the area, different shopping environment, different services and a different mix of merchandise. The surrounding properties will not be affected by allowing this inclusion of alcoholic beverages to the beverage department at this neighborhood market.

The subject premises is bounded on all sides by commercially developed properties and is well-buffered from nearby, residentially zoned and occupied properties and will be secured by an alarm and interior and exterior cameras.

Harikrishna Gas, Inc.

Attachment 4:

Resolution 2023 – ____ for Conditional Use Permit (CUP 23-007)

RESOLUTION NO. 2023-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT (CUP 23-007) FOR A TYPE 20 ABC LICENSE FOR OFF-SALE BEER AND WINE AT AN APPROVED CONVENIENCE STORE AND FUELING STATION LOCATED AT THE NORTHEAST CORNER OF PALM AVENUE AND 5TH STREET. ASSESSOR'S PARCEL NUMBER(S): 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, & 1201-301-19

APPLICANT: HARIKRISHNA GAS, INC.

A. RECITALS

1. On March 20, 2023, the Applicant filed an application with the City of Highland for Conditional Use Permit (CUP 23-007) to approve a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station
2. If approved by the City Council on June 13, 2023, the fueling station and convenience store, located at the northeast corner of Palm Avenue and 5th Street, is within the Business Park (BP) General Plan Land Use Designation and Zoning District.
3. The approval of Conditional Use Permit (CUP 23-007) for a Type 20 ABC License for off-sale Beer and Wine is subject to the Planning Commission's review, as specified per the Highland Municipal Code.
4. On May 16, 2023, the Planning Commission of the City of Highland, conducted a public hearing on the subject application and concluded the hearing on that date.
5. Pursuant to California Environmental Quality Act, the Project is Categorically Exempt per the CEQA Guidelines, Section 15301, Class 1 Existing Facilities. There is no further environmental review required.
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 May 16, 2023, which is incorporated herein by this reference, does find and determine the following facts:

- a. All necessary public meetings 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. Conditional Use Permit Findings of Fact (CUP 23-007):

- 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 the applicable development policies and standards of the city.

Response: The proposal is for a Type 20 Alcoholic Beverage Control license for Off-sale Beer and Wine at an approved convenience store and fueling station at the northeast corner of 5th Street and Palm Avenue. The property is within the Business Park (BP) General Plan land use designation. The Application has been reviewed by the City and Conditions of Approval have been applied to the Project to ensure compliance with applicable development policies and standards of the City.

- 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 project site is within the Business Park (BP) General Plan land use designation and is surrounded by industrial and commercial businesses.

The absence of an ABC license and availability of alcohol for sale at this location would be detrimental to patrons visiting gas station convenience stores strictly to purchase alcohol. While the vehicle fueling station and convenience store will remain open for business 24-hours a day, beer and wine will only be sold between 6:00 am and 2:00 am, seven (7) days a week. The proposal would not impair the integrity or character of the district in which it is to be established.

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

Response: The convenience store features approximately 4,000 square feet of interior shopping area. As indicated above, the property is within the within the Business Park (BP) General Plan land use designation and is surrounded by industrial and commercial businesses. The subject application has been reviewed in compliance with the Highland Municipal Code and appropriate conditions of approval have been applied to the project.

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

Response: The project site is currently served by water, sewer, public utilities, and by the City of Highland Fire and Police Departments. There are 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: Census Tract 76.04 authorizes a maximum of three (3) 'on sale' licenses and three (3) 'off-sale' licenses. Currently, there are six (6) active 'on-sale' licenses and seven (7) 'off-sale' licenses for a total of thirteen (13), triggering an 'undue concentration of ABC licenses within the Census Tract. However, aside from the Arco gas station directly south of the property, across 5th Street, there is no other establishment with a Type 20 ABC license within one (1) mile of the site. The absence of an ABC license and availability of alcohol for sale at this location would be detrimental as many patrons visit gas station convenience stores strictly to purchase alcohol. The Sheriff's Department did not provide any objections to the ABC request and Staff does not foresee any negative impacts with the approval of this Type 20 License. However, should the Applicant lose their State License or should there arise any significant issues, the Conditional Use Permit may be revoked by action of the Planning Commission.

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

Response: This project is Categorically Exempt from environmental proceedings pursuant to Section 15301, Class 1, Existing Facilities, of the California Environmental Quality Act (CEQA) Guidelines, since the proposed project consists of issuance of a license by another agency and an alteration to operational characteristics for an existing non-conforming convenience store use.

- 5. Based on the findings of fact and conclusions set forth above, the Planning Commission approves Conditional Use Permit (CUP 23-007) for the approval of a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station.

C. ADOPTION OF RESOLUTION.

The City Clerk shall certify 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 16th day of May 2023.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

Exhibit 1:

Conditions of Approval

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: May 16, 2023

Applicant: Harikrishna Gas, Inc.

Project No: Conditional Use Permit (CUP 23-007)

Proposal: A request for the approval of a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station.

Location: Northeast corner of Palm Avenue and 5th Street.
Assessor's Parcel Number(s): 1201-311-02, 1201-311-03, 1201-311-04, 1201-311-05, 1201-301-14, 1201-301-15, & 1201-301-19

PLANNING CONDITIONS

These conditions of approval represent the Planning Divisions conditions of approval and are meant to be one part of overall conditions of approval that may include, Engineering, Building and Safety, Fire Department, and other agency conditions of approval.

The conditions below are continuing conditions. Failure of the applicant and/or operator to comply with any or all said conditions at any time shall result in the revocation of this permit granted to use the subject property.

1. This Conditional Use Permit approval 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 approval has occurred within twelve (12) months from the approval date 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 City Planner may grant an extension of time for a period of time not to exceed an additional twelve (12) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the Planning Division a minimum of thirty (30) calendar days prior to the expiration of the conditional use permit approval. Such application shall be filed together with the city's processing fee, as established by the City Council.
2. This approval is for a Type 20 ABC License for off-sale Beer and Wine at an approved convenience store and fueling station at the northeast corner of Palm Avenue and 5th Street.

3. The applicant shall agree to defend, at his sole expense, any action brought against the city, its agents, officers, or employees, because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the city, its agents, officers, or employers, 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 its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. Any revisions, modifications to the ABC License, as prepared by the State of California Department of Alcoholic and Beverage Control or any modifications to any conditions listed herein, must be submitted to the Planning Division; additional review and approval may be required by the Planning Commission.
5. All requirements of the Department of Alcoholic and Beverage Control shall be complied with and such requirements shall become part of these conditions of approval by reference.
6. "Loitering is Prohibited" signs shall be posted on and around the subject premises. Size and location shall be approved by the property owner and the City of Highland Planning Division.
7. The Applicant shall participate in the City's local business outreach program by annually maintaining in current status, a Trespassing Agreement Authorization Form (Letter of Agency) with the Highland Police Station. The outreach program offers the Applicant the ability to authorize the Highland Police Department to act as their agent to arrest, remove, or advise any person present on the property without their consent or without lawful purpose to leave the property. A copy of the Letter of Agency attached and made a part of this Conditional Use Permit.
8. The sale of alcoholic beverages shall be limited to the hours of 6:00 a.m. to 2:00 a.m. seven (7) days a week.
9. Should at any time, the ABC License issued to the applicant by the State of California be surrendered or abandoned, this Conditional Use Permit shall automatically become null and void.
10. Should the Vehicle Fueling Station lose its Conditional Use Permit entitlement, the ABC license shall automatically become null and void.



STAFF REPORT

TO THE PLANNING COMMISSION

DATE: May 16, 2023

FROM: Lawrence A. Mainez, Community Development Director

PREPARED BY: Kim Stater, Assistant Community Development Director

SUBJECT: Conditional Use Permit CUP-22-011 for the development of a 47,899 square foot speculative industrial warehouse building, Variance VAR-22-004 to allow the building to exceed the maximum building height permitted in the Business Park Zone by 9', and Design Review DRA-22-015 for the project's Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual Landscape Plan.

LOCATION: A 2.83 acre site on the south side of 6th Street, approximately 930 feet west of Del Rosa Drive; Assessor's Parcel Number 0279-201-24. (Attachment 1 – Vicinity Map)

OWNER: Patriot USICV Victoria, LLC

REPRESENTATIVE: Herdman Architecture & Design

RECOMMENDATION: Staff recommends the Planning Commission:

1. Adopt Resolution No. 2023 - _____, approving Conditional Use Permit CUP-22-011 for the development of a 47,899 square foot warehouse/distribution facility and related improvements;
2. Adopt Resolution No. 2023 - _____ approving Variance VAR-22-004, allowing an increase in the maximum building height for the subject warehouse from 35 feet to 44 feet tall, 9 feet greater than permitted in the Business Park Zone;
3. Adopt Resolution No. 2023- _____ approving Design Review Application DRA-22-015 for the Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual

Approved _____	Motion _____	Second _____	Agenda Item No. <u>3</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

Landscape Plan, subject to the Conditions of Approval, and the Findings of Fact; and

4. Adopt Resolution No. 2023-____, approving a Mitigated Negative Declaration and direct Staff to File and Notice of Determination with San Bernardino County Clerk of the Board of Supervisors;

FISCAL IMPACT: The Applicant submitted the required deposit for processing the entitlements. Staff time spent working on the applications is charged to this balance. In addition, the developer will be required to pay Development Impact Fees (DIFs) to offset the costs of public facilities and infrastructure and construct on- and off-site improvements related to the development.

PUBLIC NOTICE: As required by City Council Resolution, a Notice of Public Hearing was posted at the City's three designated posting locations. The notice was published in the San Bernardino Sun newspaper, posted on the City's website, and mailed to property owners within 300 feet of the project site as well as those who requested notice on May 5, 2023.

PUBLIC COMMENT: Staff received two (2) public comment letters (Attachment 2 – Public Comments). Both were from the adjacent neighboring residential development to the south known as 'Villa Del Rosa' condominiums. The first letter, from John Whitbord, objects to the proposal, specifically 1) the tall height, 2) detrimental line of sight, 3) noise associated with the commercial truck operations, 3) incompatibility with neighboring residential uses, 4) size of the operation, 5) negative effects on the quality of life, 6) negative effects on property values.

The second letter was from the Villa Del Rosa Condominium Association ("Association"). This letter states that the proposed project would encroach onto land currently being used by Villa Del Rosa outside of its boundaries. They suggest that they have rights to the Patriot property as a result of continued occupation and maintenance of said land. In the letter they ask for a, "dead period where your approval is on hold and allow the Homeowner's Association to engage PATRIOT DEVELOPMENT PARTNERS, LLC directly and work out a resolution amicable to both sides." Six (6) months have passed since the request. To the City's knowledge, the Association did not reach out to Patriot, nor come to any agreement. The City provided all parties with the contact information of the commentor and the Applicant. Should the Association pursue legal remedies, the Applicant will be responsible for all legal costs to defend City and project.

DESCRIPTION OF THE SITE: The site is comprised of one parcel, 2.83 acres located on the south side of 6th Street, approximately 930 feet west of Del Rosa Drive. (Attachment 1 – Vicinity Map). East Valley Water District's Sterling Natural Resource Center is adjacent to the site on the east, Indian Springs High School to the north across 6th Street, a single family home to the west, and Villa Del Rosa to the south. The site is vacant with sporadic seasonal grasses and vegetation. It is relatively flat and slopes gently to the west. The property has an irregular shape along the rear/south side where the condominium project

juts to the north. This notch contains the community's pool and related accessory structures. The pool is currently filled with dirt and inaccessible for recreation. When Villa Del Rosa was constructed in the 1980s, it was intended to have a second phase to the north to be located on the current Patriot site. It was never built. Thus, there is an awkward termination of the condominium's vehicular and pedestrian circulation, and recreational amenities.

Fencing around the project site is currently a combination of tube steel fencing on the east, chain link and tube steel along the rear, and a concrete block retaining and garden wall on the west. Curb, gutter and sidewalk run the width of the property along 6th Street.

The site is zoned Business Park which spans 5th Street to 6th Street, and Del Rosa Drive to the west nearly to Tippecanoe Avenue. The general area contains a mix of institutional uses, educational facilities, vacant lots, single family, and multi-family residential uses. The north side of 6th Street is within the boundaries of the City of San Bernardino. (Attachment 3 – Zoning Overview)

Surrounding Land Uses

	<i>Existing Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation-</i>
<i>North</i>	Public Education Facility (Indian Springs High School)	City of San Bernardino Public Facility	City of San Bernardino Public Facility
<i>South</i>	Multi-Family Residential (Villa Del Rosa condominiums)	Business Park (BP)	Business Park (BP)
<i>East</i>	Institutional (EVWD Sterling Natural Resources Center)	Business Park (BP)	Business Park (BP)
<i>West</i>	Single-Family Residential	Business Park (BP)	Business Park (BP)

PROJECT REVIEW: The project proposes the construction of a concrete tilt-up industrial building. The necessary entitlements include a Conditional Use Permit, Variance, and Design Review.

A. Conditional Use Permit

Site Plan

The building would include 42,899 square feet of warehouse space and 5,000 square feet of mezzanine/office space. It would have an approximate height of 44 feet as measured from grade, 9 feet higher than permitted in the Business Park Zone. The building would have a clear height of 6 feet and would not contain cold storage. The proposed hours of operation are 7:00 am to 7:00 pm. (Attachment 4 – Project Plan Set)

As cited in the IS/MND, "The project would support a variety of activities including the ingressing and egressing of passenger vehicles and trucks; the loading and unloading of trucks within designated truck courts/loading areas; and the internal and external movement of materials around the project site via forklifts, pallet jacks, yard hostlers, and similar equipment. In addition, the office space would support general internal office activities related to the industrial/warehouse uses." The project would construct on-site and off-site improvements including utilities, storm drain facilities, landscape, irrigation, hardscape, trash enclosures, perimeter walls and gates.

The building is situated towards the center of the property with the front building setback at 20 feet from 6th Street, side setbacks at 77 and 80 feet, and the rear setback at 20 feet from the Villa Del Rosa pool area and 70 feet from the parking area. There are two driveways, the westerly drive at 26 feet wide to accommodate passenger vehicles and the easterly drive at 40 feet wide for commercial trucks and passenger vehicles. Both driveways will permit full access, with right in/out and left in/out. Truck traffic is expected to travel from the closest designated Truck Route on Del Rosa Drive and Tippecanoe Avenue then to/from Tippecanoe Avenue to I-10. Alternatively, they may travel from Del Rosa Drive, east to/from 3rd Street to State Route 210.

The building has 6 dock high doors along the easterly side of the building, interior to the site. The office area is 5,000 square feet with 2,500 on the first floor and 2,500 on the mezzanine level.

The trash enclosure is located towards the back on the east side of the property within the secured truck court. It measures 27'Lx13'6"Wx10'6"T. It is designed with tilt-up screen walls, steel gates and steel roof covering. It will be painted black and white to match the building.

Parking: The Municipal Code requires industrial warehouses to provide one (1) parking stall for every 1,000 square feet of warehouse and one (1) space per every 250 square feet of office space. Therefore, the site would need a total of 63 spaces.

Passenger car parking delineated on the Site Plan shows 71 parking spaces; 56 standard, 1 vanpool, 2 Accessible, 1 van Accessible, 4 Clean Air, and 7 Electric Vehicle. Bicycle parking and storage spaces will be provided in accordance with the Highland Municipal Code as required by the Conditions of Approval.

Compliance with Site Development Standards

The project complies with the City's Municipal Code standards related to setbacks and on-site development improvements including:

- Minimum front, street side and rear building setback areas of 20' each
- Maximum lot coverage of 60%
- A minimum building separation of 40 feet shall be required from adjacent residential.

- A three-foot high wall or berm shall be constructed in back of the landscaped area along street setbacks.
- Where off-street parking is located within building setback areas, a minimum landscaped area of 10 feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area of 10 feet in depth required between the parking area and the building.
(Attachment 5 – CUP Resolution)

Noise: Noise impacts for warehousing projects are critically reviewed during entitlement processing. Due to the neighboring sensitive noise receptors, the IS/MND analyzed the short- and long-term impacts to the residential and educational facilities adjacent to the project. Special consideration was taken to ensure these sensitive noise receptors will not have significant impacts as a result of the project's construction and continued operation. Below are excerpts from the Project's noise study in the IS/MND:

Consistent with similar warehouse and light industrial uses, business operations supported by the project would primarily be conducted within the enclosed buildings, on-site operational noise sources are expected to include roof-top air conditioning units, parking lot activity, and truck loading dock activity. Off-site noise could be generated by vehicles, including heavy trucks, accessing the project site and contributing to vehicular roadway noise.

Implementation of the project would result in changes to existing noise levels on and around the project site by developing new stationary sources of noise, including introduction of outdoor HVAC equipment. Based on the warehouse roof design provided, there will be a 2.8-foot-high parapet extending along the perimeter of the roof, which would minimize sound from the HVAC. The maximum hourly noise level for all the HVAC equipment operating at each examined point along the property and the nearest noise-sensitive uses would range from 15 to 30 dBA L_{eq} , which is well below the City's noise standard for both commercial zoning (70 dBA L_{eq} daytime, 65 dBA L_{eq} nighttime) and residences (60 dBA L_{eq} daytime, 55 dBA L_{eq} nighttime).

The parking area would function as an area source for noise, which means that noise would attenuate at a rate of 3 dBA with each doubling of distance. At a distance of 45 feet, parking lot noise levels would be approximately 36 dBA L_{eq} at the southern, western, and eastern property boundaries in the absence of the projects' 8-foot-high boundary wall. Accounting for the noise reduction provided by the boundary wall, parking lot noise levels would be approximately 24 dBA L_{eq} at the southern, western, and eastern property boundaries. At the high school to the north, parking lot noise levels would be approximately 31 dBA L_{eq} .

The study concluded that average noise levels from truck loading/unloading areas was 96 dBA at 1 meter (3.3 feet) from the boundary of the truck activity area. At the projects' northern and western property lines, the noise and view of the loading docks would be entirely obstructed by the warehouse building. At the projects' southern and eastern

*property lines, the noise and view of the loading docks would be partially obstructed by the projects' 8-foot-high boundary wall. Using the outdoor attenuation rate of 6 dBA with each doubling of distance and accounting for the noise reduction provided by the warehouse building and the boundary wall, noise would range from approximately 32 dBA L_{eq} at the western property line to approximately 56 dBA L_{eq} at the southern property line. Noise sources associated with the proposed project would not exceed applicable noise standards. Thus, on-site operational noise would be **less than significant**.*

*The project is expected to generate 82 daily trips to the roadway system; in terms of PCE, which accounts for truck percentages, the project would generate 117 daily PCE trips. On an hourly basis, the project would result in a total of 8 AM and 9 PM peak-hour trips, consisting of 6 passenger vehicles and 2 trucks (ranging in size from 2-axle trucks to 4+ axle trucks) during the AM peak hour, and 7 passenger vehicles and 2 trucks during the PM peak hour. In terms of PCE, the project would result in a total of 12 AM and 15 PM PCE peak-hour trips. Vehicles entering and exiting the project site would use Sixth Street, which has average daily traffic volumes of approximately 1,457. This amounts to a small percentage (less than 6%) of the total daily volume on Sixth Street. The project would not result in a doubling of trips on any particular road segment. Typically, a doubling of the energy of a noise source, such as a doubling of traffic volume, would increase noise levels by 3 dBA. Given that it would result in only a modest increase in traffic on local and regional roadways, the project is not expected to result in an increase of 3 dBA or greater on roadways in the study area. The change in noise level due to the project would not be audible. Therefore, impacts associated with off-site project-generated traffic noise would be **less than significant**.*

Lighting/Photometrics: Parking lot lights include building and pole mounted LED "Razar" brand products which are constructed of a heavy cast low copper aluminum with integrated cooling fins. The Photometric Study is included in the plan set, labeled FC-1. The site is well lit at its entries, along the building, parking lot and dock doors. The Plan meets the Code requirement for an average of one-half foot-candle of illumination for visibility and security and does not spill over or emit glare onto adjacent residential properties.

B. Variance

The maximum building height permitted in the BP zone is 35'. The Applicant proposes an overall building height of 44', exceeding the maximum by 9' (26%). A minor variance is required if the project is to be approved as detailed in the Building Elevations. The building necessitates the additional height to accommodate the interior warehousing elements including internal clear heights, joists, lights, and sprinkler systems and an additional 4-5 feet above the roof line to screen roof-mounted equipment. Staff supports the request for a

Variance. The Findings of Fact are enumerated in the Resolution. (Attachment 6 – VAR Resolution)

C. Design Review:

Building Elevations: The building type is a tilt up concrete warehouse, 288' x 181', and 44 feet tall. The exterior has a contemporary style with alternating white and black diagonal bands in keeping with the Applicant's other Highland projects. The modern style is the desired theme for projects within the Airport Gateway. It is relatively flush with blue reflected glazed panels at the building's entry on the northwest fronting 6th Street and a second statement at the northeast corner. A metal brow is located above the entry and smaller brows are found throughout the corner entry glazed window panels to provide relief and shadowing. There are several diagonal window spans along the north, south and west elevations and a few square windows on the south side. The color legend calls for the exterior to be a Sherwin Williams 'Superwhite' and 'Peppercorn'. A metal brow at the entry will be black anodized metal. A color and materials board has been submitted and will be presented at the Public Hearing.

The site grade will require a 4 foot tall rise from the sidewalk to the building entry. Concrete steps and a sizeable handicap ramp will be constructed. Several emergency exit doors will be provided around the perimeter of the building on each side. The dock doors will be located on the east elevation, behind the rolling steel gate.

The building design reflects policies in the General Plan's Land Use and Community Design Elements and the administrative Draft (unpublished) Airport Gateway Specific Plan.

Conceptual Grading Plan: The existing topography is very flat with approximate elevations of 1,078 feet at the northwest corner that gradually rises to 1,084 feet at the southeast corner. The finished grades will be very similar. The building will have a finished floor at 1,083 feet and will slope to the west at 0.5%. The earthwork noted on the Grading Plan calls for 6,180 cubic yards (cy) of raw cut and 3,900 cy of raw fill with 3,778 cy of overexcavation, cut/fill. Roof drains and catch basins are located throughout the property bringing surface water to a 84" CMP infiltration system located underground below the parking lot at the southeast corner of the property.

The project will construct interim commercial drive approaches, 6' wide sidewalk, and parkway landscaping. The project will pay an in-lieu fee for the ultimate design and construction of curb and gutter and parkway improvements, including an in-lieu fee for the cost of relocating the 8" high pressure gas line along the 6th Street frontage. There are no overhead utilities to be undergrounded and all utilities serving the project will be constructed underground. The project will tie into existing water, sewer, and dry utilities in 6th Street.

Existing Right-of-way is at 44' half street and no further right of way dedication will be required to construct the ultimate roadway cross section as a Secondary Highway, City

Standard No. 104. The frontage will be improved with streetlights, drainage improvements, interim commercial drive approaches, 6'-wide sidewalk, and parkway landscaping.

Full access at both commercial drive approaches will be allowed such that any trucking may come and go to the nearest truck routes of Del Rosa Drive and Tippecanoe.

Landscape Plan: The project's Conceptual Landscape Plan was designed in coordination with the City's Landscape Architect. It has a varied palette of trees, shrubs and groundcover well suited to the local climate. The trees have varied heights, canopy shapes and colors. Street trees along 6th will include African Sumac, Olive, and Brisbane Box. Afghan Pine, a tall evergreen, will be planted along the rear property line to soften the transition to Villa Del Rosa. Chitalpas will be planted within both parking lots and provide a soft, colorful backdrop. Trees sizes will vary from 15 gallon to 48" box. Groundcover and shrubs will be planted in 1 gallon and 5 gallon sizes.

Walls and Fences The project proposes to install a decorative concrete screen wall along the westerly and southerly property lines to screen the project from the adjacent residential uses. The screen wall will also be installed along the easterly perimeter to enclose the truck bay with a rolling steel gate on the north side to control access. The front of the building will be unobstructed.

The screen wall design will be a concrete tilt-up 8' wall with pilasters every 20'. It will be painted black and white in alternating diagonal bands complementary to the building. The pilasters and steel gates will be black. The walls plan meets the Municipal Code standards for walls including location, height, and materials.

The project's design meets the criteria of the Highland Municipal Code and General Plan. (Attachment 7 – DRA Resolution)

ENVIRONMENTAL REVIEW: An Initial Study was prepared for the project, and it was determined that a Mitigated Negative Declaration was the appropriate CEQA process. A Notice of Intent to Adopt a Mitigated Negative Declaration (MND) was circulated through the State Clearinghouse and made available for comment between March 24 and April 16, 2023. The Notice was mailed to surrounding property owners within 300 feet, interested agencies and parties requesting notice. It was also posted on the City's website, at City Hall, the Sam J. Racadio Library and Environmental Learning Center and Fire Station #1.

The City received one letter from Yuhaaviatam of San Manuel Nation related to Cultural and Tribal Resources. Their comments were incorporated into the Mitigation Monitoring and Reporting Program.

Mitigation Measures were necessary to reduce impacts below a level of significance in the areas of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources. All other CEQA topics were found to be less than significant or no impact. (Attachment 8 – IS/MND & MMRP Resolution)

ANALYSIS: The Highland General Plan designates the project area to be within the 5th Street Corridor Community Policy Area with a “strategic location between SBIA and the SR-30/I-210 corridor” dominated by Business Park and Industrial land uses. Goal 2.13 of the Land Use Element is to “Transform the 5th Street Corridor into a major employment center and gateway” to the Airport. The proposal furthers these efforts. It will help promote the area as a business-friendly employment center, improve circulation, landscaping and Community Design Element policies and guidelines. It has a professional and attractive appearance with coordinated site planning and architecture. It has a contemporary, clean and distinctive design with clearly visible entrances and has incorporated façade articulation and modulation. Delivery and loading activities were located away from public view and residential uses.

The nonconforming residential uses have been provided adequate transitions and buffers with the appropriate setbacks, walls and landscaping.

Attachments:

1. Vicinity Map
2. Public Comments
3. Zoning Overview
4. Project Plan Set
5. Resolution No. 2023-___ Approving CUP-22-011
6. Resolution No. 2023 - ___ Approving VAR-022-004
7. Resolution No. 2023 - ___ Approving DRA-22-015
8. Resolution No. 2023-___ Approving the IS/MND & MMRP

ATTACHMENT 1
Vicinity Map



ATTACHMENT 2
Public Comments

COMMENTS REGARDING CONDITIONAL USE PERMIT NO. 22-011 for Patriot Warehouse on the south side of 6th Street just west of Del Rosa Drive:

Your comments must be received by this office no later than **October 18, 2022**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary.

PLEASE SEE ATTACHED LETTER

JOHN WHITBORD

PRINTED NAME

10/3/22

DATE

SIGNATURE

State Farm



John R. Whitbord, Agent License #0577711

Auto-Life-Health-Home and Business E-mail: john.whitbord.b8qp@statefarm.com

28708 Roadside Drive, Suite B

Agoura Hills, CA 91301

Office: (818) 889.1800 Fax: (818) 889.1106

City Of Highland
27215 Base Line
Highland CA 92346

File No:

Conditional use permit No. CUP 22-011

Design Review Application No DRA No. 22-015

Variance No. Var 22-015

Highland Planning Department,

Thank you for providing this Project Notice.

The original plan for the parcel was residential.

It was going to be the 2nd have of the Villa Del rosa Residential community.

This project will share a common boundary to the south with Villa Del Rosa Residential community. 54 families reside in this community.

The use being proposed is a 40 ft high warehouse building.
Being developed net to or community.

This project would be extremely detrimental to the sight lines of the area. There is no similar constructed building of this height anywhere in the area.
It would have a very negative impact on the esthetics of the area.

There would be additional activities and noise, that a commercial operation and the trucks coming and going at all hours.

Clearly this is going to have a significate negative effect on the residences
That share the property line with this proposed project.

This project is not consistent with the current residential use of the area.

State Farm



I appreciate the opportunity to strongly object the size of the Warehouse of 47,889 square foot warehouse. That is far too large for the size of the lot and the potential impact on our community.

The height of 35 feet, is again not consistent with the community. In addition, the project requests to get a variance to go even higher to 40 feet.

A four-story warehouse building built right next to a residential community would have a detrimental impact on the quality of life of the community residents and a negative impact on property values.

Please do not approve the requested permits or variance.

I am requesting City encourage Collaboration with the Villa Del Rosa Community as East Valley Water District has done as we work together to improve our community.

If a warehouse is to be considered for approval it should be much smaller in size and the height consistent with the surrounding properties.

If there is a hearing before the Planning department I and my fellow community members would appreciate the opportunity to be present and provide input to the Planning Department Team.

Thank you again for the Notice.

John Whitbord

Villa del Rosa owner and Board Member.

COMMENTS REGARDING CONDITIONAL USE PERMIT NO. 22-011 for Patriot Warehouse on the south side of 6th Street just west of Del Rosa Drive:

Your comments must be received by this office no later than **October 13, 2022**. Comments received after that date may not be considered in the decision. If you have no comment, no reply is necessary.

PLEASE SEE ATTACHED LETTER

PRINTED NAME

DATE

SIGNATURE

RECEIVED

OCT 18 2022

CITY OF HIGHLAND

VILLA DEL ROSA CONDOMINIUM ASSOCIATION

C/O Pacific Coast Realty
826 Brookside Ave Suite E
Redlands, CA 92373
909-798-7201 Fax 909-495-3137
villadelrosahoa@gmail.com

RECEIVED
CITY OF HIGHLAND

To whom it may concern

I am writing to express my legal concerns regarding the proposed project CUP 22-011. My concern is in a nutshell is the proposal from PATRIOT DEVELOPMENT PARTNERS, LLC includes building on land currently being used by the 25180 5Th Street Complex.

The land in question has been used, maintained, and developed within our complex since 1982. Any attorney will confirm when you have land that is within your boundary for 40 years and has been maintained, then certain legal rights are accrued. Furthermore, case law shows the original owner's rights diminish over time by virtue of not establishing their claim, estoppel and statute of limitations.

The same issue presented itself when East Valley Water District also tried to exercise a claim for land within the complex. Literally before they were going to forcefully bulldoze some of the complex walls, we were able to intervene. Thankfully, they had legal minds within their organization who understood the gravity of such drastic actions. We were able to successfully come to legal accommodation without having to disturb the rights and living conditions of low income families.

We were fortunate that a public utility company saw the benefit of restraint and did not physically confront the struggling occupants.. However I don't know if the same can be said for PATRIOT DEVELOPMENT PARTNERS, LLC .

The occupants of 25180 5th Street Complex are underserved low income families barely recovering from a pandemic. Their rights matter as much as the rights of PATRIOT DEVELOPMENT PARTNERS, LLC . I don't see the wisdom of approving a project that essentially guarantees a physical confrontation with low income families who don't want to see their property physically destroyed.

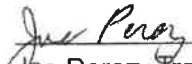
May I suggest a dead period where your approval is on hold and allow the Homeowner's Association to engage PATRIOT DEVELOPMENT PARTNERS, LLC directly and work out a resolution amicable to both sides. Please understand that this project may be a good thing for the community, but not if it comes with injury to people who are already struggling.

You might think approving the project and letting us sort it out later may be a better option, however The East Valley Water experience taught us things can get very explosive as certain home owners are ill tempered when perceiving a threat to their property. However, withholding approval pending this issue not only avoids an unfavorable escalation but also incentivizes all parties to come to the negotiating table and amicably resolve this issue, which is the board members preference.

VILLA DEL ROSA CONDOMINIUM ASSOCIATION

C/O Pacific Coast Realty
826 Brookside Ave Suite E
Redlands, CA 92373
909-798-7201 Fax 909-495-3137
villadelrosahoa@gmail.com

Any questions you may have regarding our position, can be addressed to Joe Perez, our representative regarding this matter


Joe Perez, Treasurer


Eddie Casares, President


Richard Hebb,

John Whitbord

ATTACHMENT 3
Zoning Overview



ATTACHMENT 4
Project Plan Set
(Large Scale Under Separate Cover)

PATRIOT PARTNERS - 6TH ST. & DEL ROSA

HIGHLAND, CA



PROJECT
THIRD PLANNING SUBMITTAL

PATRIOT PARTNERS - 6TH ST. & DEL ROSA
HIGHLAND, CA

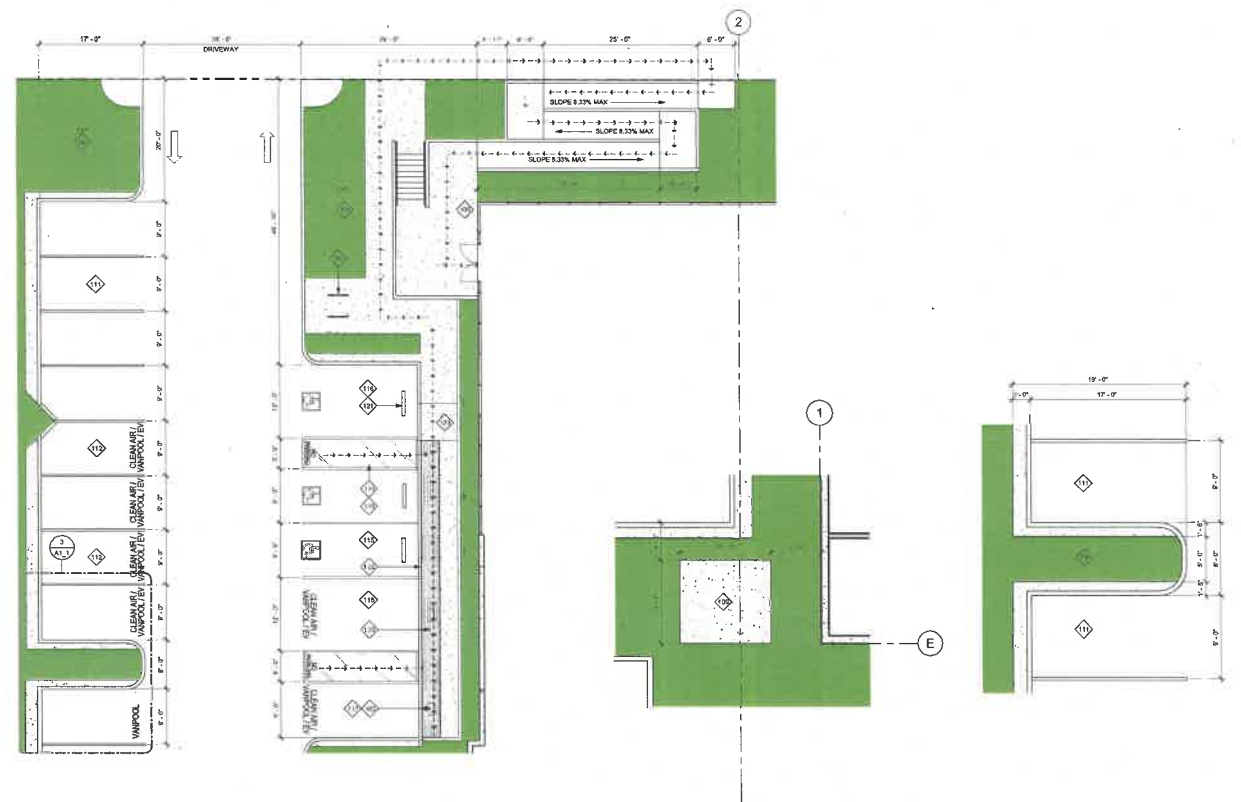


HERDMAN
ARCHITECTURE + DESIGN
A22-2112
01.10.2023

TITLE SHEET

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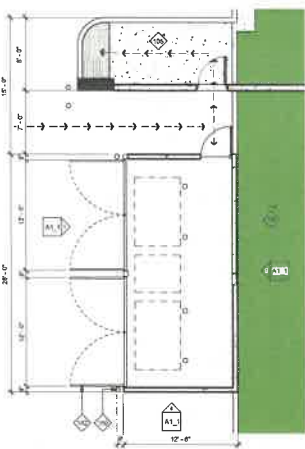
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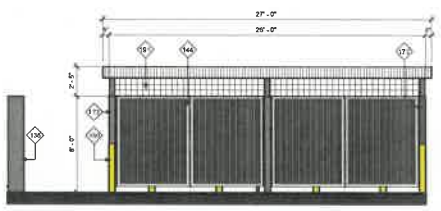
1 ENLARGED SITE PLAN
1/8" = 1'-0"

2 TRANSFORMER DETAIL
3/16" = 1'-0"

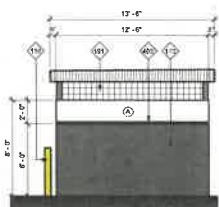
3 ENLARGED LANDSCAPE FINGER PLAN
3/16" = 1'-0"



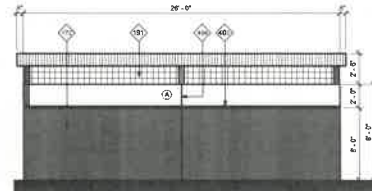
4 ENLARGED TRASH ENCLOSURE
3/16" = 1'-0"



5 TRASH ENCLOSURE ELEVATION 1
1/4" = 1'-0"



6 TRASH ENCLOSURE ELEVATION 2
1/4" = 1'-0"



7 TRASH ENCLOSURE ELEVATION 3
1/4" = 1'-0"

SITE PLAN GENERAL NOTES	KEYNOTES
1. THE SITE PLAN SHALL MEET ALL ENGINEERING & MPDES REQUIREMENTS.	105. CONCRETE PAVING.
2. GENERAL CONTRACTOR TO REVIEW THE SOILS REPORT AND ALL AMENDMENTS LATER ON THE TITLE SHEET AND FOLLOW ALL RECOMMENDATIONS.	106. SHADING PROPOSED LANDSCAPE AREA. SEE LANDSCAPE PLANS.
3. U.O.N. ALL DIMENSIONS TO CONCRETE WALLS AND CURBS ARE EITHER TO THE CENTER (DOWN WITH A CENTERLINE) OR FACE OF THE WALL OR CURB. ALL DIMENSIONS TO FRAMED WALLS ARE EITHER TO THE CENTERLINE OF THE WALL FRAMING OR TO THE CENTERLINE OF THE FACE OF THE WALL FINISH.	107. IN TRANSFORMER SEE LANDSCAPE PLAN.
4. REUSE TO CURB AND WIP PLANS TO CONFORM WITH UTILITY PLAN AND FOR ADDITIONAL UTILITY INFORMATION, GENERAL CONTRACTOR TO COORDINATE WITH ALL UTILITIES.	108. ACCESSIBLE FOR ACCESSIBLE PARKING STALL. 5'-0" WIDE.
5. REFER TO THE SCHEDULES FOR ALL FINISHED GRADES, GRADES AND SLOPES. ALL FINISHED GRADES TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING. GENERAL CONTRACTOR TO FIELD VERIFY. ALL ACCESSIBLE ROUTES ENTERED ON THE SITE PLAN DRAWINGS SHALL CONFORM TO THE FOLLOWING:	109. TOP DOWN. STANDARD PARKING STALL. 9'-0" WIDE x 19'-0" DEEP DOUBLE STORIED.
a) SLOPES IN THE DIRECTION OF TRAVEL DO NOT EXCEED 2%.	110. CLEAN AIR VEHICLE PARKING STALL. MATCH STANDARD STALL SIZE.
b) THE CLEAR WIDTH OF ALL WALKWAYS IS 4'-0" MIN.	111. STANDARD ACCESSIBLE PARKING STALL. 9'-0" WIDE x 19'-0" DEEP OF STANDARD STALL.
c) CHANGES IN LEVEL UP TO 1/2" COUNTRY W/ 1/4" MIN. CHANGES IN LEVEL GREATER THAN 1/2" IF THEY OCCUR AND MARKED SEE PLANS.	112. UNACCESSIBLE PARKING STALL. 9'-0" WIDE x 19'-0" DEEP OF STANDARD STALL.
d) THE VERTICAL CLEARANCE ALONG THE ACCESSIBLE ROUTE IS 8'-0" MIN.	113. FUTURE STANDARD ACCESSIBLE (EV CHARGING ONLY) PARKING STALL. 9'-0" WIDE x 19'-0" DEEP OF STANDARD STALL. PROVIDES FOR FUTURE INSTALLATION OF CHARGING EQUIPMENT.
6. ALL PAVED AND LANDSCAPED AREAS TO BE BOUND BY A MIN. 4" HIGH 4" WIDE CONCRETE CURB. IN A CONCRETE MOW STRIP EXTENDING 12" BEYOND EACH SIDE OF THE OPENING SHALL BE PROVIDED @ ALL EXTERIOR GLAZING WHERE THE SILL IS WITHIN 2' VERTICAL OF THE FINISHED GRADE. SEE SCHEDULE 1.	114. FUTURE ACCESSIBLE (EV CHARGING ONLY) PARKING STALL. 12'-0" WIDE x 19'-0" DEEP OF STANDARD STALL. PROVIDES FOR FUTURE INSTALLATION OF CHARGING EQUIPMENT.
7. PROVIDE PPE BOLLARD PROTECTION POSTS AS REQUIRED BY UTILITY COMPANIES AND OR FIRE AUTHORITIES AT ALL EXTERIOR ELECTRICAL EQUIPMENT AND FIRE PROTECTION DEVICES. IF PPE BOLLARD PROTECTION POST IS AVAILABLE NOT PROVIDED BY UTILITY COMPANIES AND OR FIRE AUTHORITIES SEE DETAIL SCHEDULE 1.	115. PRECAST CONCRETE WHEEL STOP.
8. WHERE OCCURS, GENERAL CONTRACTOR TO PROVIDE FULLY ANCHORED DUMP PROOFING AT ALL RETAINING AND PLANTER WALLS WHERE THE SIDE OF THE WALL OPPOSITE THE SIDE IS EXPOSED TO VIEW AND ALL EXTERIOR WALLS WHERE THE ADJACENT FLOOR SLAB IS BELOW GRADE. SEE SCHEDULE 2.	116. ZERO CURB FACE.
9. PROVIDE A HOSE REEL NEAR THE MAIN ENTRANCE AND IN THE TRASH ENCLOSURE. SEE PLAN FOR LOCATION.	117. CURB RAMP. 8'-0" MAX SLOPE W/ 1/4" MIN CROSS SLOPE. CONCRETE T&T. MIN. SLOPE 1/4" MIN HEIGHT 8' ABOVE AND TOP OF WALL. SEE PLANS FOR COLOR SCHEDULE.
	118. PAINTED STEEL TRASH ENCLOSURE GATES. ALWAY TOP OF GATES WITH TOP OF ADJACENT ENCLOSURE WALL.
	119. PAINTED STEEL TRASH ENCLOSURE GATES. MIN. HEIGHT 8' ABOVE HIGHEST ADJACENT FINISHED GRADE OR AS SHOWN ON ELEVATION. PROVIDE KNOX BOX AS REQUIRED BY FIRE AUTHORITY.
	120. FUTURE EVCS CHARGING EQUIPMENT.
	121. CONCRETE T&T. PPE BOLLARD PROTECTION POST. BOTH SIDES AND TOP OF WALL. SEE PLANS FOR COLOR SCHEDULE.
	122. FUTURE EVCS CHARGING EQUIPMENT.
	123. CONCRETE T&T. PPE BOLLARD PROTECTION POST. BOTH SIDES AND TOP OF WALL. SEE PLANS FOR COLOR SCHEDULE.
	124. WIRE MESH BETWEEN TRASH ENCLOSURE PANELS AND ROOF.
	125. WALL REPAIR.
	126. PANEL JOINT.

SITE LEGEND	
	LANDSCAPE AREA
	CONCRETE PAVING. SEE CIVIL DRAWINGS FOR PAVING SECTIONS
	FIRE HYDRANT. PROVIDE PPE BOLLARD PROTECTION POSTS AS REQUIRED BY THE FIRE AUTHORITY. SEE SCHEDULE 1.
	STREET LIGHT
	INDICATES AN ACCESSIBLE ROUTE. MUST COMPLY W/ SITE PLAN GENERAL NOTE #1.
	PROPERTY LINE
	DOCK HIGH DOOR
	DRIVE THRU DOOR

EXTERIOR COLOR SCHEDULE	
	EXTERIOR PAINT COLOR: SW 9995 SUPERWHITE
	EXTERIOR PAINT COLOR: SW 7074 PEPPERGRAY
	BLACK ANODIZED METAL DYE BROWN
	EXTERIOR STOREFRONT MEDIUM PERFORMANCE BLUE REFLECTED GLAZING CLEAR ANODIZED MULLION
	ACM PANEL COLOR: MATCH STOREFRONT FRAMING
	EXTERIOR STOREFRONT FRAMING: MATCH STOREFRONT FRAMING
	EXTERIOR STOREFRONT FRAMING COLOR: CLEAR ANODIZED ALUMINUM
	EXTERIOR GLASS COLOR FOR SINGLE GLAZING: EXTERIOR LAYER OF INSULATED GLASS: VETROGLASS PACIFICA
	EXTERIOR GLASS COLOR FOR THE INNER LAYER OF INSULATED GLASS: CLEAR GLASS

- NOTES:
1. PAINT MAIN DOORS, STAIR & RAMP GUARD WALLS, GUARD RAILS, DOWN SCOUTS, & LOBBIES TO MATCH ADJACENT BUILDING WALL COLOR (LOCAL).
 2. U.O.N. EXTERIOR SIDE OF TRUCK DOORS TO BE PRE-FINISHED WITH MANUFACTURER'S WHITE. INTERIOR SIDE TO BE PRE-FINISHED WITH MANUFACTURER'S LIGHT GRAY.
 3. FORMWORK SHALL BE USED FOR CONCRETE WALLS. PRIOR TO POURING, FORMWORK SHALL BE CLEANED AND OIL THAT WILL IMPAIR THE PRIMER COAT FROM ADHERING TO THE WALLS.
 4. PAINT EXTERIOR WALLS W/ 1-COAT SPRAYED AND BACK W/ 1-COAT FLAT PRIMER AND 2 COATS SPRAYED ON FLAT FINISH IN THE FINAL WALL COLOR. ALL PAINTS TO BE AS SPECIFIED BY THE MANUFACTURER FOR CONCRETE T&T OF WALL PANELS. FINISHED JOB SHALL BE SMOOTH AND FREE OF LAPPING AND OR STRIATIONS. REGARDLESS OF THE COLOR.
 5. EXCEPT WHERE NOTED OTHERWISE ON THE PLANS ALL PAINT CONCRETE SHALL BE GALVALUX PRETREATED. UNLESS NOTED OTHERWISE, ALL PAINTS SHALL BE APPLIED TO THE EXTERIOR WALL CHAMFER JUST ABOVE OR BELOW THE BROW TO MATCH THE BROW COLOR.

PATRIOT PARTNERS - 6TH ST. & DEL ROSA
HIGHLAND, CA

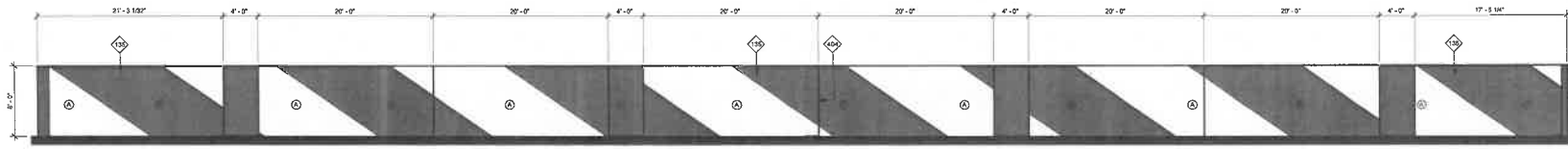
PROJECT
THIRD PLANNING SUBMITTAL

HERDMAN
ARCHITECTURE + DESIGN

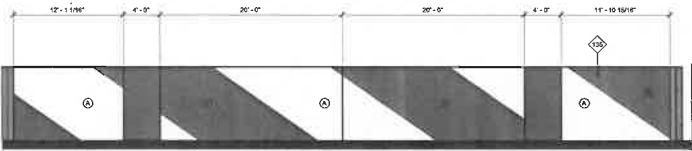
ENLARGED
SITE PLANS

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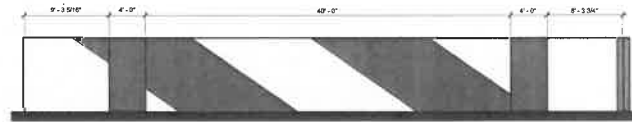
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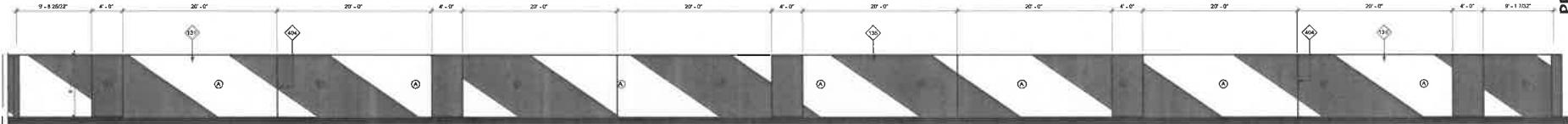
1 SOUTH SITE WALL ELEVATION 1
3/16" = 1'-0"



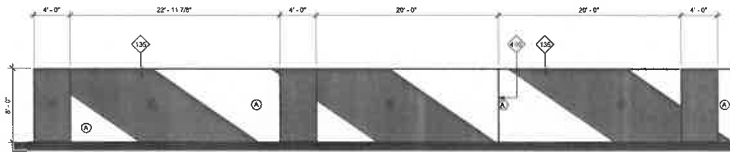
2 SOUTH SITE WALL ELEVATION 2
3/16" = 1'-0"



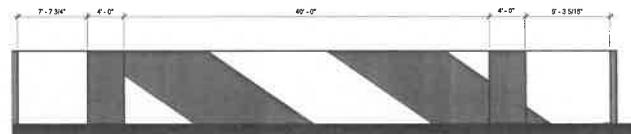
6 EAST SIDE WALL ELEVATION 3
3/16" = 1'-0"



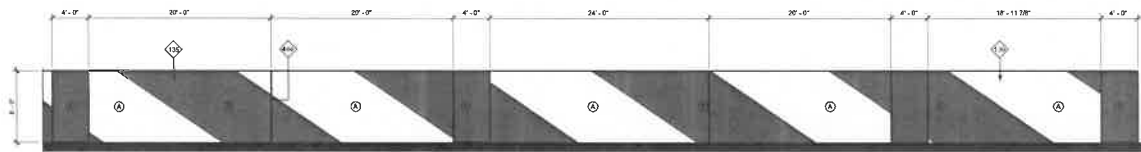
3 SOUTH SITE WALL ELEVATION 3
3/16" = 1'-0"



4 EAST SITE WALL ELEVATION 1
3/16" = 1'-0"



7 EAST SIDE WALL ELEVATION 4
3/16" = 1'-0"



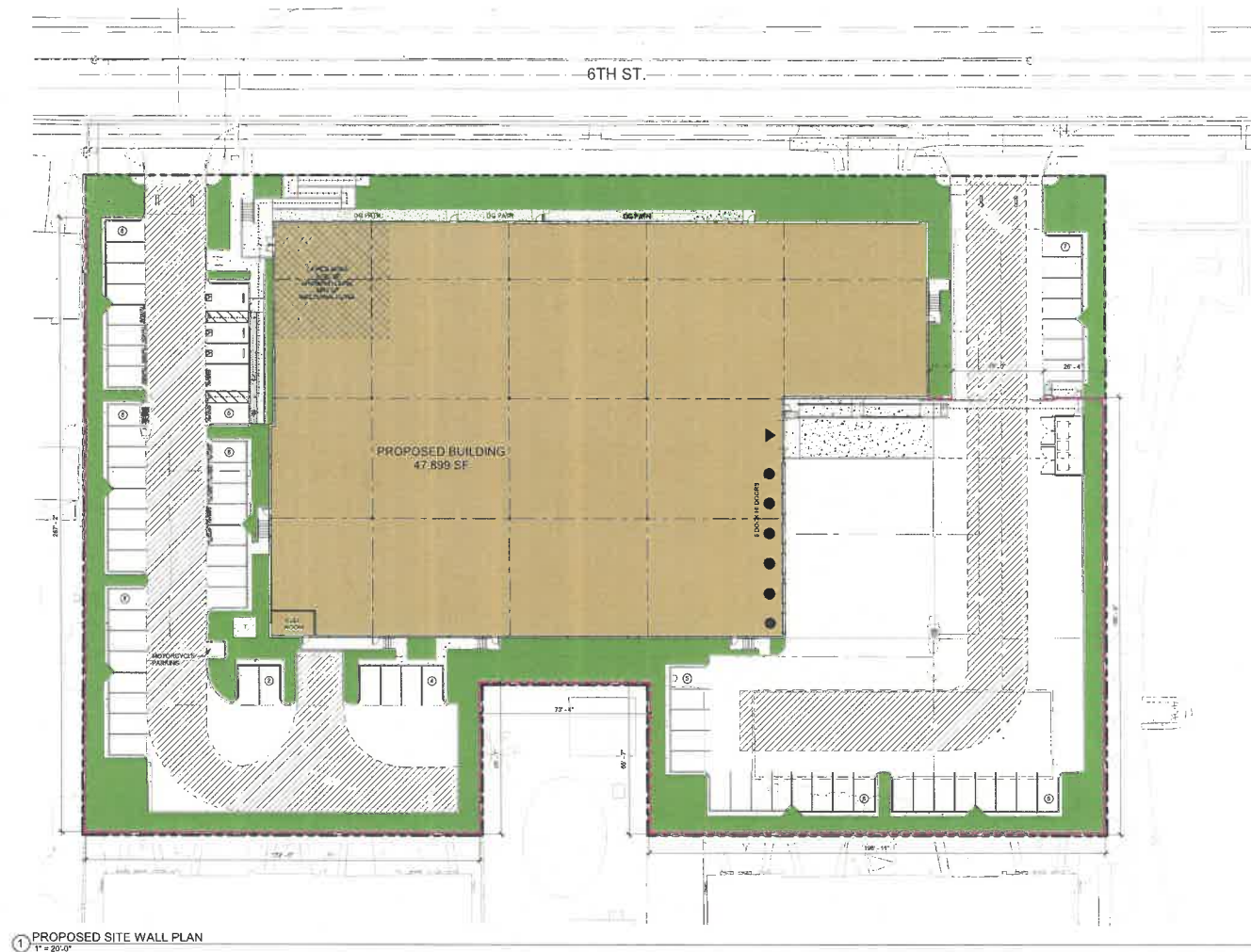
5 EAST SITE WALL ELEVATION 2
3/16" = 1'-0"

KEYNOTES	
135	CONCRETE TILT-UP SCREEN WALL, MIN HEIGHT 8' ABOVE ROOFST ADJACENT FINISHED GRADE, PAINT BOTH SIDES AND TOP OF WALL, SEE PLANS FOR COLOR SCHEDULE.
402	WALL REVEAL.
404	PANEL JOINT.

EXTERIOR WALL COLOR LEGEND & NOTES	
	1. EXTERIOR PAINT COLOR: SW 6995 SUPERWHITE
	2. EXTERIOR PAINT COLOR: SW 7074 PEPPERBORN
	3. BLACK ANODIZED METAL EYE BROW
	4. STONE-FRONT MEDIUM PERFORMANCE BLUE REFLECTED GLAZING CLEAR ANODIZED MULLION
	5. ACM PANEL COLOR MATCH STOREFRONT FRAMING.
	6. EXPOSED STEEL BROW & CANOPY FRAMING & TRASH ENCLOSURE ROOF PAINT COLOR MATCH STOREFRONT FRAMING.
	7. EXTERIOR STOREFRONT FRAMING COLOR CLEAR ANODIZED ALUMINUM
	8. EXTERIOR GLASS COLOR FOR SHINGLE GLAZING & EXTERIOR LAYER OF INSULATED GLASS UNIT (IGU) PACIFICA
	9. EXTERIOR GLASS COLOR FOR THE INNER LAYER OF INSULATED GLASS: CLEAR GLAZING

NOTES:

- PAINT MAIN DOORS, STAIR & RAMP GUARD WALLS, GUARD RAILS, DOWN SPOUTS, & LOUVERS TO MATCH ADJACENT BUILDING WALL COLOR U.O.N.
- U.O.N., EXTERIOR SIDE OF TRUCK DOORS TO BE PRE-FINISHED WITH MANUFACTURER'S WHITE, INTERIOR SIDE TO BE PRE-FINISHED WITH MANUFACTURER'S LIGHT GRAY.
- POWER MAIN EXTERIOR CONCRETE WALLS: PRIOR TO PAINTING TO REMOVE ALL CHEMICALS AND DIRT THAT WILL IMPAIR THE PRIMER COAT FROM ADHERING TO THE WALLS.
- PAINT EXTERIOR WALLS w/ - COAT SPRAYED AND BACK-ROLLED MORTAR FLAT PRIMER AND LOCATE SPRAYED ON FLAT FINISH BY THE FINAL WALL COLOR. ALL PAINTS TO BE APPLIED BY THE MANUFACTURER FOR CONCRETE TILT-UP WALL PANELS, FINISHED JOB SHALL BE SMOOTH AND FREE OF LAPPING AND OR STYLING, REGARDLESS OF THE COLOR.
- EXCEPT WHERE NOTED OTHERWISE ON THE PLANS ALL PANEL JOINTS SHALL BE CAULKED PER DETAIL, UNLESS PAINT CONCRETE BEHIND ANY OTHER MATERIAL WITH THE COLOR OF THE FINISH.
- ALL SOLID BROWNS WITH GLAZING DIRECTLY ABOVE OR BELOW PAINT THE BROWNE WALL CHAMFER JOINT ABOVE OR BELOW THE BROW TO MATCH THE BROW COLOR.



PROJECT PATRIOT PARTNERS - 6TH ST. & DEL ROSA
THIRD PLANNING SUBMITTAL HIGHLAND, CA

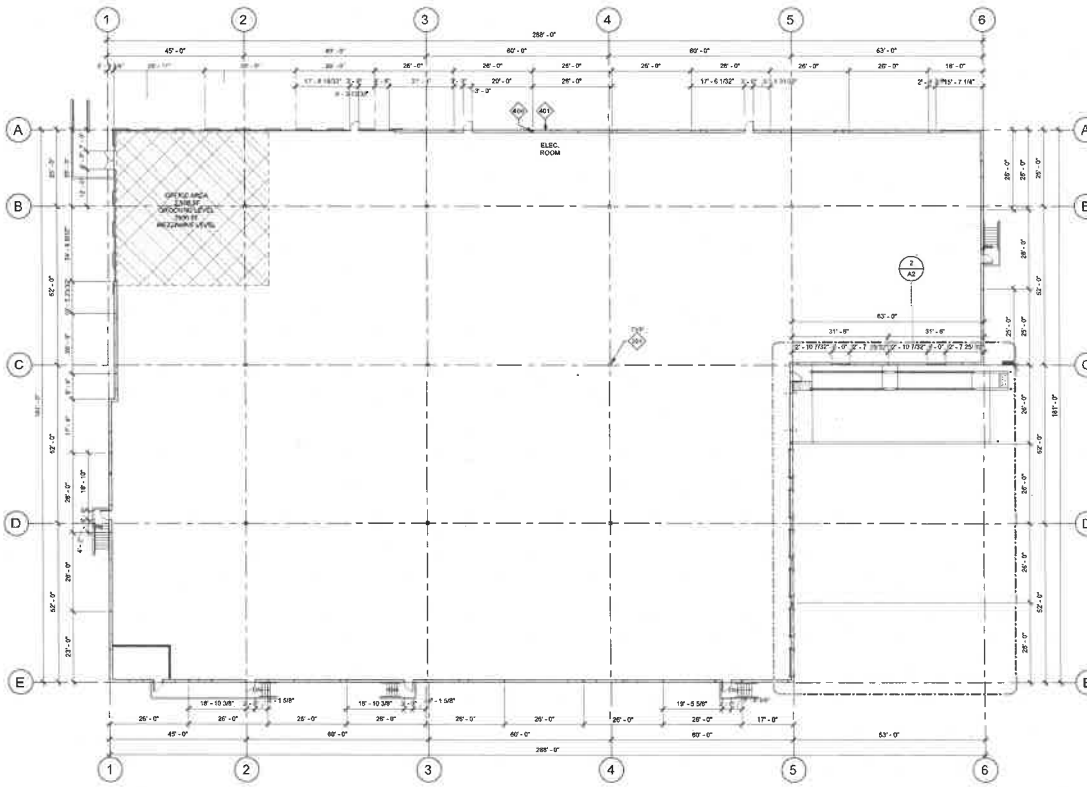


SITE WALL
PLAN

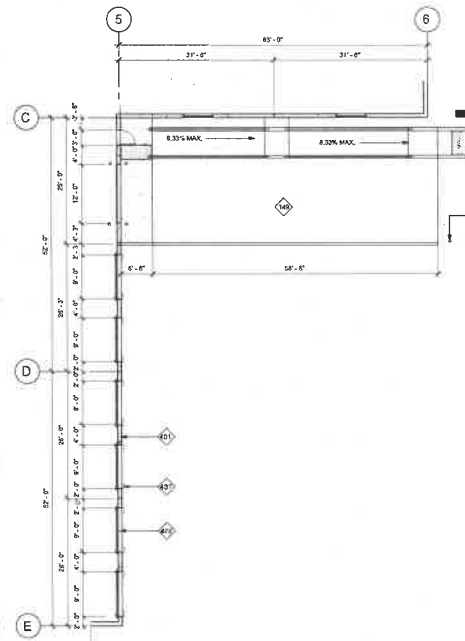


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1 PROPOSED BUILDING FLOOR PLAN
1/16" = 1'-0"



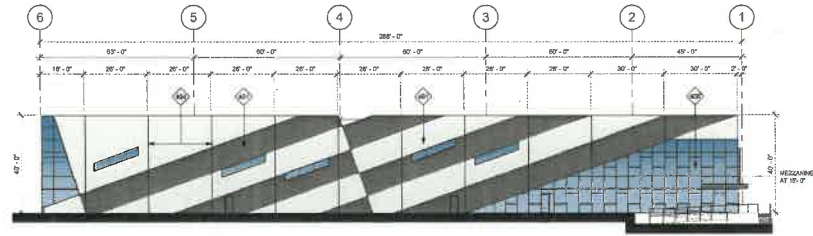
2 TYPICAL DOCK DOOR SPACING PLAN
1" = 10'-0"

KEYNOTES	
149	CONCRETE TRUCK RAMP W/ 4" HIGH CONCRETE TILT-UP DAMS ON 8" DIA. BOLTS. PAINT ALL SIDES OF GUARD WALLS AND HANDRAILS. SEE ARCHITECTURAL DRAWINGS FOR C&A OR SCHEDULE.
150	STEEL PIPE BOLLARD PROTECTION POST.
201	STRUCTURAL BUILDING COLUMN.
401	PAINTED CONCRETE TILT-UP WALL PANEL.
404	PANEL JOINT.
409	STEEL SECTIONAL OVERHEAD DOOR.
437	DOCK BUMPER.

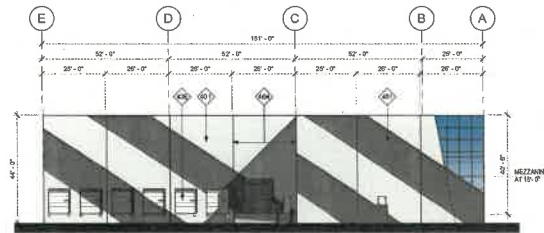
FLOOR PLAN LEGEND	
	EXTERIOR CONCRETE TILT-UP WALL PANEL, OR INTERIOR CONCRETE TILT-UP MEZZANINE SHEAR WALL PANEL. SEE STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
	STOREFRONT GLAZING SYSTEM. SEE ENLARGED FLOOR PLANS AND EXTERIOR ELEVATIONS FOR ADDITIONAL INFORMATION.
	METAL TILT-UP NON-BEARING PARTITION WALL. SEE ENLARGED FLOOR PLANS & WALL TYPE SCHEDULE FOR ADDITIONAL INFORMATION.
	WOOD STUD BEARING WALL. SEE ENLARGED FLOOR PLANS & WALL TYPE SCHEDULE FOR ADDITIONAL INFORMATION.
	STRUCTURAL BUILDING COLUMN.
	PROVIDE VAPOR BARRIER UNDER PROPOSED AND EXISTING FLOOR AREA. FLOOR SLAB EXTENDING MIN. 6" BEYOND FLOOR AREA OR AS DIMENSIONED ON THE FLOOR PLAN. SEE 404.1.0.
	FIRE SPRINKLER RISER. SEE FIRE PROTECTION PLANS AND TAGS.
	DOOR TAG. SEE SHEET A8.0 FOR DOOR SCHEDULE.
	WINDOW TAG. SEE SHEET A8.0 FOR WINDOW SCHEDULE.
	STOREFRONT TAG. SEE SHEETS A8.0.1 & A8.0.2 FOR STOREFRONT SCHEDULE.
	WALL TAG.

FLOOR SLAB GENERAL NOTES	
1.	THE FLOOR SLAB THICKNESS TO BE 4" SEE STRUCTURAL DRAWINGS FOR ADDITIONAL REQUIREMENTS.
2.	THE FLOOR SLAB TO BE CLASS V PER ACI 308-R14 TABLE 21.
3.	THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE OWNER WHETHER OR NOT TO PROVIDE JOINT FILLER AT FLOOR SLAB CONTROL AND CONSTRUCTION JOINTS.
4.	BLOBS POUR STRIP & EXTERIOR PEDESTAL AND EXTERIOR DOORS. SEE S. 1 & 1.0.1.
5.	CRACKED CONCRETE TRUCKS AND BULKER HEAVY EQUIPMENT ARE PROHIBITED ON THE FLOOR SLAB DURING CONSTRUCTION.
6.	BELOW FLOOR SLAB SOIL COMPACTION TO BE 90% MIN.
7.	FINISH SOIL COMPACTION TO BE 90% MIN.
8.	SLAB FINISH TO BE STEEL FLOAT HARD TROWEL FINISHED PERMANENT.
9.	THE GENERAL CONTRACTOR TO MAINTAIN A CLEAN FLOOR SLAB. ALL TRUCKS AND EQUIPMENT TO BE CLEARED.
10.	ALL CONSTRUCTION MARKERS SHALL BE REMOVED FROM THE FLOOR SLAB PRIOR TO SEALING.
11.	SEE 800.1 FOR SLAB PATCHING DETAIL.
12.	PROVIDE 3/4" WIRE REINFORCING FLOOR DOOR STRIPS AT ALL TRUCK DOCK WALLS AND 8" WIRE AT ALL OTHER WALLS. IN CASE NOTED OTHERWISE ON STRUCTURAL DRAWINGS. NO UNDERGROUND PIPING, CONDUITS, ETC. ALLOWED IN FOUR STRIPS AT DOCK DOORS. TO ALLOW FOR CURRENT OR FUTURE RECESSED DOORS.
13.	ALL FLOOR SLAB NAIL OR BRACE FRAME HOLES TO BE FILLED WITH APPROVED SPART BRIDGE COMPOUND TO MATCH CONCRETE COLOR. PER A8.0.1.0.2, SURFACE EPOXY RESIN FINISH OR.
14.	ALL FLOOR SLAB PANEL FORMAL HOLES TO BE PROTECTED AND WOOD DOWNED PRIOR TO NAILING. BRACE HOLES TO BE PREDRILLED.
15.	CHAMFER AND REINFORCING STRIPS ATTACHED TO THE FLOOR SLAB MUST BE PROPERLY PATCHED PRIOR TO SEALING THE FLOOR SLAB.

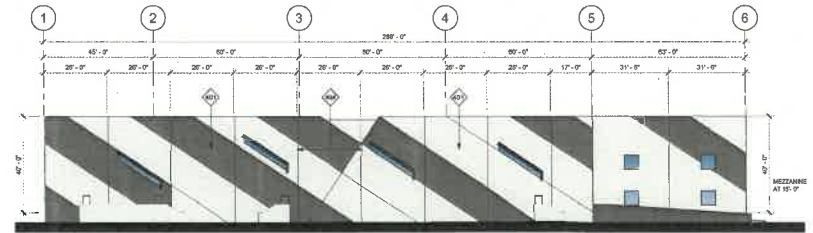
FLOOR PLAN GENERAL NOTES	
1.	WHERE A MEZZANINE OCCURS AND A 1" TOPPING IS CALLED OUT FOR IN THE STRUCTURAL DRAWINGS, PROVIDE A 1" THICK TOPPING OF CONCRETE 2000 WITH A MINIMUM STRENGTH OF 1500 PSI.
2.	PROVIDE FIRE RATED PARTITIONS AS REQUIRED BY THE FIRE DEPARTMENT AND THE CHIEF, FIRE DEPARTMENT AND LOCATIONS TO BE DETERMINED BY THE FIRE DEPARTMENT INSPECTOR.
3.	ALL PENETRATIONS THROUGH FIRE RATED PARTITIONS SHALL BE SEALED WITH APPROVED FIRE CAULKING. SEE SHEET A8.0.1.0.2.
4.	U.O.N. ALL DIMENSIONS TO CONCRETE WALLS ARE EITHER TO THE CENTER LINE OR TO A CENTER LINE OR FACE OF THE WALL. ALL DIMENSIONS TO FRAMED WALLS ARE EITHER TO THE CENTER LINE OR TO A CENTER LINE OR FACE OF THE WALL. FINISH.
5.	PROVIDE UNLIMITED AND TACTILE EXIT SIGNAGE, EXITING & SIGNAGE PLANS.
6.	SEE C&A DRAWINGS FOR ALL UTILITY POINTS OF CONNECTION. GENERAL CONTRACTOR TO VERIFY LOCATIONS.
7.	PROVIDE FIRE BOLLARD PROTECTION POSTS & FIRE PROTECT ELECTRICAL DEANS AS REQUIRED BY THE ELECTRICAL AND FIRE PROTECTION PLANS. SEE TAGS.0 FOR ADDITIONAL INFORMATION.
8.	FOR REQUIRED LANDINGS & ACCESSIBLE DOORS. SEE TAGS.0.
9.	NO BRACKETS ALLOWED WITHIN 2' OF ALL BRACKETS. ENFRANCHISE. FOR USE IN ALONG STANDARD CODE. ENFRANCHISE. FOR USE IN ALONG STANDARD CODE.
10.	U.O.N. & EXTERIOR PARTITION. FINISHED BRICK SEE SET OF JAMB TO BE 6" FROM FINISHED SURFACE OF INTERSECTING WALL.



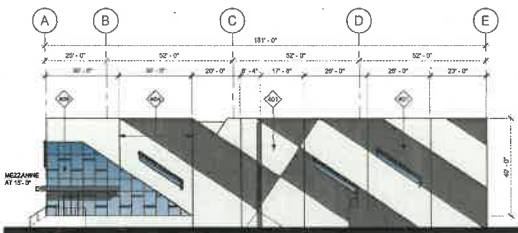
1 PROPOSED NORTH ELEVATION
1" = 20'-0"



2 PROPOSED EAST ELEVATION
1" = 20'-0"



3 PROPOSED SOUTH ELEVATION
1" = 20'-0"



4 PROPOSED WEST ELEVATION
1" = 20'-0"

KEYNOTES	
401	PARTIOT CONCRETE 18.14P WALL PANEL
404	PANEL JOINT
405	ALUMINUM FRAMED STOREFRONT SYSTEM
406	STEEL SECTIONAL OVERHEAD DOOR

GLAZING LEGEND & NOTES	
	STOREFRONT FRAMING: U-G/L & VISION SYSTEM, MIN 2 1/2" OFFSET SYSTEM, U-G/L & SPANDREL SYSTEM, 1 1/2" OFFSET SYSTEM. STOREFRONT SYSTEM TO BE DESIGN BUILT BY THE GENERAL CONTRACTOR. DESIGN SHALL COMPLY WITH ALL HIGLAND CODE & WIND LOADING REQUIREMENTS.
	VISION SYSTEM GLAZING: FOR EXTERIOR VISION GLAZING USE 1" INSULATED GLASS CONSISTING OF AN OUTER LAYER OF 1/4" VETACOL AND AN INNER LAYER OF 1/4" SOLARGLASS. FOR INTERIOR GLAZING USE 1/2" CLEAR GLASS.
	SPANDREL SYSTEM GLAZING: FOR EXTERIOR SPANDREL GLAZING USE 1/4" VETACOL. BACK PAINTING OF GLASS NOT REQUIRED.
NOTES: 1. FOR GLASS AND MULLION COLORS: SEE EXTERIOR COLORS LEGEND & NOTES, THIS SHEET. 2. PROVIDE TEMPERED GLASS @ THE FOLLOWING: A. ALL SPANDREL SYSTEM GLAZING IN FRONT OF CONCRETE WALL PANELS. B. ALL GLAZING WITHIN 18" OF AN ADJACENT WALKING SURFACE. C. ALL GLAZING WITHIN 24" OF ANY PORTION OF A DOOR. 3. @ SPANDREL SYSTEM GLAZING IN FRONT OF CONCRETE WALL PANELS, PROVIDE 1/4" DIA. VENTILATION HOLES IN THE CONCRETE FRAME OF 1/4" DIA. SPACING TO PROVIDE A SMOOTH FINISH ON THE GLASS FACING CONCRETE SPACERS AND TO PAINT THEM IN A COLOR SELECTED BY THE ARCHITECT. 4. @ SPANDREL SYSTEM GLAZING NOT IN FRONT OF A CONCRETE WALL PANEL, PROVIDE TENSILE MIRRAR 140N FELT/FIBER GLASS CLOTH.	
EXTERIOR WALL COLOR LEGEND & NOTES	
	④ EXTERIOR PAINT COLOR: SW 695 SUPERWHITE
	⑤ EXTERIOR PAINT COLOR: SW 754 PEPPERGRIN
	⑥ BLACK ANODIZED METAL/STEEL BROW
	⑦ STOREFRONT MEDIUM PERFORMANCE BLUE REFLECTED GLAZING CLEAR ANODIZED MULLION
	⑧ ACM PANEL COLOR MATCH STOREFRONT FRAMING
	⑨ EXTERIOR STOREFRONT FRAMING COLOR: CLEAR ANODIZED ALUMINUM
	⑩ EXTERIOR GLASS COLOR FOR SINGLE GLAZING & EXTERIOR LAYER OF INSULATED GLASS: VETACOL/PACIFICA
	⑪ EXTERIOR GLASS COLOR FOR THE INNER LAYER OF INSULATED GLASS: CLEAR GLASS
NOTES: 1. PAINT MAN DOORS, STAIR & RAMP GUARD WALLS, GUARD RAILS, DOWN SPOUTS, & LOUVERS TO MATCH ADJACENT BUILDING WALL COLOR U-G/L. 2. U-G/L, EXTERIOR SIDS OF TRUCK DOORS TO BE PINE FINISH WITH MANUFACTURING WHITE. INTERIOR SIDS TO BE PINE FINISH WITH MANUFACTURING LIGHT GRAY. PAINT WASH EXTERIOR CONCRETE WALLS PRIOR TO PAINTING TO REMOVE ALL CHEMICALS AND OIL THAT WILL WEAR. THE POWER COAT FROM ADHERING TO THE WALLS. 3. PAINT EXTERIOR WALLS w/ 1 COAT SPRAYED AND BACK ROLLED KORTUL FLAT PRIMER & 2 COATS SPRAYED-ON FLAT FINISH IN THE FINAL WALL COLOR. ALL PAINTS TO BE AS SPECIFIED BY THE MANUFACTURER FOR CONCRETE TYPED WALL PANELS. FINISHED JOB SHALL BE SMOOTH AND FREE OF LAPPING AND OR STREAKING, REGARDLESS OF THE COLOR. 4. EXCEPT WHERE NOTED OTHERWISE ON THE PLANS ALL PANEL JOINTS SHALL BE CALKED PER DETAIL, U-G/L 1. PAINT CONCRETE TO BUILD UP ANY OPEN HOLLOW WORK. THE JOINTS OF THE WALLS SHALL BE CALKED WITH A JOINT SEALANT. 5. @ SOLAR BROW WITH GLAZING DIRECTLY ABOVE OR BELOW, PAINT THE BROW WALL CHAMFER JUST ABOVE OR BELOW THE BROW TO MATCH THE BROW COLOR.	



A. EXTERIOR PAINT
SW 6995 SUPERWHITE



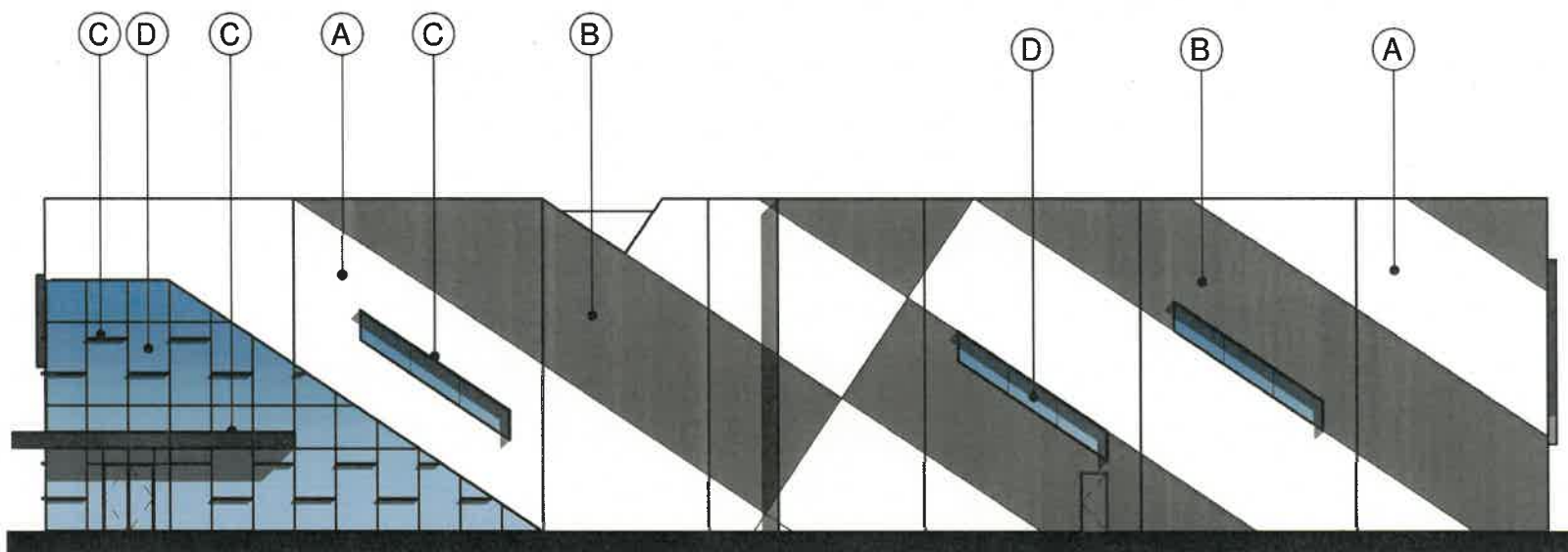
B. EXTERIOR PAINT
SW 7674 PEPPERCORN



C. BLACK ANODIZED
METAL EYE BROW



D. STOREFRONT
MEDIUM PERFORMANCE
BLUE REFLECTED GLAZING
BLACK ANODIZED MULLION

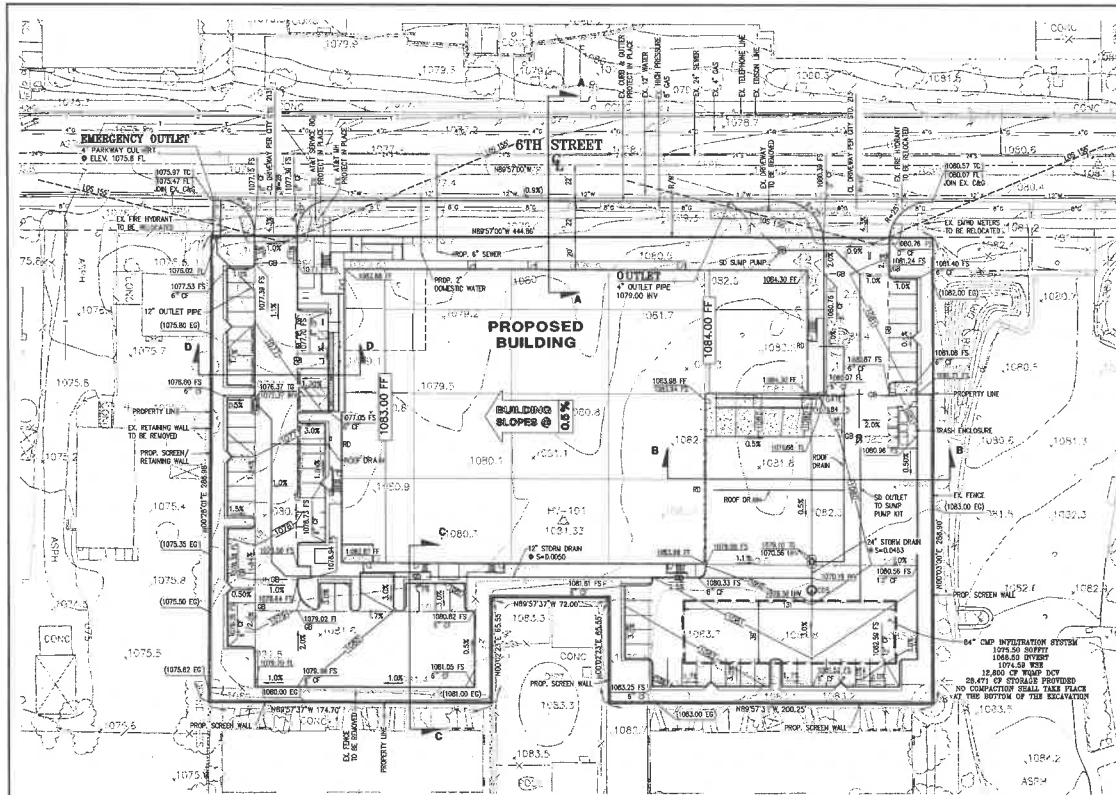


ENLARGED VIEW @ OFFICE CORNER



HERDMAN
ARCHITECTURE + DESIGN
A22-2112
01.10.2023

MATERIAL
BOARD



- LEGEND**
- SD PROPOSED STORM DRAIN
 - S PROPOSED SEWER
 - W PROPOSED WATER
 - GB GRADE BREAK
 - RL RIDGE LINE
 - PL PROPERTY LINE
 - EXISTING R/W
 - PROPOSED R/W
 - LINE OF SIGHT
 - LANDSCAPE EASEMENT
 - PROPOSED CURB OPENING INLET
 - PROPOSED STREET LIGHT
 - QURB FACE
 - QURB BASIN
 - QURB & GUTTER
 - CONCRETE CDS UNIT
 - CONTINUUM
 - DRIVEWAY
 - EXISTING
 - EP EDGE OF PAVEMENT
 - ES EXISTING GROUND
 - FF FINISHED FLOOR
 - FS FINISHED SURFACE
 - FL FLOWLINE
 - GB GRADE BREAK
 - INV INVERT
 - LA LANDSCAPE AREA
 - LOS LINE OF SIGHT
 - UP LOW POINT
 - LT LEFT
 - WH WHIMPLE
 - N.A.P. NOT A PART
 - P.P. PROTECT IN PLACE
 - PP POWER POLE
 - PL PROPERTY LINE
 - PROP. PROPOSED
 - RD ROOF DRAIN
 - RT RIGHT
 - R/W RIGHT-OF-WAY
 - SD STORM DRAIN
 - STD. STANDARD
 - STL STREET LIGHT
 - TE TRASH ENCLOSURE
 - TP TOP OF PAVEMENT
 - TC TOP OF CURB
 - TD TOP OF DRAIN
 - EP EDGE OF PAVEMENT
 - WSE WATER SURFACE ELEVATION

EARTHWORK VOLUMES

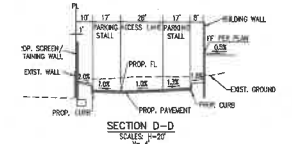
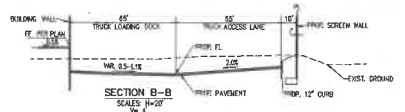
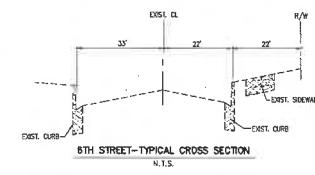
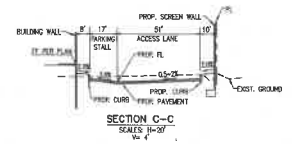
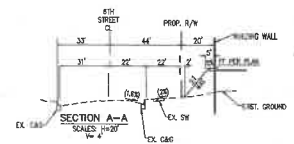
	CUT (CY)	FILL (CY)
RAW	0,190	3,900
OVEREXCAVATION	3,718	3,778
SUBTOTAL	8,882	8,591
SHRINKAGE 10%	988	-
SURFACED 0.1'	290	913
TOTAL	9,212	8,591

NOTE: EARTHWORK ESTIMATE IS PRELIMINARY AND BASED ON CONCEPTUAL DESIGN ONLY AND TAKES INTO ACCOUNT PRELIMINARY SOIL PARAMETERS PROVIDED BY THE SOILS ENGINEER. ADJUSTMENTS MAY BE REQUIRED BASED ON FINAL DESIGN OF SITE PAVING. ADDITIONAL ADJUSTMENTS MAY BE REQUIRED BASED ON SITE SOIL CHARACTERISTICS EXPERIENCED DURING CONSTRUCTION.

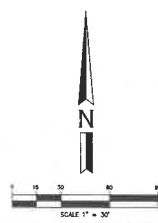


LEGAL DESCRIPTION

REAL PROPERTY IN THE CITY OF SAN BERNARDINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 LOT 2, TRACT NO. 8742, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 140 OF MAPS, PAGES 53 TO 54, INCLUDING, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.
 EXCEPTING THEREFROM ALL DEPOSIT OF MINERALS INCLUDING OIL AND GAS LYING BELOW THE DEPTH OF 500 FEET, WITHOUT, HOWEVER, THE RIGHT TO DRILL OR MINE THROUGH THE SURFACE THEREOF, AS RESERVED IN THE DEED FROM THE STATE OF CALIFORNIA, RECORDED JULY 31, 1963, IN BOOK 5659, PAGE 241, OFFICIAL RECORDS.
 0279-201-24-0-000



NOTE: HORIZONTAL AND VERTICAL LOCATIONS TO BE VERIFIED IN THE FIELD AND ENGINEER ADVISED OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.



ARCHITECTURE
 HERDMAN ARCHITECTURE
 100 BAYVIEW CIRCLE, SUITE 100
 NEWPORT BEACH, CALIFORNIA 92660
 PHONE: (949) 430-8085
 CONTACT: CAROL CHEN

ENGINEER
 HUITT-ZOLLARS
 3800 CONCORDS, SUITE 330
 ONTARIO, CALIFORNIA 91764
 PHONE: (909) 941-7799
 CONTACT: RYAN FORD

OWNER
 PATRIOT DEVELOPMENT PARTNERS
 12126 WILSON BLVD.
 LOS ANGELES, CA 90048
 PHONE: (800) 852-4141
 CONTACT: KEVIN RICE

BENCHMARK	BASIS OF BEARING
BENCHMARK NO. C-3-3 MONUMENT ELEVATION = 1079.57 0.3' N.E. EAST OF INTERSECTION ALONG 6TH ST. 27.0' SOUTH OF THE CENTERLINE TO 5TH ST. @ 2000 5TH ST. DRAINAGE CONTRADICTION 1.0' SOUTH OF THE SOUTH CURBLINE OF 6TH ST. 1.0' WEST OF A 2" HIGH BLOCK WALL, ABOUT LEVEL WITH THE CURB.	PLANS OF REBAR: THE REBAR OF THE FIELD IN VENT, REPRESENTED HEREIN, ARE BASED ON THE CENTERLINE OF 6TH STREET, BEING NORTH 80° 27' 00" WEST THE TRACT MAP NO. 8742, MAP 149/21-53.

CONCEPTUAL GRADING PLAN
 FOR
 6th and Del Rosa Industrial
 CITY OF HIGHLAND

HUITT-ZOLLARS
 HUITT-ZOLLARS, INC.
 3800 CONCORDS, SUITE 330 • ONTARIO, CALIFORNIA 91764 • (909) 941-7799

DESIGNED BY	CHECKED BY	DATE
R.P.	R.P.	01/11/01
BY	BY	01/11/01
DATE	DATE	01/11/01
FILE NO.	FILE NO.	01/11/01



1. All Trees within 5' of hardscape to have a 24" deep linear root barrier. See Planting Detail sheet.
2. Contractor to install concrete mow/lawn between planters and rock areas. Provide mow curb at property lines where mows or fences don't occur.
3. All planter areas to receive a 3" layer of shredding organic mulch.
4. All lawns and above ground structures to be located at least 5' from hardscape on flat areas.
5. All equipment to be screened with strip-lap steel.
6. Tall shrubs are to be provided at screen levels for protection from graffiti.
7. Soil compaction to be no greater than 65% on landscape areas.
8. All finish grades to be 18" below first surface covering.
9. Agronomic soil testing report to be included in landscape plans.
10. Landscape irrigation equipment to be a combination of drip and rotor.

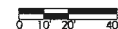
TOTAL STALLS - 71 AREA 11,632, AREA REQUIRED TO BE SHADED 5,751
SHADING PROVIDED - 5,760

TREES						
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS	
	<u>Chlorisbachnanensis</u> Chiripe	24" Box	12	L	Standard	
	<u>Cela parviflora</u> Cila	48" Box	4	L	Mult	
	<u>Cordia alliodora</u> Aghon Pila	24" Box	12	L	Standard	
	<u>Cordia lamarum</u> Alibon Sarnat	24" Box	21	L	Standard	
	<u>Cordia parviflora</u> Sirdene Ise	15 Gal	12	M	Standard	

NOTE: LANDSCAPE ELEMENTS SUCH AS TREES, SHRUBS OR GROUND COVER WILL NOT OBSCURE OR INTERFERE WITH ANY ON-SITE SIGNAGE.

[illegible]

GROUNDCOVER					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WILDLIFE	REMARKS
	Lamium, Gold Monkey Yellow Lamium	1 Gal	36" O.C.	L	FLOWERS FOR BUTTERFLIES
	Lonicera, "Hollander" Hall's Honeysuckle	1 Gal	48" O.C.	L	FLOWERS FOR BUTTERFLIES
	Monarda, eschscholae Red Marly	1 Gal	36" O.C.	M	ACCEPIT GRUBS
	Thymus, creticus Thyme	1 Gal	36" O.C.	L	LOW GROWING
	Thymus, serpyllifolius Thyme	1 Gal	48" O.C.	L	LOW GROWING
	Thymus, serpyllifolius Thyme	1 Gal	48" O.C.	L	LOW GROWING
	Thymus, serpyllifolius Thyme	1 Gal	48" O.C.	L	LOW GROWING



22-105
08.29.22
11.21.22

HUNTER LANDSCAPE
711 FEE ANA STREET PLACENTIA, CA 92870
714.986.2400 FAX 714.986.2408



OLEA SWAN HILL
FRUTLESS OLIVE



CHITALPA TACHKENTENSIS
CHITALPA



RHUS LANCEA
AFRICAN SUMAC



PINUS EL-DARIC
AFGHAN PINE



TRISTANIA CONFERTA
BRISBANE BOX



ACCA SELLOWIANA
PINEAPPLE GUAVA



AGAVE AND ALOE SPP



CALLISTEMON LITTLE JOHN
DWARF BOTTLEBRUSH



DIETES BICOLOR
FORTNIGHT LILY



LIGUSTRUM J. TEXANUM
TEXAS PRIVET



SALVIA LEUCANTHA
MEXICAN SAGE



OLEA SWAN HILL
FRUTLESS OLIVE



SALVIA GREGGII
AUTUMN SAGE



WESTRINGIA GREY BOX
COAST ROSEMARY GREY BOX



WESTRINGIA FRUTICOSA
COAST ROSEMARY



MUHLENBERGIA CAPILLARIS
PINK MUHLY



LANтана YELLOW



LONGICERA J. HALLIANA
HALL'S HONEYSUCKLE



MYOPORUM PARVIFOLIA
MYOPORUM



ROSMARINUS HUNTINGTON CARPET
PROSTRATE ROSEMARY

PATRIOT PARTNERS 6th ST. & Del ROSA ROAD

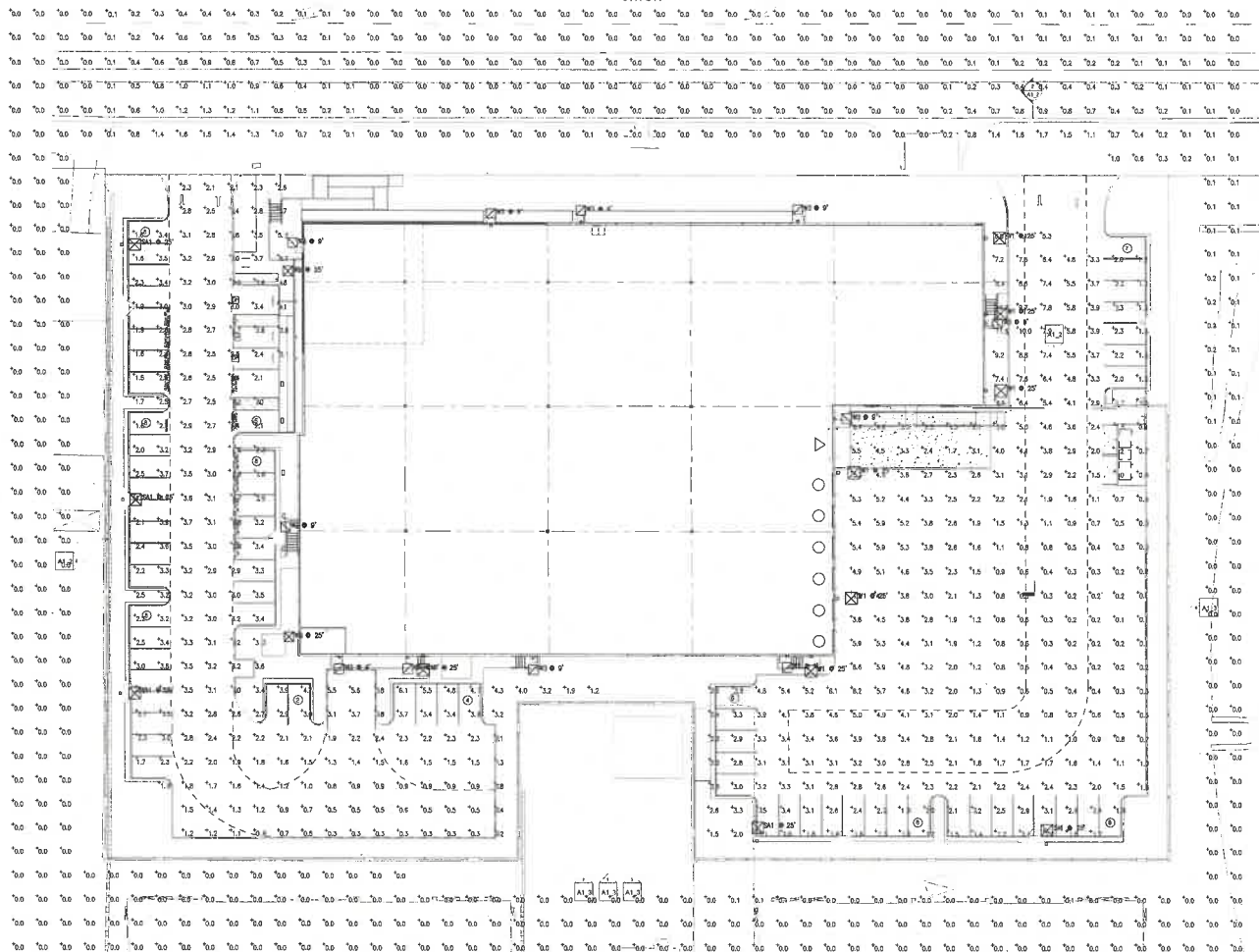
22-105
06-29-22
11-31-22

Highland, California



HUNTER LANDSCAPE

711 FEE ANA STREET PLACENTIA, CA 92870
714.986.2400 FAX 714.986.2408



SPAL: 1-27-0

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Ice Zone #3	+	2.7 fc	11.9 fc	0.1 fc	119.0:1	27.0:1
LL	+	0.1 fc	1.7 fc	0.0 fc	N/A	N/A

[illegible]

SOLID STATE AREA LIGHTING

RAZAR SERIES-LED

SPECIFICATIONS

OPERATING VOLTAGE:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC. RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING TEMPERATURE:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING HUMIDITY:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING CURRENT:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING POWER:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING LUMEN:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING EFFICIENCY:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING LIFETIME:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.

OPERATING WARRANTY:
 RAZAR Series-LED is designed to operate at 120VAC, 60 Hz, with 2% voltage tolerance. It is not recommended to operate at 240VAC.



RAZAR
 (2000 x 1000 x 100 mm) (800 x 400 x 40 mm)

R2D-G

R2D-REZM

R2D-MAF

FEATURE	STP-1	STP-2	STP-3	STP-4	STP-5	STP-6	STP-7	STP-8	STP-9	STP-10
STP-1	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-2	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-3	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-4	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-5	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-6	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-7	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-8	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-9	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-10	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

RAZAR
 (2000 x 1000 x 100 mm) (800 x 400 x 40 mm)

R2D-G

R2D-REZM

R2D-MAF

RAZAR
 (2000 x 1000 x 100 mm) (800 x 400 x 40 mm)

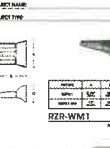
R2D-G

R2D-REZM

R2D-MAF

© 2010 Architectural Lighting

PROJECT NAME:
PROJECT TYPE:



RAZAR
 (2000 x 1000 x 100 mm) (800 x 400 x 40 mm)

R2D-G

R2D-REZM

R2D-MAF

FEATURE	STP-1	STP-2	STP-3	STP-4	STP-5	STP-6	STP-7	STP-8	STP-9	STP-10
STP-1	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-2	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-3	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-4	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-5	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-6	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-7	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-8	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-9	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000
STP-10	1000	1000	1000	1000	1000	1000	1000	1000	1000	1000

RAZAR
 (2000 x 1000 x 100 mm) (800 x 400 x 40 mm)

R2D-G

R2D-REZM

R2D-MAF

© 2010 Architectural Lighting

PROJECT NAME:
PROJECT TYPE:

ATTACHMENT 5
Resolution No. 2023 - ____
Approving CUP-22-011

PC RESOLUTION NO. 2023 – ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HIGHLAND, CALIFORNIA, ADOPTING CONDITIONAL USE PERMIT
(CUP-22-011) FOR THE DEVELOPMENT OF A 47,899 SQUARE FOOT
SPECULATIVE INDUSTRIAL WAREHOUSE AND ASSOCIATED
IMPROVEMENTS GENERALLY LOCATED ON THE SOUTH SIDE OF 6TH
STREET, 930 FEET WEST OF DEL ROSA DRIVE.
APN: 279-201-24**

**RELATED ENTITLEMENTS INCLUDE DESIGN REVIEW APPLICATION
(DRA-22-015) AND VARIANCE (VAR-22-004)**

APPLICANT: PATRIOT USICV VICTORIA, LLC (PATRIOT PARTNERS)

A. RECITALS

1. On September 13, 2022, the Applicant filed an application for Conditional Use Permit (CUP-22-011) to develop a 47,899 square foot industrial warehouse and associated improvements including loading docks, passenger vehicle parking spaces, a stormwater detention/infiltration basin, and landscape area. Related applications were also filed for Design Review (DRA-22-015) including a Site Plan, Building Elevations, Conceptual Grading Plan, Conceptual Landscape Plan; Variance (VAR-22-004) to increase the maximum building height permitted to 44'.
2. The site is located on an approximately 2.83 acres at the south side of 6th Street, west of Del Rosa Drive in the City's Business Park Zoning and General Plan Designations.
3. Pursuant to the provision of the California Environmental Quality Act (CEQA) and State and Local CEQA Guidelines, the City of Highland is the Lead Agency, and is charged with the responsibility of deciding whether or not to approve the proposed Project. An Initial Study and Mitigated Negative Declaration were prepared and circulated in accordance with state and local law and will be considered by the Planning Commission at the May 16, 2023, public hearing.
4. On May 16, 2023, the Planning Commission of the City of Highland conducted a Public Hearing at the City Hall Council Chambers in Highland, California, at 6:00 p.m.
5. 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:

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

Section 2. Pursuant the California Code of Regulations, the City of Highland Planning Commission hereby finds that a Mitigated Negative Declaration prepared for the project has been completed in compliance with the California Environmental Quality Act (CEQA) and that the Planning Commission has reviewed and considered the information contained in the staff report, and the comments received during the public review process, prior to approving the project.

Section 3. Based upon substantial evidence presented to the Planning Commission during the May 16, 2023, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:

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

Section 4. Conditional Use Permit Findings of Fact:

- 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 the applicable development policies and standards of the city.

Response: The proposed warehouse is permitted in the Business Park Zone and General Plan designation upon approval of a Conditional Use Permit. Applicable provisions in Title 16, *Land Use*, include but are not limited to, Chapter 16.24 *Employment Zones*, 16.40 *General Development Standards*, and 16.54 *Parking*. The project meets the standards established in these chapters subject to approval of a variance to increase the maximum building height to from 35' to 44'.

The General Plan goals relevant to the project are those established for the 5th Street Corridor Policy Area, and general standards applicable to the Land Use Element, Circulation Element, and Community Design Element. The project meets all relevant goals and policies.

- 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 speculative industrial warehouse is in keeping with the integrity and character of Business Park District. It would be developed in compliance with the Highland General Plan and Municipal Code standards related to warehousing in the Business Park District within the 5th Street Corridor Policy Area. It meets development code standards such as land use, setbacks, density, lighting, parking, circulation, etc. It has a high quality, modern design in keeping with the Policy Area standards. It has quality finishes, landscaping, and hardscape and will construct surrounding infrastructure.

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

Response: The 2.83 acre site is adequate for proposed industrial development with a 37% Floor Area Ratio. The General Plan permits 45%. The site is generally flat and undeveloped and there are no geographic impediments. Utilities are available within the adjacent right-of-way and drainage is good for on-site water retention and water quality treatment. The project is complementary to the industrial nature of the adjacent water treatment plant. There is access to the site from two driveways, allowing separation between commercial trucks and passenger vehicles. The project has good access to regional transportation. It is located about one-third of a mile from the San Bernardino International Airport and 3.5 miles from State Route 210 and Interstate 10.

Per Municipal Code Section 16.24.040 Employment District Development Standards. It meets the minimum lot size, lot width and depth as well as required building setbacks, lot coverage, and landscape coverage.

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

Response: Existing water, public utilities and services for the project are available adjacent to the site within the public right-of-way. East Valley Water District provided a "Will Serve" letter to the applicant, confirming the provision of water and sanitary sewer services. All other utility providers were given notice of the project and none expressed concern. Public health and safety was addressed with the design and conditioning of the project.

- 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 condominium development will be compliant with Municipal, Fire & Building codes. Each public safety division of the City has reviewed the project and provided relevant Conditions of Approval that will be adopted by resolution. The necessary ingress and egress are provided and all public utilities and services will be in place. There is no indication that the project would be detrimental to the public health, safety or welfare, or materially injurious to properties and improvement in the vicinity.

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

Response: Pursuant to the California Environmental Quality Act (CEQA) and State and Local CEQA Guidelines, the City of Highland is the Lead Agency. As such, the City oversaw preparation of an Initial Study which was made available for public review from March 24 through April 16, 2023. Mitigation Measures were necessary to reduce impacts below a level of significance in the areas of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources. All other CEQA topics were found to be less than significant or no impact. A Mitigated

Negative Declaration is the appropriate document for this project and will be adopted concurrently with the Conditional Use Permit.

- Section 5. That all necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland. As described in the Recitals above, the Planning Commission considered the project, and all testimony, comment and evidence regarding the same, at noticed public hearings conducted in accordance with State Law and the City Municipal Code;
- Section 9. Based on the Findings and Conclusions set forth above, the Planning Commission approves Conditional Use Permit (CUP-22-011) facilitating the construction of a 47,899 square foot warehouse and related improvements. All improvements will be completed subject to the Conditions of Approval attached hereto and the development plans incorporated by reference.
- Section 10. The Planning Commission hereby directs Staff to file a Notice of Determination with the San Bernardino County Clerk of the Board of Supervisors, pursuant to the Public Resources Code and State CEQA Guidelines.

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 16th day of May, 2023.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

CITY OF HIGHLAND

PLANNING DIVISION CONDITIONS OF APPROVAL

Date: May 16, 2023
Applicant: Patriot USICV Victoria, LLC
File/Index: **Conditional Use Permit CUP 22-011**
Proposal: Development and operation of a 47,899 square foot speculative industrial warehouse building and associated improvements.
Location: A 2.83 acre site on the south side of 6th Street, approximately 930 feet west of Del Rosa Drive; Assessor's Parcel Number 0279-201-24
Related Entitlements: DRA-22-015, VAR-22-004

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 may include Building and Safety, Engineering, and the Fire Department 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.

Conditional Use Permit CUP-22-011 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 or all Conditions at any time, shall result in initiating revocation of the subject permit.

1. Conditional Use Permit CUP-22-011 shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or structures authorized by this design review application, and have occurred within thirty-six (36) months from the approval date this design review application shall expire and be null and void without further action by the City of Highland.
 - 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 for a period of time not to exceed an additional thirty-six (36) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the community development department no less than 30 calendar days nor more than 90 calendar days prior to the expiration date of the permit or approval. Such application shall be filed together with the City's processing fee, as established by the City Council.

NOTE: All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy.

2. The proposed Entitlement permits the construction and operation of an approximately 47,899 square foot warehouse and associated improvements including loading docks, passenger vehicle parking, a stormwater detention/infiltration basin, landscaping and off-site improvements along the project frontages of 6th Street.
 - a. Three complete sets of revised plans reflecting changes required by these conditions of approval and Planning Commission directives shall be submitted to the planning Department within two weeks of this project's approval.
3. The project site has been reviewed and approved for warehouse/logistics use with no outdoor storage of materials. Any change of use of this project site, the occupancy, or tenant change in the building, or portion thereof, may require a revised plot plan be submitted to the City for review and approval, which identifies location of use, letter of intent and parking requirements.
4. No outdoor storage facilities may be constructed or placed onsite for either permanent or temporary use. This includes, but is not limited to storage sheds, cargo containers, tents, canopies, or similar structures.
5. There shall be no long-term on-site parking of semi-trailer trucks unrelated to the warehouse business in operation. Off-site parking on public streets in the vicinity is prohibited.
6. The operator 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. In compliance with the Highland Municipal Code, the Applicant/Owner shall agree, at his/her sole cost and expense, to defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Commission, or other decision-making body, including staff, concerning this project. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve the Applicant/Owner of his/her obligations under this condition.
8. 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.

9. 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.
10. Pursuant to provisions of California Public Resources Code Section 21089 (b), this Application shall not be operative, vested or final, nor will building permits be issued, until: (1) the Notice of Determination (NOD) regarding the associated environmental action is filed and posted with the Clerk of the Board of Supervisors of the County of San Bernardino, and; (2) any and all required filing fees assessed pursuant to California Fish and Game Code Section 711.4, together with any required handling charges, are paid to the Clerk of the Board of Supervisors of the County of San Bernardino.
 - a. The Applicant shall provide the Planning Division with a check for the appropriate fee, made payable to the Clerk of the Board of Supervisors, no later than 24 hours after receiving approval of the project. The City will file the NOD and fee payment with the County/State and will provide the Applicant with a copy of the receipt and filed NOD.
 - b. Construction and operation of the proposed project shall be in compliance with the **attached Mitigation Monitoring and Reporting Program**.
11. Development Impact Fees shall be paid in accordance with City policy.
12. Prior to the issuance of a business license for future tenants, the Planning Commission shall review and approve the hours of operation, if anything other than 7:00 am to 7:00 pm.

Mitigation Monitoring and Reporting Program Initial Study/Mitigated Negative Declaration

Sixth Street and Del Rosa Drive Warehouse Project

APRIL 2023

Prepared for:

CITY OF
HIGHLAND
California

CITY OF HIGHLAND

27215 Base Line

Highland, California 92346

Contact: Angela Tafolla

Prepared by:

DUDEK

27372 Calle Arroyo

San Juan Capistrano, California 92675

Contact: Patrick Cruz

Printed on 30% post-consumer recycled material.

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1 Introduction

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Highland (City) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Sixth Street and Del Rosa Drive Warehouse Project (project) located at the southwest corner of Sixth Street and Del Rosa Drive in Highland, California (project) when construction begins. The City, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for air quality, biological resources, cultural resources, geology and soils (paleontological resources), and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

City of Highland
Planning Department
27215 Base Line
Highland, California 92346

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2 Mitigation Monitoring and Reporting Program Table

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Air Quality				
MM-AQ-1: Construction Equipment Emissions Reductions. The following measures shall be incorporated into the project to reduce diesel particulate matter (DPM) health risk generated by construction equipment used for the project. Prior to the issuance of a grading permit, the following shall be incorporated into the grading plan and/or grading permit conditions: For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Interim. An exemption from these requirements may be granted in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. For example, if a Tier 4 Interim piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 3), another piece of equipment could be upgraded from a Tier 4 Interim to a higher tier (i.e., Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards. Before an exemption may be considered, the applicant shall be required to demonstrate that two	During construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
construction fleet owners/operators in the region were contacted and that those owners/operators confirmed Tier 4 Interim or better equipment could not be located in the region. To ensure that Tier 4 construction equipment or better would be used during the project's construction, the applicant will include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and California Air Resources Board or South Coast Air Quality Management District operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.				
MM-AQ-2: Operational Forklifts. The project shall require all operational forklifts to be electric powered.	During operation	Project applicant	City of Highland	
Biological Resources				
MM-BIO-1: Avian Nesting Season Avoidance. Construction activities shall be avoided during the bird nesting season (generally February 1 through August 30) to ensure compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code Section 3500 et seq. If avoidance of the nesting season is not feasible, then a pre-construction nesting bird survey shall be conducted by a qualified biologist within a maximum of 3 days prior to the start of construction in areas that could	Prior to and during construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
support tree-, shrub-, and ground-nesting birds to ensure that birds are not engaged in active nesting within 100 feet of the project's construction limits. If nesting birds are discovered during the pre-construction survey, then the qualified biologist shall identify an appropriate buffer where no ground-breaking activities are allowed to occur until after the birds have fledged from the nest. The active nest buffer size depends on the species' sensitivity to disturbance (typically up to 500 feet for raptors and 300 feet for passerines), and ongoing biological monitoring during construction may be required. Construction activities may take place in other areas on the project site, outside of the nest avoidance buffer. No construction activities may take place within the nest avoidance buffer unless authorized by an on-site monitoring biologist.				
Cultural Resources				
MM-CUL-1: Worker Environmental Awareness Program. Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Worker Environmental Awareness Program training is to provide specific details on the kinds of materials that may be identified during ground-disturbing activities and	Prior to construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include but are not limited to work curtailment or redirection and the immediate contact of the site supervisor and archaeological monitoring staff.				
MM-CUL-2: Retention of an On-Call Qualified Archaeologist. A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified project implementation.	During construction	Project applicant and their construction contractor	City of Highland	
MM-CUL-3: Inadvertent Discovery Clause. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbance, all construction work occurring within 100 feet of the find shall immediately stop, and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether additional study is warranted. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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. Depending upon the significance of the find under the California Environmental Quality Act	During construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
(CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If monitoring is warranted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City of Highland for review. This report shall document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. 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 YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. The final report shall be submitted to the South Central Coastal Information Center. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. 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				

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall follow all required protocols according to California Public Resources Code, Section 5097.98.				
Geology and Soils				
MM-GEO-1: Geotechnical Investigation Report Recommendations. The property owner/developer shall implement all recommendations in the approved geotechnical investigation report for the proposed project during site preparation, grading, and construction, and compliance with the approved geotechnical investigation shall be verified in the field by a qualified representative. The property owner/developer shall demonstrate to the City of Highland's Building & Safety Department, Planning Department, and/or Public Works/Engineering Department staff that all or equivalent recommendations in the Geotechnical Engineering Investigation, Proposed Industrial Warehouse Development, South Side of 6th Street and West of Del Rosa Drive, Highland, California prepared by NorCal Engineering, dated June 9, 2022, or any updates to that report have been incorporated into the proposed project's design and grading plans.	During construction	Project applicant	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
MM-GEO-2: Discovery of Paleontological Resources. In the event that paleontological resources (i.e., fossil remains) are exposed during construction activities for the project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology's guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations shall be made in accordance with the Society of Vertebrate Paleontology's guidelines and shall be subject to review and approval by the City of Highland. Work in the area of the find shall only resume upon approval of a qualified paleontologist.	During construction	Project applicant	City of Highland	
Tribal Cultural Resources				
MM-TCR-1: Tribal Cultural Resources. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM-CUL-3, 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 resource be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the retained archaeologist for the project, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This	Prior to and during construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project; should YSMN elect to place a monitor on-site. 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 the City for dissemination to YSMN. The City and/or applicant shall, in good faith, consult with the YSMN throughout the life of the project.				

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City of Highland

Engineering Department

Conditions of Approval

CUP 22-011, DRA 21-015, VAR 22-004 Patriot Warehouse
6th Street and 700 LF West of Del Rosa Dr. APN 0279-201-24

- 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/ GRADING/ DRAINAGE

- E 1. Design grading and landscaping plans to comply with the City's clear sight triangle criteria at public street intersections and at private driveways. 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 2. Submit a preliminary 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 3. Submit the 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 4. 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 5. Submit an 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 6. 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 7. 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

- E 8. 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. Conveyance of on-site and off-site tributary flows shall be maintained by the underlying property owner.
- E 9. Design grading to drain the entire area of the project to the proposed Water Quality Management Plan (WQMP) infiltration system and to accommodate overflows as necessary.
- E* 10. Plot all existing and proposed easements on grading plan and note disposition of any existing utilities, appurtenances, fences, and access roads.
- D* 11. Construct temporary sedimentation basins for use during the grading and construction period of the project. Do not start using the proposed infiltration system until the site is stabilized for erosion and sedimentation.
- B 12. 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 13. Submit original wet signed and stamped final grading certification from the grading engineer, to the City Engineer.

STREET IMPROVEMENT

- C* 14. Construct new street improvements along **6th Street** project frontage including, but not limited to:
 - a) Construct ultimate landscape improvements at back of sidewalk and interim parkway landscape improvements at back of curb.
 - b) Two interim commercial drive approaches (per City Std. 213) at existing southerly curb face per the proposed site plan with sidewalk crossing constructed at back of right-of-way. Minimum 40' driveway width for trucking ingress/egress is 40'. Minimum driveway width for vehicle parking ingress/egress is 26'.
 - c) Remove existing improvements along southside of 6th Street including southside drive approach, join existing where to be maintained, and construct new street improvements as directed including but not limited to:
 - 1. Reconstruct 8" curb and gutter located 22' south of street centerline per City Std. 203 or modified drive approach.
 - 2. Remove existing 4' parkway sidewalk.
 - 3. Remove existing curb ramp approximately 225' east/west of east/west property line.
 - 4. Construct 6' wide sidewalk to be future curb adjacent sidewalk per City Std 208 Type B.
 - d) Design the limits and extent of removal of existing improvements, and construction of transitional improvements to complete items a-c above and as approved by the City Engineer.
- E 15. Submit engineering plans for street improvements and signing & striping to the City Engineer for review and approval. Indicate the location of any existing utility/facility which would affect construction on plans and profiles. Comply with the City design standards as shown on the street and storm drain improvement checklist. Provide ADA access to site from right of way.

- C 16. Design and construct public improvements including sidewalk, driveway approaches and access ramps, as needed, in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code. Redesign and reconstruct existing frontage improvements if found not in compliance with City Standards.
- C* 17. Install new LS3 metered street light system along the project frontage of 6th Street. The new street lights, electrical conduits, wiring and meter etc. will be owned and maintained by the City. The street lights shall be equipped with a Light Emitting Diode (LED) luminaire on a marbelite pole with types and at the location specified by the City Engineer. Pay the City street lighting energy and maintenance charges for the initial 12 months.
- C* 18. Install traffic control signs and pavement markings, specifically R26(S)(CA) signs, along the project frontage with specific locations and types approved by the City Engineer.
- C 19. Submit "Record Revisions" to all plans to reflect the improvements as constructed, and any changes made during construction.

WATER QUALITY/ DRAINAGE

- E 20. 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 residential 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 standard City form. Include a copy of the recorded agreement in the F-WQMP. Construct BMPs in accordance with the approved F-WQMP.
- E 21. Construct and implement site design BMPs specified in the project approved F-WQMP including, but not limited to, underground infiltration system, pretreatment devices approved at time of C-WQMP approval, and raised curb landscaped areas and parking lot islands. Alternate site design BMPs which are equally effective may be submitted for review and approval by the City Engineer.
- 22. Include the project grading plan, landscape plan and utility plan with the first submittal of the F-WQMP .
- C 23. 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* 24. Construct on-site private drainage system, HDPE or other pipe material as approved by City Engineer, to drain the entire project site to the proposed WQMP BMPs in accordance with the approved Final Water Quality Management Plan, and construct necessary drainage

overflow facilities. Construct an overflow pipe to convey any overflow from the proposed underground infiltration system to fronting streets as necessary.

- B 25. At the underground infiltration system proposed by the Final WQMP, conduct at least two new infiltration tests using a double-ring infiltrometer. The tests shall be conducted at the proposed chamber system subgrade elevation, prior to the submittal of the F-WQMP. After obtaining the results from the two tests, the engineer and geotechnical engineer shall determine if additional testing is required.
- C 26. Register the underground chambers with EPA as a Class V Injection Well.
- E 27. Submit a hydrology study to determine storm runoff quantities tributary to and generated by the Project for review and approval by the City Engineer. Include hydraulic calculations to determine the size and type of all drainage facilities.
- C 28. Intercept and convey off-site drainage tributary to the project boundary around or through the project in a manner that will not adversely affect adjacent or downstream properties.
- E 29. Submit engineering plans for public and private drainage systems to the City Engineer for review and approval. Comply with the City design standards as shown the street and storm drain improvement checklist.

DEDICATION/ ANNEXATION

- C* 30. Apply to the City to annex the project into the City's Consolidated Landscape Maintenance District (LMD) for potential City maintenance of parkway and frontage landscaping along 6th Street. The City will maintain parkway and frontage landscaping utilizing LMD revenue only if the City determines that adequate maintenance is not being provided by the property owner. The potential future 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* 31. Dedicate an irrevocable offer of dedication via a separate instrument:
 - a) (1) 10-foot wide minimum landscape easement across the 6th Street frontage
 - b) (2) sidewalk easements at the Project's commercial drive approaches as approved by the City Engineer.
 - c) (1) temporary construction easement granting permission for the City to enter the property to construct and restore landscaping. The exact dimensions of the landscape easement will be determined at the time on-site improvement plans have been prepared.

Submit legal description and plat documents for these dedications, prepared by a Licensed Land Surveyor or Civil Engineer and shall include the current property grant deed, a current title report (less than three months old), traverse calculation sheets which show error of closures. Inverse calculations will not be accepted for plan check. And, if applicable, copies of recorded maps and deeds used as reference and/or showing original land division.
- C* 32. Offer a temporary construction easement granting permission for the City and its contractor to enter the property to construct future CIP improvements. The exact location, dimensions and lifetime of the temporary construction easement will be determined by the City Engineer and duration and impact of construction within the easement may last 12 months.

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Eng Conditions.docx

FEES/ PERMITS/ BONDING

- E 33. Pay appropriate Engineering fees for district annexation, plan check, WQMP review, hydrology study review, structural calculation review, on-site and off-site inspection, utility excavation permits, GIS plan update, microfilming and storage of plans, and other required fees.
- D 34. Obtain a permit from Engineering prior to any on-site construction or construction within the public right-of-way.
- E 35. Post a deposit for erosion control which shall not be released prior to completion of all on-site construction.
- C 36. Bond for all required street, grading, water, sewer, on-site landscaping, and landscape maintenance district improvements in accordance with City Development Code.
- C 37. Enter into a non-subdivision agreement for construction of improvements with the City of Highland using the adopted City form.
- C 38. Pay a fee in lieu of design and construction of asphalt concrete pavement, class II aggregate base, 8" curb and gutter, and (2) commercial drive approaches. The fee amount will be determined by the Engineering Department. Pay an in lieu fee for design and relocation of SoCal Gas 8" high pressure gas line.

UTILITIES/ CONSTRUCTION

- E 39. Obtain written permission from the adjoining property owners for offsite grading and/or perimeter wall construction, if any.
- B 40. Prior to relocating or modifying private apartment complex improvements that have been constructed on Patriot's private property, coordinate temporary fencing and construction with the adjacent property owner/ management group. Install construction fencing and screening in accordance with Building and Safety Division Policy 335.
- C 41. Reconstruct existing public improvements removed or damaged during construction. Pavement repair, which may include A.C. overlay, T-cut trench repair and/or slurry seal after removal of existing striping shall be across all or a portion of damaged pavement caused by this project as determined by the City Engineer.
- C* 42. Coordinate, and where necessary, pay for the relocation of any existing public utilities as necessary.
- C 43. Provide all utility services to each building, including sanitary sewers, water, electric power, gas, cable TV, internet, and telephone. All utilities listed under Highland Municipal Code Section 16.40.380 (A) are to be underground per Ordinance 315.

- E 44. 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 projects WDID number.
- B 45. 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 46. All underground structures, except those desired to be retained, must be broken in, backfilled, and inspected before covering.
- D 47. Comply with the prevailing City design and construction standards and requirements at the time of permit issuance.
- B 48. Design and construct a trash enclosure per City Standard 700.
- C 49. Install telephone, cable television, and internet enclosures underground whenever the underground installation is an available option offered by the utility companies. If the underground installation is not an available option and utility enclosures must be installed above ground, install the above-ground utility enclosures and any flush mount utility enclosures at locations where construction of retaining walls will not be necessary for compliance with the setback requirements of the utility companies.
- B* 50. Submit a Composite Utility Plan indicating the location of all above ground and flush mount water, electric, cable TV, internet, and telephone utility structures prior to City issuance of utility permits.

Building and Safety Division Conditions of Approval

Date: February 1, 2023
Project: 47,889 sq/ft warehouse building
Applicant: Patriot Development Partners – Kevin Rice
Site Location: South side of 6th St. West of Del Rosa Dr.
Project Numbers: **CUP:** 22-011, **DRA:** 21-015, **VAR:** 22-004
APN: 0279-201-24-0000

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:
To be included in Architectural plan set at plan submittal
 - (3) Structural Plans
 - (2) Structural Calculations
 - (3) Plot/Site Plans
 - (3) Electrical Plans
 - (3) Electrical Load Calculations
 - (3) Exiting Plans
 - (3) Plumbing Plans/Isometrics
 - (3) Mechanical Plans
 - (3) HVAC Duct Layout Plans
 - (2) Roof and Floor Truss Plans
 - (2) Title 24 Energy Calculations
 - (2) Soils Report
 - (3) Precise Grading Plans
 - * Grading, Photometric, or Landscape Plans:
Please mark "FOR REFERENCE ONLY"
 - (3) Site Disabled Access Plan
 - (3) Temporary Fence Plan
 - (1) Approved Health Department Plans (as applicable)
 - (2) Energy Commissioning Plan
2. All structures shall be designed in accordance with the current version of the California Building Codes (2022), including the California Green Building

Standards Code. Design all structures to Risk Category II at exposure "C", and Energy Climate Zone 10.

3. All onsite utilities are to be underground. As approved by the Planning Division, utility cabinets and transformers are exempt.
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. Building and Safety inspection requests must be made by 4:00 pm. on the previous City working day to receive the next business day inspection. Please contact (909) 864-2136, Ext 228.
 - a. If your inspection request is left on another phone extension your inspection will not be performed.
 - b. You may also fill out an inspection request at the building and Safety counter. The request may be given to the front counter receptionist. By 4:00 pm for the following day.

10. A security fence with screening shall protect all construction sites. The fencing and screening shall be maintained at all times to protect pedestrians. All development projects shall submit a construction fencing plan with the construction design plans. 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.
11. 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 Z4.3 and on site per NPDES stormwater requirements.
12. 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.
13. 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.
14. 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. Fire flow tests shall be obtained by East Valley Water District.
15. 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.

16. 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)
17. Prior to final inspection, provide Building & Safety with a flash disk of the approved plans and documents.
18. Final approvals from all applicable outside agencies and internal departments and divisions are required prior to Building and Safety permit final and occupancy approval.
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. Deputy inspections are to be identified on the plans cover sheet. Deputy inspectors shall register with the City's Building Official.
22. 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.
23. All dead and removed trees and foliage is to be properly removed from the site.
24. 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.
25. 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.
26. Prior to final inspection, provide Building & Safety with a flash disk of the final approved amended plans and documents.



City of Highland, **FIRE PREVENTION DIVISION**, Conditions of Approval.

DATE : October 12, 2022

Page 1 of 7

APPLICANT : Patriot Development Partners

APN : 0279-201-24

SITE LOCATION: South Side of 6th Street West of Del Rosa Drive.

FILE / INDEX No.: CUP 22-011 DRA 21-015 VAR 22-004

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. **HF31:** Approved fire hydrant pavement markers (blue dots) shall be installed at every hydrant.
3. **HF51:** The main electrical panel and all sub-panel(s) shall be labeled on inside cover for all circuits. **CEC**
4. **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**
5. **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.
6. Exit signs shall be internally or externally illuminated by two lamps or shall be of the self-luminous type. **CFC; CBC**
7. **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.
8. **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.
9. **HF48:** A class "A" roof covering structure with "bird stops" shall be installed.

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. **HF10:** Driveways exceeding 150 feet shall have a fire department approved turn-around at the terminus. **CFC / APPENDIX D**
13. **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**
14. **HF12:** Fire department access roadway(s); public/private street(s) and driveways shall not exceed 12% grade. **CBC / APPENDIX D, HMC**
15. **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**
16. **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**
17. **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 qver-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**

18. **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**
19. **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**
20. **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:

21. **HF25:** Minimum required fire flow, as 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.

22. **HF29:** Fire hydrant spacing shall be:
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.

23. **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**
24. **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**
25. **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**
26. **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**
27. **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 150 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:

28. **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

FIRE PROTECTION & ALARM SYSTEMS:

29. **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**
30. **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**
31. **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**
32. **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**
33. **HF44:** Dependent on use and occupancy, an automatic smoke removal system shall be installed. The system shall comply with CFC and CBC requirements. 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. This system may be mitigated as allowed by the California Fire and Building codes. Please indicate type and code section of the applicable mitigation employed in this application on your plans. **CFC; CBC**
34. **HF45:** Dependent on use and occupancy, an automatic smoke ventilation system – fusible link type, shall be installed. Roof vent, venting ratios and draft curtains shall be provided. 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. This system may be mitigated as allowed by the California Fire and Building codes. Please indicate type and code section of the applicable mitigation employed in this application on your plans **CFC; CBC**

35. **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.
36. **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.
37. **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.
38. **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.
39. **HF63:** Submit to fire marshal's office: **one copy** of building and/or structure plans for fire department review.
40. **HF64:** Spray booths, spray finishing operations shall comply with requirements of California Fire Code
41. **Note:** Fire sprinkler design requirements for Spec warehouse buildings will change depending on type of occupancy, storage heights and/or commodities that are being used or handled.

Craig Sanchez, Fire Marshal
City of Highland Fire Prevention
(909) 864-8732 x 248

ATTACHMENT 6
Resolution No. 2023 - ____
Approving VAR-22-004

PC RESOLUTION NO. 2023 – ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HIGHLAND, CALIFORNIA, ADOPTING VARIANCE (VAR-22-004) TO ALLOW AN INCREASE IN THE MAXIMUM BUILDING HEIGHT IN THE BUSINESS PARK ZONE FROM 35' TO 44' IN ASSOCIATION WITH CONDITIONAL USE PERMIT (CUP-22-011) AND DESIGN REVIEW APPLICATION (DRA-22-015) TO CONSTRUCT A 47,899 SQUARE FOOT WAREHOUSE, LOCATED ON THE SOUTH SIDE OF 6TH STREET, 930 FEET WEST OF DEL ROSA DRIVE.
APN: 279-201-24**

APPLICANT: PATRIOT USICV VICTORIA, LLC (PATRIOT PARTNERS)

A. RECITALS

1. On September 13, 2022, the Applicant filed an application for Conditional Use Permit (CUP-22-011) to develop a 47,899 square foot industrial warehouse and associated improvements including loading docks, passenger vehicle parking spaces, a stormwater detention/infiltration basin, and landscape area. Related applications were also filed for Design Review (DRA-22-015) including a Site Plan, Building Elevations, Conceptual Grading Plan, Conceptual Landscape Plan; Variance (VAR-22-004) to increase the maximum building height permitted to 44'.
2. The site is located on an approximately 2.83 acres at the south side of 6th Street, west of Del Rosa Drive in the City's Business Park Zoning and General Plan Designations.
3. Pursuant to the provision of the California Environmental Quality Act (CEQA) and State and Local CEQA Guidelines, the City of Highland is the Lead Agency, and is charged with the responsibility of deciding whether or not to approve the proposed Project. An Initial Study and Mitigated Negative Declaration were prepared and circulated in accordance with state and local law and will be considered by the Planning Commission at the May 16, 2023, public hearing.
4. On May 16, 2023, the Planning Commission of the City of Highland conducted a Public Hearing at the City Hall Council Chambers in Highland, California, at 6:00 p.m.
5. 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 May 16, 2023, and which is incorporated herein by this reference, does find and determine the following facts:
 - a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
4. A duly noticed public hearing was held by the Planning Commission on May 16, 2023, in the City Hall Council Chambers and notice of the time, date, place and purpose of the aforesaid hearing was given as required by applicable law. At the public hearing, the Planning Commission took testimony, both written and oral, from various parties, including the Applicant.
5. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, an Initial Study was prepared for the project. It was determined that Mitigation Measures were necessary to address potential impacts. A Notice of Intent to adopt a Mitigated Negative Declaration (MND) was circulated and Mitigation Monitoring and Reporting Program prepared for consideration by the Commission.
6. Findings of Fact for Variance VAR-22-004:
 - a. That a strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity.

Response: The regulation for which a variance is being requested is, Highland Municipal Code, Title 16, *Land Use and Development*, Table 16.24.040.A *Industrial Site Development Minimum Standards*, No. 8. *Maximum building height (in feet) – 35'*. The Business Park Zone permits general warehousing. Warehousing built to industry standard requires 36' clear height to accommodate joists, lights and sprinkler systems with 4-5 feet to reach the roof of the structure followed by an additional 4-5 feet above the roofline to screen roof-mounted equipment such as HVAC. Limiting the building height to 35' makes the use infeasible.
 - b. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification.

Response: The property involved is zoned Business Park which is the limiting condition in this application. Industrially Zoned property to the southeast also permits warehousing, but allows a maximum building height of 50'.

- c. That the strict interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification.

Response: The Applicant would be deprived of constructing a fully-functional warehouse on the site which is zoned Business Park and allows warehousing and distribution.

- d. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification.

Response: The granting of the variance is permitted by the Municipal Code, Section 16.08.070 *Variances*. The Community Development Director has the authority to grant a Minor Variance including, 16.08.070.C.7 *"Up to 30 percent of height limitations, except that any height deviation not exceed two feet shall also be considered a minor variance."* Thus the Director could authorize a maximum building height of 45.5 feet, however, because the related project entitlements require Planning Commission approval, the Variance too must be considered by the Commission with respect to the totality of the project. There is no granting of a special privilege as height variances are explicitly listed.

- e. That a granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

Response: The granting of a variance for an additional 9' of building height will increase the massing of the building. The site design brings the building all the way to the front of the site on 6th Street with substantial building setbacks to existing adjacent residential uses. Noise, sound, vibration, lighting and traffic issues were all analyzed in the project's Initial Study. Mitigation Measures were established as appropriate to respond to any negative impact to properties and improvements in the area. The Mitigation Measures will be adopted with the project's Conditions of Approval.

- f. That the granting of the variance is consistent with the objectives and

policies of the general plan and the intent of this title.

Response: The granting of the variance will allow the project to be developed in compliance with City and industry standards for warehousing and distribution. This use complies with the General Plan and Zoning designations of Business Park. The project's design also complies with other development standards in Title 16 as well as General Plan Policies included in the Land Use Element and Community Design Element especially for the 5th Street Corridor and is an attribute to the San Bernardino International Airport Gateway.

7. Based on the Findings and Conclusions set forth above, the Planning Commission approves Variance VAR-22-004 to allow a maximum building height for this project of 44' in the Business Park Zone. The variance is related to the development of a 47,899 square foot warehouse subject to Conditional Use Permit CUP-22-011, and Design Review DRA-22-015 and their Conditions of Approval.

PASSED, APPROVED AND ADOPTED this 16th day of May, 2023.

Randall Hamerly, Chairman

ATTEST:

Lawrence A. Mainez
Community Development Director

ATTACHMENT 7
Resolution No. 2023 - ____
Approving DRA-22-015

PC RESOLUTION NO. 2023 – ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HIGHLAND, CALIFORNIA, ADOPTING DESIGN REVIEW
APPLICATION (DRA-22-015) FOR THE DEVELOPMENT OF A 47,899
SQUARE FOOT CONCRETE TILT-UP WAREHOUSE INCLUDING THE
PROJECT'S SITE PLAN, BUILDING ELEVATIONS, CONCEPTUAL
GRADING PLAN AND CONCEPTUAL LANDSCAPE PLAN
GENERALLY LOCATED ON THE SOUTH SIDE OF 6TH STREET, 930
FEET WEST OF DEL ROSA DRIVE.
APN: 279-201-24**

**RELATED ENTITLEMENTS INCLUDE DESIGN REVIEW
APPLICATION (CUP-22-011) AND VARIANCE (VAR-22-004)**

**APPLICANT: PATRIOT USICV VICTORIA, LLC
(PATRIOT PARTNERS)**

A. RECITALS

1. On September 13, 2022, the Applicant filed an applications for Design Review (DRA-22-015), a Conditional Use Permit (CUP-22-011) and Variance (VAR-22-004) to develop a 47,899 square foot industrial warehouse and associated improvements including loading docks, passenger vehicle parking spaces, a stormwater detention/infiltration basin, and landscape area.
2. The site is located on an approximately 2.83 acres at the south side of 6th Street, west of Del Rosa Drive in the City's Business Park Zoning and General Plan Designations.
3. Pursuant to the provision of the California Environmental Quality Act (CEQA) and State and Local CEQA Guidelines, the City of Highland is the Lead Agency, and is charged with the responsibility of deciding whether or not to approve the proposed Project. An Initial Study and Mitigated Negative Declaration were prepared and circulated in accordance with state and local law and will be considered by the Planning Commission at the May 16, 2023, public hearing.
4. On May 16, 2023, the Planning Commission of the City of Highland conducted a Public Hearing at the City Hall Council Chambers in Highland, California, at 6:00 p.m.
5. 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:

- Section 1. The Planning Commission finds that all of the facts set forth in the Recitals, Part “A” of this Resolution, are true and correct.
- Section 2. Pursuant the California Code of Regulations, the City of Highland Planning Commission hereby finds that a Mitigated Negative Declaration prepared for the project has been completed in compliance with the California Environmental Quality Act (CEQA) and that the Planning Commission has reviewed and considered the information contained in the staff report, and the comments received during the public review process, prior to approving the project.
- Section 3. Based upon substantial evidence presented to the Planning Commission during the May 16, 2023, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:
- a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.

Section 4. Findings of Fact (Design Review)

- a. That the proposed project is consistent with the general plan or specific plan.

Response: The General Plan designation for the site is Business Park, which allows for a “variety of light industrial, research and development and office uses that provide pleasant and attractive working environments.” “Appropriate uses include light manufacturing, wholesaling and warehousing conducted within an enclosed building.” (Chapter 2 Land Use Element) The proposal for a 47,899 square foot warehouse is within the description of permissible uses.

The General Plan goals and policies relevant to the project include its inclusion in the 5th Street Corridor Policy Area, Circulation Element, and Community Design Element. The project meets all relevant goals and policies.

- b. That the proposed use is in accordance with the objectives of Title 16, Land Use and Development of the City of Highland Municipal Code, and the purposes of the land use district in which the site is located.

Response: The project would be developed in compliance with the Highland Municipal Code standards related to warehousing in the Business Park District. Per Municipal Code Section 16.24.040 Employment District Development Standards, the maximum lot coverage is 60%. The project calls for 35.4%. It has the required building setbacks and landscape coverage. Additionally, it meets general development standards related to circulation, parking, and lighting.

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

Response: The Highland General Plan describes specific criteria related to this location in the Land Use and the Community Design Elements. Goal 10.8 seeks to ensure that development is professional and attractive in appearance through coordinate site planning, signage and architectural design. The project will exhibit specialized landscaping at its entrances. It enhances the contemporary architecture of the building and continues to follow the theme established by surrounding development in Highland.

The design meets the intent of Policy 10.8.1 which encourages “contemporary, clean and distinctive buildings with clearly visible entrances” and Policy 10.8.3 to “avoid long, blank building walls by incorporating diagonal façade articulation and modulation and varying use of color, materials and landscaping.” Parking and service areas are screened from public view with walls and landscaping and berms and utilities will be underground. The building is set back as far as possible from adjacent residential uses.

- 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: The warehouse development will be in compliance with Municipal, Fire & Building codes. Each public safety division of the City has reviewed the project and provided relevant Conditions of Approval that will be adopted by resolution. The necessary ingress and egress are provided and all public utilities and services will be in place. There is no indication that the project would be detrimental to the public health, safety or welfare, or materially injurious to properties and improvement in the vicinity.

Section 5. Based on the Findings and Conclusions set forth above, the Planning Commission approves Design Review Application DRA-22-015. All improvements will be completed subject to the Conditions of Approval attached hereto and incorporated by reference.

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 16th day of May, 2023.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez
Community Development Director

CITY OF HIGHLAND
PLANNING DIVISION CONDITIONS OF APPROVAL

Date: May 16, 2023
Applicant: Patriot USICV Victoria, LLC
File/Index: **Design Review Application DRA-22-015**
Proposal: Design Review of a 47,899 square foot concrete tilt-up warehouse/distribution facility. DRA includes the Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual Landscape Plan.
Location: A 2.83 acre site on the south side of 6th Street, approximately 930 feet west of Del Rosa Drive; Assessor's Parcel Number 0279-201-24
Related Entitlements: CUP-22-011, VAR-22-004

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 may include Building and Safety, Engineering, and the Fire Department 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 or all Conditions at any time, shall result in initiating revocation of the subject permit.

1. Design Review Application (DRA-22-015) shall become null and void:
 - a. Unless all conditions have been complied with and the occupancy or use of the land or structures authorized by this design review application, and have occurred within thirty-six (36) months from the approval date this design review application shall expire and be null and void without further action by the City of Highland.
 - 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 for a period of time not to exceed an additional thirty-six (36) months. An application for an extension of time must be set forth in writing, stating the reasons for the extension, and must be filed with the community development department no less than 30 calendar days nor more than 90 calendar days prior to the expiration date of the permit or approval. Such application shall be filed together with the City's processing fee, as established by the City Council.

NOTE: All required on-site and off-site improvements shall be completed and approved prior to final inspection for occupancy.

2. The proposed Design Review entitlement includes approval of a Site Plan, Building Elevations, Conceptual Grading Plan and Conceptual Landscape Plan for the construction and operation of an approximate 47,899 square foot speculative industrial warehouse and associated improvements including loading docks, passenger vehicle parking, a stormwater detention/infiltration basin, landscaping and off-site improvements as illustrated in project plans.
 - a. The approved site plan, building elevations, conceptual grading plan, conceptual landscape plan, color and material samples are on file with the Planning Division and included herein by reference.
 - b. Three complete sets of plans reflecting these conditions of approval and any Planning Commission directives shall be submitted to the planning Department within two weeks of this project's approval.
3. The operator 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.
4. In compliance with the Highland Municipal Code, the Applicant/Owner shall agree, at his/her sole cost and expense, to defend, indemnify, and hold harmless, the City, its officers, employees, agents, and consultants, from any claim, action, or proceeding brought by a third-party against the City, its officers, agents, and employees, which seeks to attack, set aside, challenge, void, or annul an approval of the City Council, Planning Commission, or other decision-making body, including staff, concerning this project. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve the Applicant/Owner of his/her obligations under this condition.
5. 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.
6. 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.

7. Pursuant to provisions of California Public Resources Code Section 21089 (b), this Application shall not be operative, vested or final, nor will building permits be issued or a map recorded, until: (1) the Notice of Determination (NOD) regarding the associated environmental action is filed and posted with the Clerk of the Board of Supervisors of the County of San Bernardino, and; (2) any and all required filing fees assessed pursuant to California Fish and Game Code Section 711.4, together with any required handling charges, are paid to the Clerk of the Board of Supervisors of the County of San Bernardino.
 - a. The Applicant shall provide the Planning Division with a check for the appropriate fee, made payable to the Clerk of the Board of Supervisors, no later than 24 hours after receiving approval of the project. The City will file the NOD and fee payment with the County/State and will provide the Applicant with a copy of the receipt and filed NOD.
8. Development Impact Fees shall be paid in accordance with City policy.
9. A copy of the utility plan shall be submitted with or prior to the submittal of a grading plan to the Community Development Director and City Engineer for review and approval. The utility plan shall show the location of all proposed above ground electrical transformers, utility cabinets, back flow devices, detector check valves, etc. both on site and in the public right-of-way.
10. Prior to issuance of a certificate of occupancy by the City, all on and off-site landscaping, irrigation or other improvements shown on the approved landscaping and irrigation plans, including any walls and fences, shall be installed.
11. The project site has been reviewed and approved for warehouse use. Any change of use of this project site, the occupancy, or tenant change in the building, or portion thereof, may require a revised plot plan be submitted to the City for review and approval, which identifies location of use, letter of intent and parking requirements. Outdoor storage of materials is prohibited.
12. All permanent parking areas shall be paved and permanently maintained with asphalt or concrete and designated with clearly painted lines. The number of parking spaces, including disabled parking, shall comply with the approved Site Plan.
13. The Applicant / Developer shall install a bicycle rack on-site near the building. The bike racks shall be located in areas where they will not impede the flow of pedestrian traffic.
14. 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.

15. 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, but not to exceed an overall height of 44 feet.
16. The photometric plan shall be provided to the Planning Department for review and approval prior to issuance of a grading plan in compliance with Municipal Code Sections 16.40.160 *Lighting* and 16.48.080 *Light and glare*.
 - a) The amount of illumination projected onto a residentially zoned property or use should not exceed 0.1 foot-candle at the property line. Illumination should not exceed 0.5 foot-candles measured at the property line adjacent to non-residential properties.
 - b) Lights shall be shielded and directed away from surrounding properties and right-of-way.
 - c) Parking lot light standards shall not exceed twenty-five feet (25') in height measured from grade.
 - d) Parking lot light standards shall be located at a distance from parking lot trees, so the trees do not interfere with the lighting pattern or the light fixture. Lighting standards shall be shown on the landscape plans and appropriately positioned so as not to displace the intended location of trees in parking lot planters.
17. The design and installation of the Signs shall be in accordance with Chapter 16.56, Sign Regulations, of the Highland Municipal Code.
18. The Developer shall comply with all applicable Conditions of Approval and the Mitigation Monitoring and Reporting Plan related to the associated entitlements; CUP-22-011, VAR-22-004.

PATRIOT PARTNERS - 6TH ST. & DEL ROSA

HIGHLAND, CA



PATRIOT PARTNERS - 6TH ST. & DEL ROSA
HIGHLAND, CA
PROJECT
THIRD PLANNING SUBMITTAL

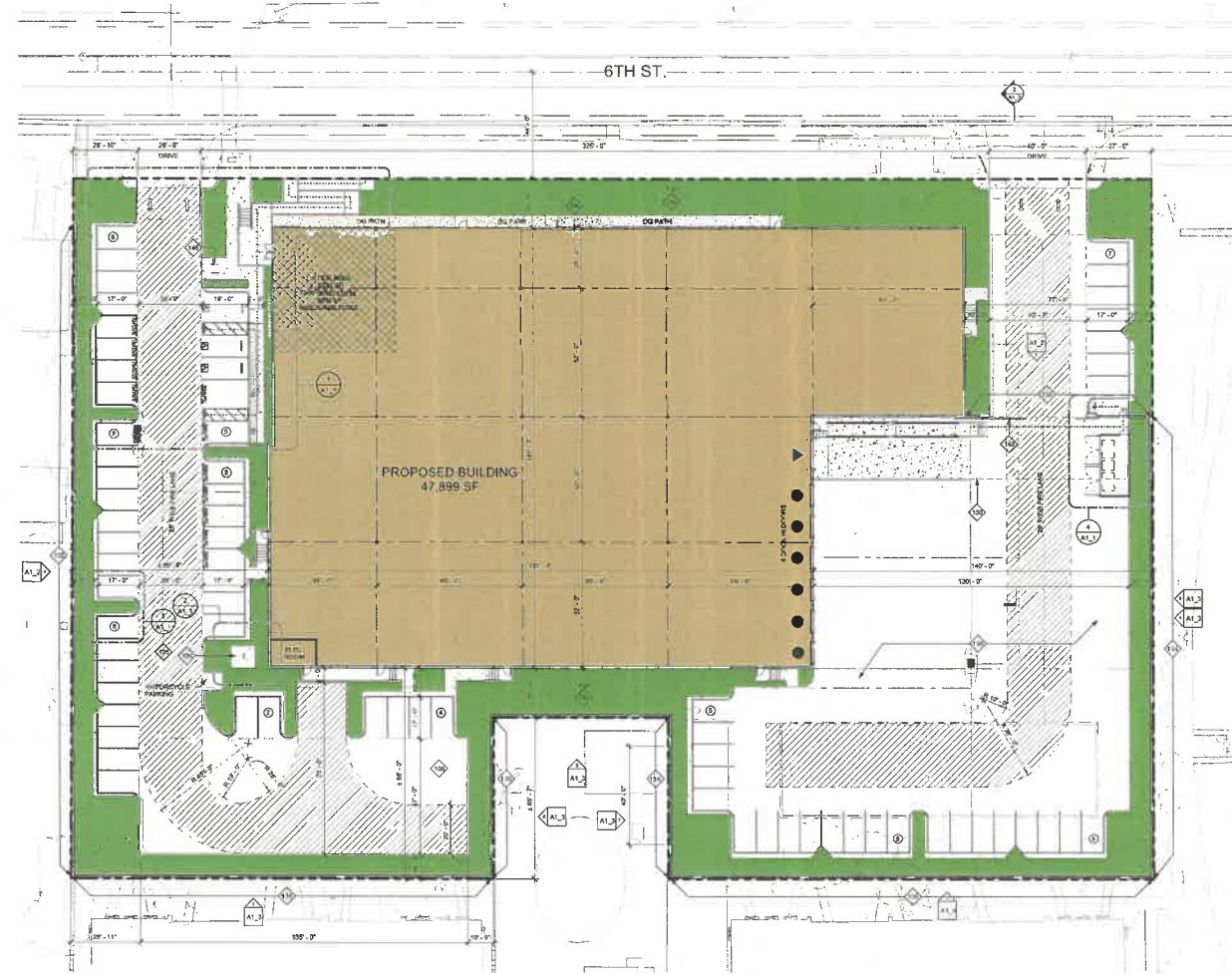
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HERDMAN
ARCHITECTURE + DESIGN
A22-2112
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TITLE SHEET

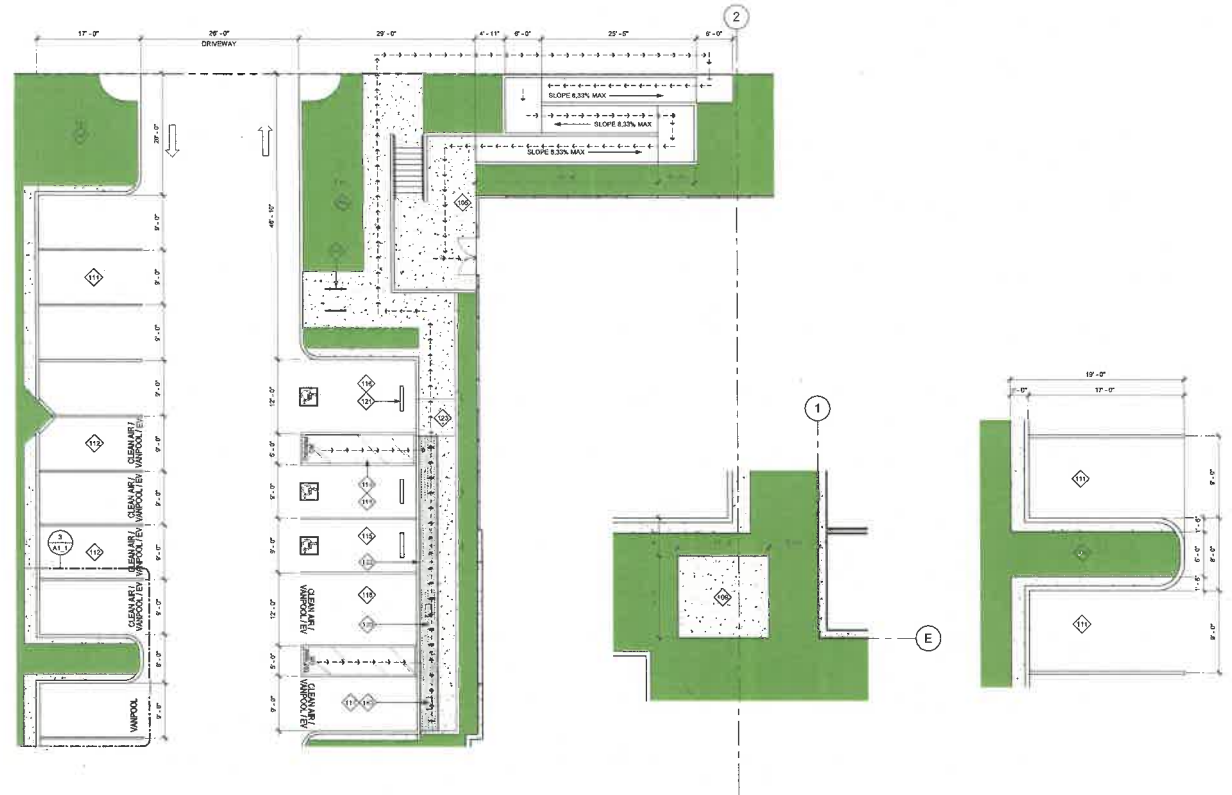
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DEVELOPER/OWNER	KEYNOTES
PATRIOT PARTNERS 101 N. SUNSET BLVD. LOS ANGELES, CA 90069 CONTACT: KYLE RICE PHONE: (818) 624-1704 EMAIL: KYLE@PATRIOTDEVELOPMENTPARTNERS.COM	132 CONCRETE PAVING. 133 SHADING: PROPOSED LANDSCAPED AREA. SEE LANDSCAPING PLANS. 134 TRANSFORMER SEE LANDSCAPE PLAN. 135 CONCRETE TILT-UP ROOF WALL. MIN HEIGHT 8' ABOVE HIGHEST ADJACENT FINISHED GRADE. PAINT BOTH SIDES AND TOP OF WALL. SET PLANS FOR COLOR SCHEDULE. 136 PARTIAL STEEL ROLLING UTILITY. MIN HEIGHT 8' ABOVE HIGHEST ADJACENT FINISHED GRADE. OR AS SHOWN ON EXISTING ELEVATIONS. PROVIDE ANKOR BOLTS AS REQUIRED BY FIRE AUTHORITY. 140 3 PORTION HANG BACK. 145 STEEL PIPE COLLARED PROTECTION POST. 146 ROOF ACCESS LADDER.
APPLICANT'S REPRESENTATIVE/ARCHITECT	
HERDMAN ARCHITECTURE + DESIGN, INC. 100 BAYVIEW CIRCLE SUITE 100 MOUNTAIN VIEW, CA 94039 CONTACT: BRIGITTE HERDMAN PHONE: (415) 949-1000 EMAIL: PROJECTS@HERDMAN-AD.COM	
SCOPE OF WORK	
CONSTRUCT NEW ONE STORY + MEZZANINE CONCRETE TILT-UP WAREHOUSE DISTRIBUTION FACILITY WITH ELECTRICAL AND PLUMBING SERVICES. EXTERIOR LIGHTING, LANDSCAPING & IRRIGATION. TRANSFORMER, CONCRETE ROOF WALLS, AND SLIDING HANGING METAL GATES. FIRE PROTECTION AND SHADING DEVICES. PLANS TO BE A SEPARATE SUBMITTAL AND PERMIT.	
LEGAL DESCRIPTION & ZONING	
LEGAL DESCRIPTION: SEE CIVIL DRAWINGS ASSESSOR'S PARCEL NO: 0279-201-34	
SHEET INDEX	
A1 SITE PLAN A1.1 EXISTING SITE PLANS A1.2 SITE WALL ELEVATIONS A1.3 GATE & FENCE ELEVATIONS A1.4 GROUND LEVEL FLOOR PLANS A1.5 EXTERIOR ELEVATIONS A1.6 MATERIAL SCHEDULE C1 CONCEPTUAL GRADING PLAN C2 CONCEPTUAL LANDSCAPE PLAN C3 CONCEPTUAL LANDSCAPE PLAN P1 PHOTOGRAPHIC PLAN	
VICINITY MAP	
LANDSCAPE AREA SUMMARY	
LANDSCAPING AREA (LANDSCAPING) LANDSCAPING OT AREA REQUIRED PROVIDED 13766 SF 0% 27104 SF 21.2%	
TOTAL PARKING REQUIRED	
BUILDING USE BUILDING AREA (PARKING RATIO 1X TRED, PARKING) OFFICE 1000 SF 250 30 WAREHOUSE 47899 SF 1000 43 TOTAL 47899 SF 63	
REQUIRED PARKING BREAKDOWN	
SPACE TYPE SPACES REQUIRED COMPACT STALLS 0 STANDARD STALLS 49 STANDARD ACCESSIBLE STALLS 2 VAN ACCESSIBLE STALLS 1 CLEAN AIR STALLS 4 FUTURE EV CHARGING ONLY STALLS 5 FUTURE EV CHARGING ONLY STANDARD ACCESSIBLE STALLS 1 FUTURE EV CHARGING ONLY VAN ACCESSIBLE STALLS 1 FUTURE EV CHARGING ONLY STALLS 0 TOTAL 63	
PARKING PROVIDED	
SPACE TYPE SPACES PROVIDED STANDARD STALLS 56 VANPOLE STALLS 1 STANDARD ACCESSIBLE STALLS 2 VAN ACCESSIBLE STALLS 1 CLEAN AIR STALLS 5 FUTURE EV CHARGING ONLY STALLS 1 STANDARD ACCESSIBLE STALLS 1 FUTURE EV CHARGING ONLY VAN ACCESSIBLE STALLS 1 TOTAL 71	
SITE LEGEND	

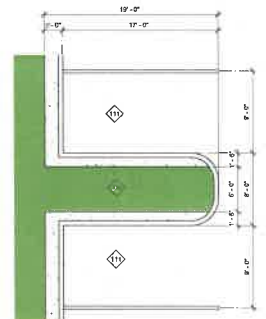


1 PROPOSED SITE PLAN
1" = 20'-0"

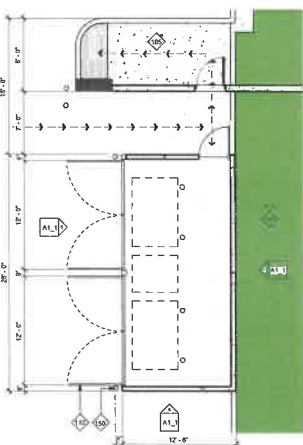


1 ENLARGED SITE PLAN
1/8" = 1'-0"

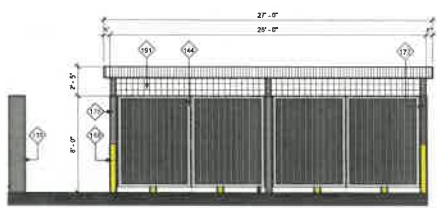
2 TRANSFORMER DETAIL
3/16" = 1'-0"



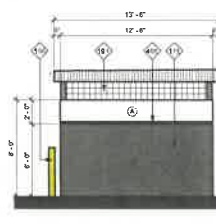
3 ENLARGED LANDSCAPE FINGER PLAN
3/16" = 1'-0"



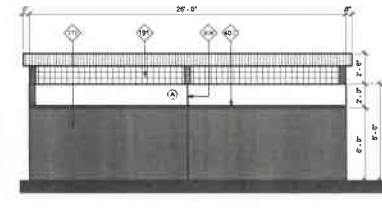
4 ENLARGED TRASH ENCLOSURE
3/16" = 1'-0"



5 TRASH ENCLOSURE ELEVATION 1
1/4" = 1'-0"



6 TRASH ENCLOSURE ELEVATION 2
1/4" = 1'-0"



7 TRASH ENCLOSURE ELEVATION 3
1/4" = 1'-0"

SITE PLAN GENERAL NOTES	
1. THE SITE PLAN SHALL MEET ALL ENGINEERING & NOTES REQUIREMENTS.	106. CONCRETE PAVING.
2. GENERAL CONTRACTOR TO REVIEW THE SOILS REPORT AND FOLLOW ALL RECOMMENDATIONS.	107. SHADING, PROPOSED LANDSCAPED AREA, SEE LANDSCAPING PLANS.
3. 10.0% ALL DIMENSIONS TO CONCRETE WALLS AND CURBS ARE LINES TO THE CENTER (SHOWN WITH A CENTERLINE) OR FACE OF THE WALL OR CURB. ALL DIMENSIONS TO FRAMED WALLS ARE EITHER TO THE CENTERLINE OF THE WALL FRAMING (SHOWN WITH A CENTERLINE) OR TO THE FACE OF THE WALL FINISH.	108. (N) TRANSFORMER SEE LANDSCAPE PLAN.
4. REFER TO CALL AND MAP PLANS TO CONFORM WITH INFORMATION SHOWN ON THE ARCHITECT'S SITE PLANS AND FOR ACCESS SHALL BE 11.0 FT MIN. DIMENSION.	109. ACCESSIBLE FOR ACCESSIBLE PARKING STALL 5'-0" WIDE.
5. GENERAL CONTRACTOR TO COORDINATE ALL POINTS OF CONNECTION.	110. 10'-0" X 10'-0" STANDARD PARKING STALL 5'-0" WIDE & 10'-0" DEEP DOUBLE STRIPED.
6. REFER TO ALL DRAWINGS FOR ALL FINISHED GRADES AND SLOPES. ALL FINISHED GRADES TO PROVIDE POSITIVE DRAINAGE AWAY FROM THE BUILDING. GENERAL CONTRACTOR TO FIELD VERIFY.	111. CLEAR AIR VEHICLE PARKING STALL MATCH STANDARD STALL SIZE.
7. ALL ACCESSIBLE ROUTES SHOWN ON THE SITE PLAN DRAWINGS SHALL CONFORM TO THE FOLLOWING:	112. STANDARD ACCESSIBLE PARKING STALL 8'-0" WIDE & 10'-0" DEPTH OF STANDARD STALL.
a) SLOPES IN THE DIRECTION OF TRAVEL DO NOT EXCEED 0% CROSS SLOPES DO NOT EXCEED 2%.	113. VEHICLE ACCESSIBLE BY CHANGING ONLY PARKING STALL 8'-0" WIDE & 10'-0" DEPTH OF STANDARD STALL.
b) THE CLEAR WIDTH OF ALL WALKWAYS IS 4'-0" MIN.	114. FUTURE VAN ACCESSIBLE BY CHANGING ONLY PARKING STALL 8'-0" WIDE & 10'-0" DEPTH OF STANDARD STALL. PROVIDE FOR FUTURE INSTALLATION OF CHANGING EQUIPMENT.
c) CHANGES IN LEVEL UP TO 1/4" COMPLY WITH SLOPE. CHANGES IN LEVEL GREATER THAN 1/4" IF THEY OCCUR ARE MARKED: SEE PLAN.	115. TRUNCATED DOME DETECTABLE WARNING SURFACE MIN 2" DEEP IN THE DIRECTION OF TRAVEL.
d) THE VERTICAL CLEARANCE ALONG THE ACCESSIBLE ROUTE IS 8' MIN.	116. TRUNCATED CONCRETE WHEEL STOP.
8. ALL PAVED AND LANDSCAPED AREAS TO BE BOUND BY A MIN. 4" MIN. 4" WIDE CONCRETE CURB U.S.A. A CONCRETE MOW STRIP EXTENDING 12" BYPASS EA END OF THE OPENING SHALL BE PROVIDED. ALL EXTERIOR GLAZING WHERE THE GLASS IS WITHIN 2' VERTICAL OF THE FINISHED GRADE. SEE DETAIL 10.1.	117. ZERO CURB RACK.
9. PROVIDE PIPE BOLLARD PROTECTION POSTS AS REQUIRED BY UTILITY COMPANIES AND OR FIRE AUTHORITIES AT ALL EXTERIOR ELECTRICAL EQUIPMENT AND PREVENTION DEVICES. IF PIPE BOLLARD PROTECTION POST DETAIL IS NOT PROVIDED BY UTILITY COMPANIES AND OR FIRE AUTHORITY SEE DETAIL 10.1.	118. CURB RACK 5'-0" WIDE CONCRETE WALL MIN HEIGHT 8' ABOVE CONCRETE 12" LIP TRASH ENCLOSURE WALL MIN HEIGHT 6' ABOVE HIGHEST ADJACENT FINISHED GRADE. PAINT BOTH SIDES AND TOP OF WALL. SEE PLANS FOR COLOR SCHEDULE.
10. ALL EXTERIOR ELECTRICAL DEVICES COVERINGS SHALL BE PAINTED FOREST GREEN.	119. PAINTED STEEL TRASH ENCLOSURE GATES, ALONG TOP OF GATES WITH TOP OF ADJACENT ENCLOSURE WALL.
11. WHERE OCCURS, GENERAL CONTRACTOR TO PROVIDE FLOOD DAM PROOFING AT ALL RETAINING AND 1/4" LATER WALLS WHERE THE SIDE OF THE WALL OPPOSITE THE SOIL IS EXPOSED TO VIEW AND ALL EXTERIOR WALLS WHERE THE ADJACENT FLOOR SLAB IS BELOW GRADE. SEE DETAIL 2.	120. PAINTED STEEL TRASH ENCLOSURE GATES, ALONG TOP OF GATES WITH TOP OF ADJACENT ENCLOSURE WALL.
12. PROVIDE A HOSE BIB NEAR THE MAIN ENTRANCE AND IN THE TRASH ENCLOSURE. SEE PLAN FOR LOCATION.	121. HIGHEST ADJACENT FINISHED GRADE OR AS SHOWN ON ADJACENT DRAWINGS. PROVIDE KNOX BOX AS REQUIRED BY FIRE AUTHORITY.
	122. 2 POSITION BOLLARD.
	123. 8" DIA. PIPE BOLLARD PROTECTION POST.
	124. FUTURE FLOOD CHANGING EQUIPMENT.
	125. CONCRETE 12" LIP TRASH ENCLOSURE WALL MIN HEIGHT 6' ABOVE HIGHEST ADJACENT FINISHED GRADE. PAINT BOTH SIDES AND TOP OF WALL. SEE PLANS FOR COLOR SCHEDULE.
	126. WIRE MESH BETWEEN TRASH ENCLOSURE PANELS AND ROOF. TYPICAL ON 4 SIDES OF ENCLOSURE.
	127. WALL REVEAL.
	128. PANEL JOINT.

SITE LEGEND	
	LANDSCAPE AREA
	CONCRETE PAVING, SEE CIVIL DRAWING FOR PAVING SECTIONS
	FIRE ITINERARY, PROVIDE PIPE BOLLARD PROTECTION POSTS AS REQUIRED BY THE FIRE AUTHORITY. SEE DETAIL 10.1.
	SHEET LIGHT
	INDICATES AN ACCESSIBLE ROUTE, MUST COMPLY WITH SITE PLAN GENERAL NOTE #6
	PROPERTY LINE
	DOCK + HIGH DOOR
	DRIVE THRU DOOR
EXTERIOR COLOR SCHEDULE	
	1. EXTERIOR PAINT COLOR: SW R699 SUPERWHITE
	2. EXTERIOR PAINT COLOR: SW R754 HERRINGBONE
	3. BLACK ANODIZED METAL EYE BROW
	4. STORMFRONT MEDIA PERFORMANCE BLUE REFLECTED GLAZING CLEAR ANODIZED ALUMINUM
	5. ACM PANEL COLOR: MATCH STORMFRONT FRAMING
	6. EXPOSED STEEL BROW & CANOPY FRAMING & TRASH ENCLOSURE ROOF PAINT COLOR: MATCH STORMFRONT FRAMING
	7. EXTERIOR STORMFRONT FRAMING COLOR: CLEAR ANODIZED ALUMINUM
	8. EXTERIOR GLASS COLOR FOR SINGLE GLAZING & EXTERIOR LAYER OF INSULATED GLASS: VETACOLOR PACIFICA
	9. EXTERIOR GLASS COLOR FOR THE INNER LAYER OF INSULATED GLASS: CLEAR GLASS
NOTES:	
1. PAINT MAIN DOORS, STAIR & RAMP GLAZED WALLS, GUARD RAILS, DOWN SPOUTS, & LOUNGES TO MATCH ADJACENT BUILDING WALL COLOR. U.S.A.	
2. U.S.A. EXTERIOR SIDE OF TRASH DOORS TO BE PRE-FINISHED WITH MANUFACTURER'S WHITE, EXTERIOR SIDE TO BE PRE-FINISHED WITH MANUFACTURER'S LIGHT GRAY.	
3. POWER MAIN EXTENSION CONCRETE WALLS, PRIORS TO PAINTING TO REMOVE ALL CHEMICALS AND OBT THAT WILL WEAR THE PRIMER COAT FROM ADHERING TO THE	
4. PAINT EXTERIOR WALLS W/ 1-COAT SPRAYED AND BACK ROLLED ACROLEIN PRIMER AND ACROLEIN SPRAYED ON FLAT FINISH IN THE FINAL WALL COLOR. ALL PAINTS TO BE AS SPECIFIED.	
5. EXCEPT WHERE NOTED OTHERWISE ON THE PLANS ALL PANEL JOINTS SHALL BE CALKED PER DETAIL 10.1.	
6. PAINT CONCRETE BEHIND ANY OTHER WALLS WITH THE COLOR OF THE TRAILER.	
7. GLAZING BROWN WITH GLAZING DIRECTLY ABOVE OR BELOW DOWN FROM THE EXPOSED WALL CLAMP AND ABOVE OR BELOW THE BROW TO MATCH THE BROW COLOR.	



150 CONCRETE TYPAR SCREEN WALL, MIN HEIGHT 8' ABOVE
HORIZONTAL ADJACENT FINISHED GRADE, PART BOTH SIDES
AND PART TOP, SEE PLAN FOR LOCATION AND SCHEDULE.

143 PAINTED STEEL ROLLING GATES, MIN HEIGHT 8' ABOVE
HORIZONTAL ADJACENT FINISHED GRADE, PART BOTH SIDES
AND PART TOP, SEE PLAN FOR LOCATION AND SCHEDULE ON
EXISTING ELEVATIONS. PROVIDE GROUND BOX AS REQUIRED
BY FIRE DEPT.

145 EXTERIOR STEEL SINGING REGISTRATION GATE, WHEN
OCCUPYING INTERIOR, FINISH INTERIOR SURFACES WITH
UPON, ANCHOR TOP COEDED WALL, FINISH INTERIOR
SURFACES WITH FIRE AUTHORITY.

146 WALL REVEAL.

434 PANEL JOINT.

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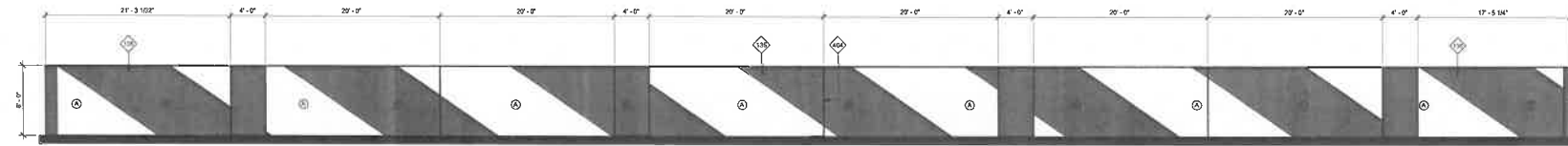
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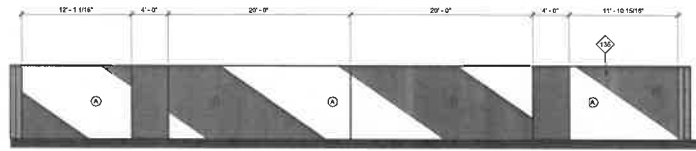
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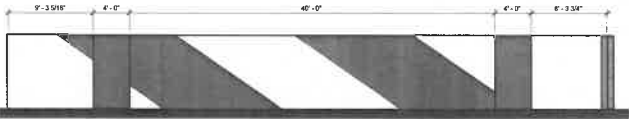
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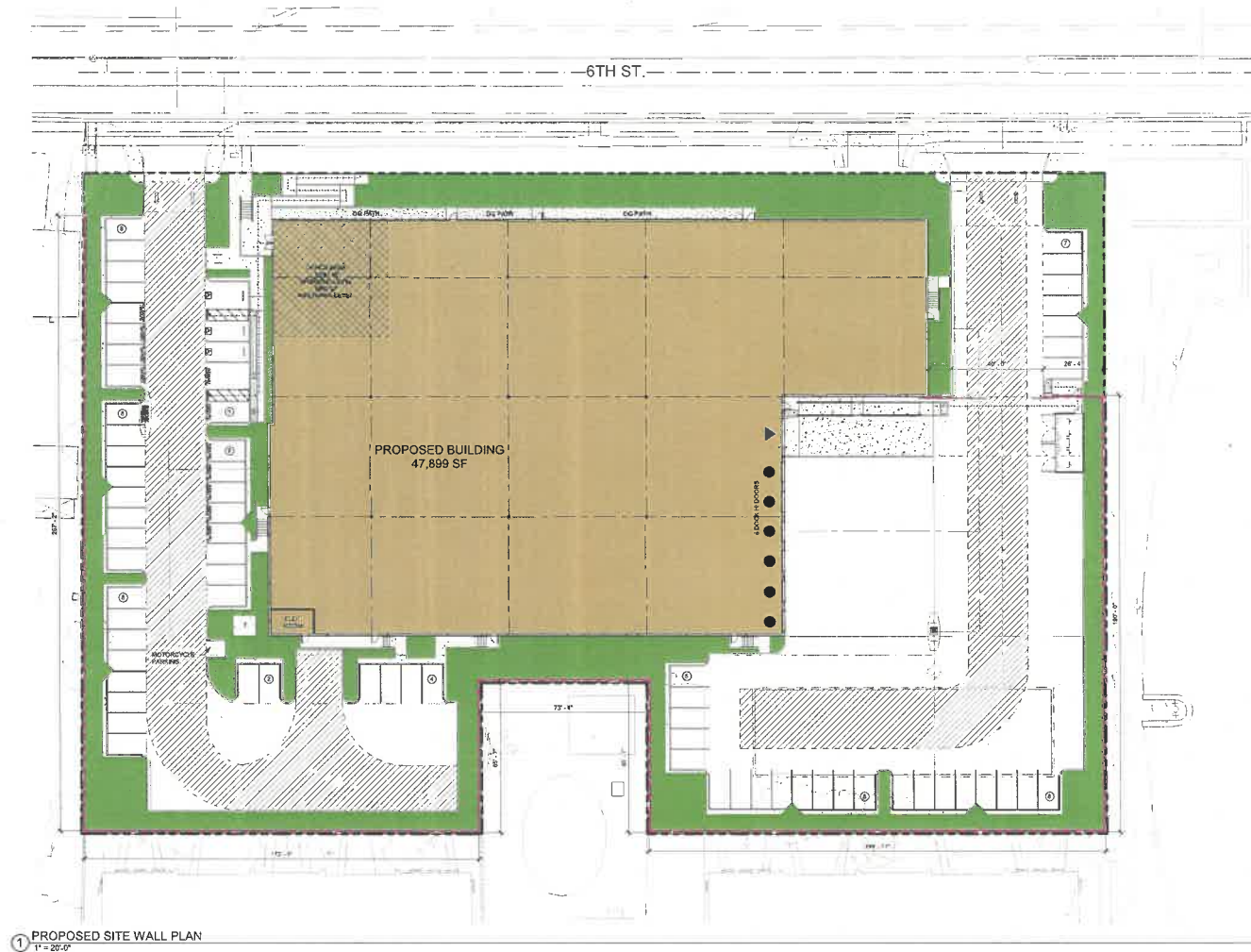


1 SOUTH SITE WALL ELEVATION 1
3/16" = 1'-0"



2 SOUTH SITE WALL ELEVATION 2
3/16" = 1'-0"





1 PROPOSED SITE WALL PLAN
1" = 20'-0"

KEYNOTES	
SITE WALL PLAN LEGEND	
---	PROPERTY LINE
---	PROPOSED 6" H SCREEN WALL WITH 9" H P. ASTERS



HERDMAN
ARCHITECTURE + DESIGN
A22-2112
01.10.2023

SITE WALL
PLAN


NORTH

A1_4

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A. EXTERIOR PAINT
SW 6995 SUPERWHITE



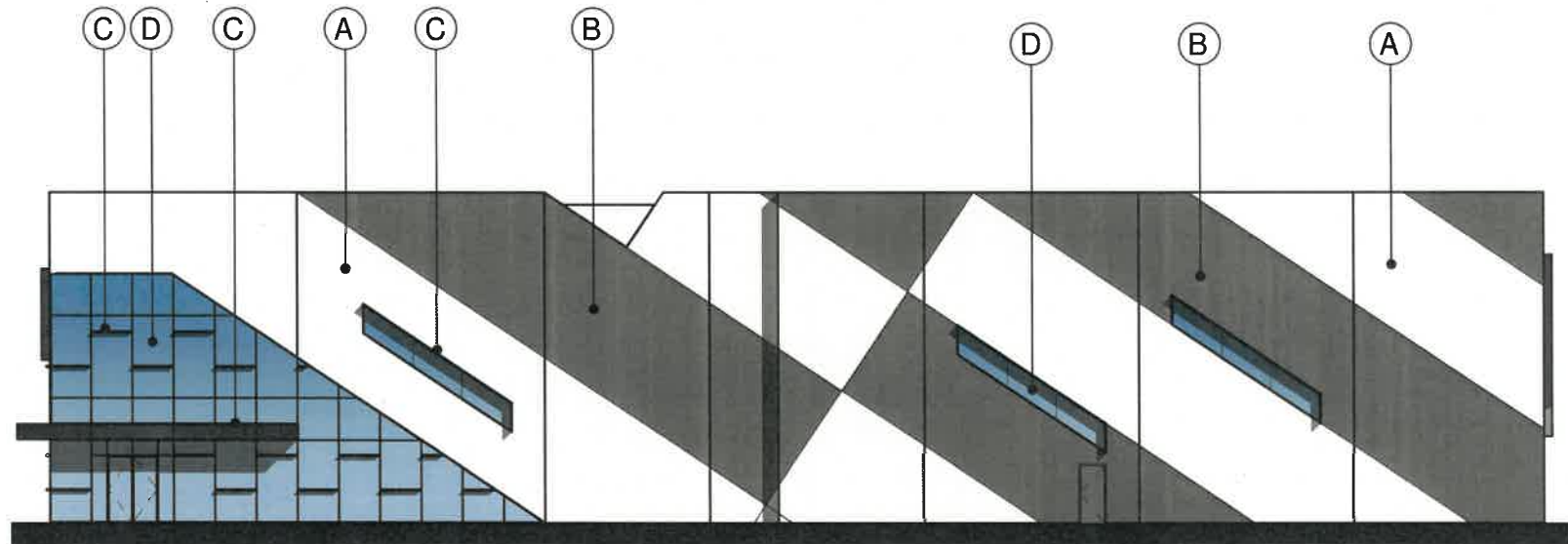
B. EXTERIOR PAINT
SW 7674 PEPPERCORN



C. BLACK ANODIZED
METAL EYE BROW



D. STOREFRONT
MEDIUM PERFORMANCE
BLUE REFLECTED GLAZING
BLACK ANODIZED MULLION



ENLARGED VIEW @ OFFICE CORNER

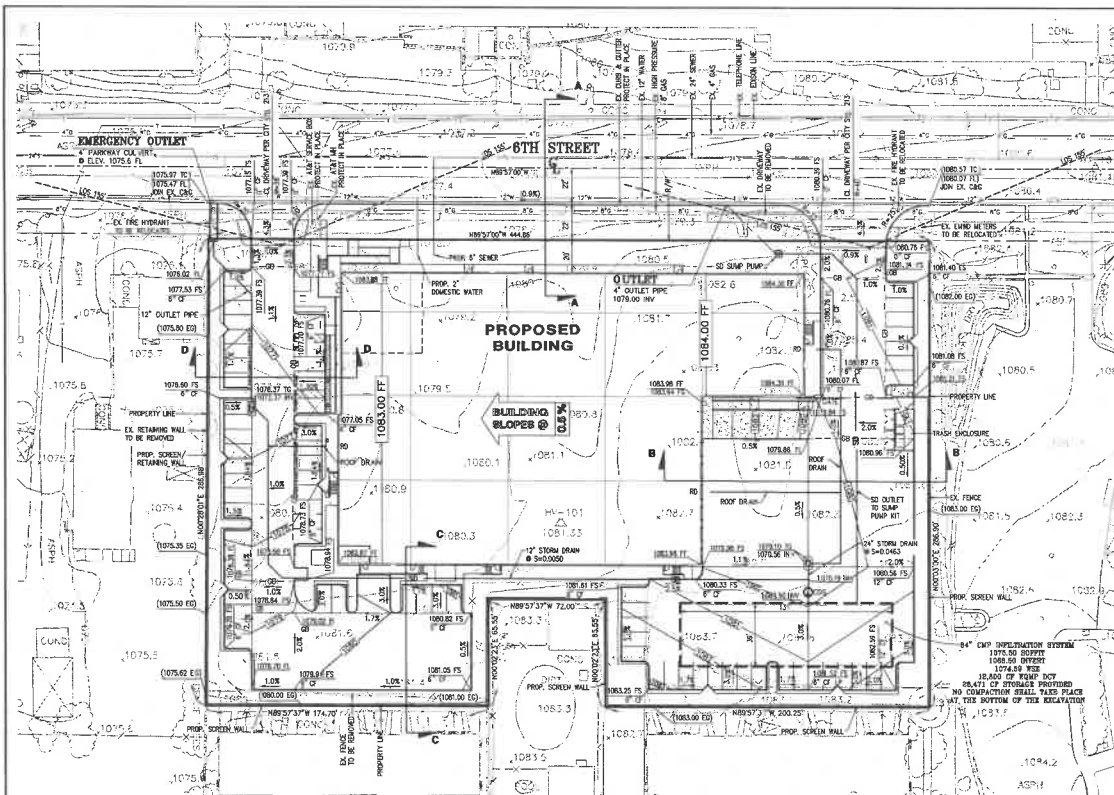


HERDMAN
ARCHITECTURE • DESIGN
A22-2112
01.10.2023

MATERIAL
BOARD

A4_1

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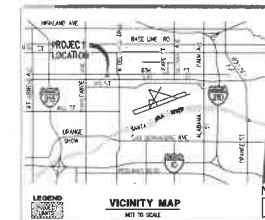
LEGEND

- S— PROPOSED STORM DRAIN
- S— PROPOSED SEWER
- W— PROPOSED WATER
- G— GRADE BREAK
- R— RIDGE LINE
- P— PROPERTY LINE
- E— EXISTING R/W
- P— PROPOSED R/W
- L— LINE OF SIGHT
- L— LANDSCAPE EASEMENT
- C— PROPOSED CURB OPENING INLET
- T— PROPOSED STREET LIGHT
- C— CURB FACE
- C— CATCH BASIN
- C— CURB & GUTTER
- C— CONTROL CURB UNIT
- C— CENTERLINE
- D— DRIVEWAY
- E— EXIST.
- E— EDGE OF PAVEMENT
- E— EXISTING GROUND
- F— FINISHED FLOOR
- F— FINISHED SURFACE
- F— FLOWLINE
- G— GRADE BREAK
- I— INSERT
- L— LANDSCAPE AREA
- L— LOW POINT
- L— LEFT
- M— MANHOLE
- N.P.— NOT A PART
- P.P.— PROTECT IN PLACE
- P.P.— POWER POLE
- P.P.— PROPERTY LINE
- P.P.— PROPOSED
- P.P.— ROOF DRAIN
- P.P.— RIGHT-OF-WAY
- P.P.— STORM DRAIN
- P.P.— STANDARD
- P.P.— STREET LIGHT
- P.P.— TRASH ENCLOSURE
- P.P.— TOP OF PAVEMENT
- P.P.— TOP OF CURB
- P.P.— TOP OF GRADE
- P.P.— EDGE OF PAVEMENT
- P.P.— WATER SURFACE ELEVATION

EARTHWORK VOLUMES

	CUT (CY)	FILL (CY)
RAW	6,180	3,900
OVEREXCAVATION	3,776	3,776
SUBTOTAL	6,962	8,561
SHRINKAGE 10%	996	
SUBSEQUENCE G.V.		913
SPOILS	250	
TOTAL	9,212	8,591

NOTE: EARTHWORK ESTIMATE IS PRELIMINARY AND BASED ON CONCEPTUAL DESIGN ONLY AND TAKES INTO ACCOUNT PRELIMINARY SOIL PARAMETERS PROVIDED BY THE SOILS ENGINEER. ADJUSTMENTS MAY BE REQUIRED BASED ON FINAL DESIGN OF SITE PAVING THICKNESS. ADDITIONAL ADJUSTMENTS MAY BE REQUIRED BASED ON SITE SOIL CHARACTERISTICS EXPERIENCED DURING CONSTRUCTION.

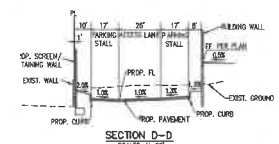
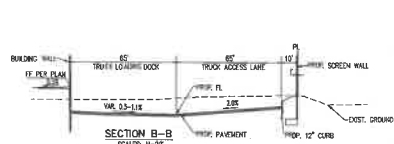
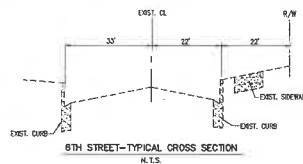
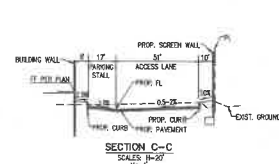
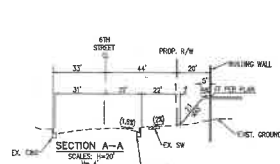


LEGAL DESCRIPTION

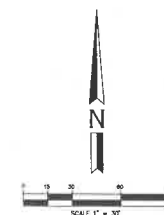
REAL PROPERTY IN THE CITY OF SAN BERNARDINO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 LOT 2, TRACT NO. 8742, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 149 OF MAPS, PAGES 52 TO 54, INCLUSIVE, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM ALL DEPOSIT OF MINERALS INCLUDING OIL AND GAS, LYING BELOW THE DEPTH OF 500 FEET, WITHIN/1, HOWEVER, THE RIGHT TO DRILL OR MINE THROUGH THE SURFACE THEREOF, AS RESERVED IN THE DEED FROM THE STATE OF CALIFORNIA, RECORDED JULY 31, 1983, IN BOOK 6986, PAGE 241, OFFICIAL RECORDS.

0279-201-24-0-000



NOTE: HORIZONTAL AND VERTICAL LOCATIONS TO BE VERIFIED IN THE FIELD AND ENGINEERS NOTIFIED OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.



ARCHITECTURE
 HERDMAN ARCHITECTURE
 101 BAYVIEW CIRCLE, SUITE 100
 NEWPORT BEACH, CALIFORNIA 92660
 PHONE: (949) 430-8068
 CONTACT: CAROL GREY

ENGINEER
 HUITT-ZOLLARS
 3885 CONCORD, SUITE 330
 ONTARIO, CALIFORNIA 91764
 PHONE: (909) 941-7798
 CONTACT: RYAN PIERCE

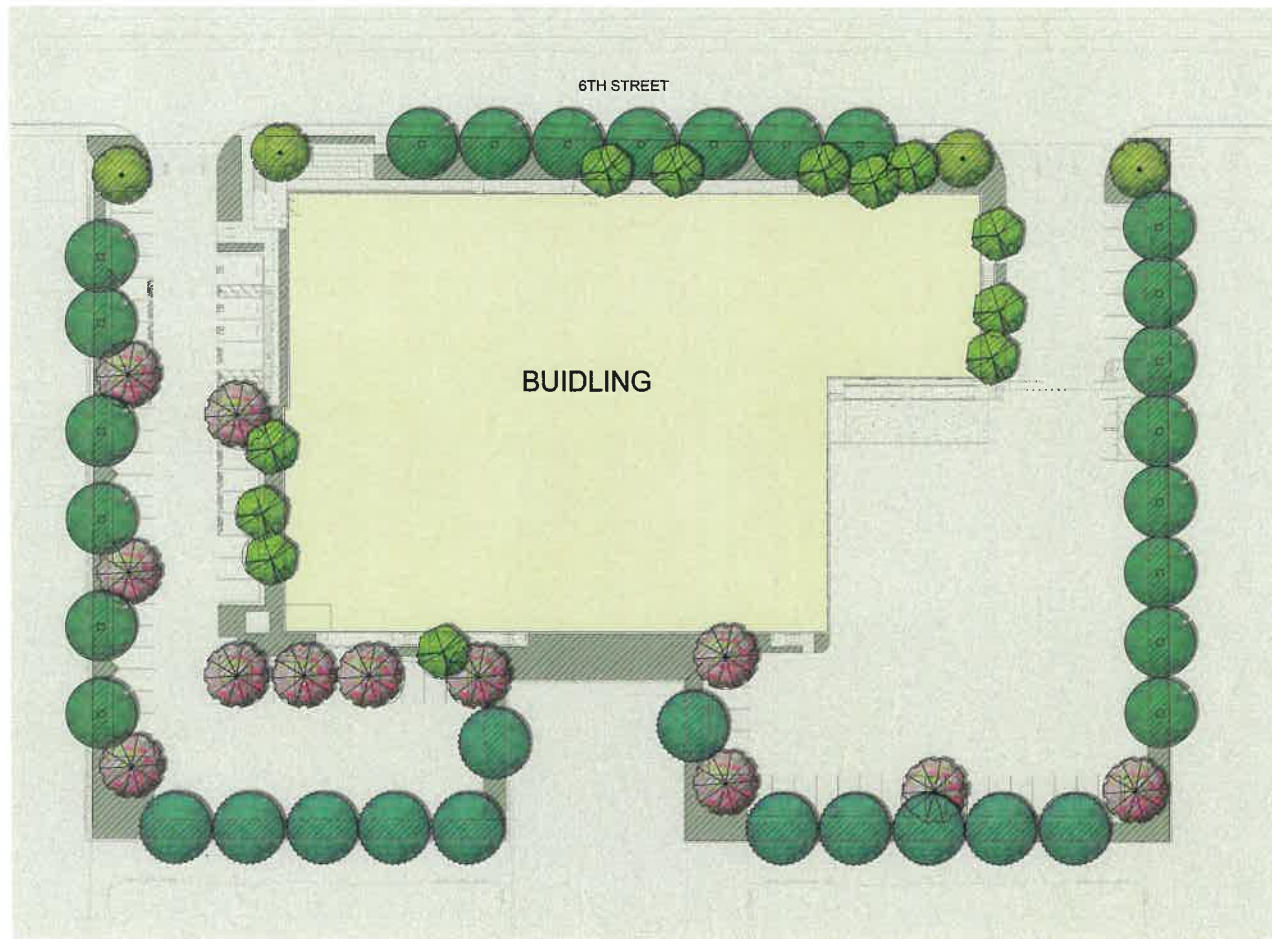
OWNER
 PATRIOT DEVELOPMENT PARTNERS
 12201 WILSHIRE BLVD.
 LOS ANGELES, CA 90049
 PHONE: 310-550-4154
 CONTACT: KEVIN RICE

BENCH MARK	BASIS OF BEARING
BENCHMARK: NO. C-2-3 MONUMENT ELEVATION = 1075.01' 3.5' W. & 1.5' E. OF INTERSECTION ALONG 6TH ST. 21.0' SOUTH OF THE INTERSECTION OF 6TH ST. & 38000 6TH ST. (NORTH CONSTRUCTION) 1.0' SOUTH OF THE SOUTH CURBLINE OF 6TH ST. 1.0' WEST OF A 4" HIGH BLOCK WALL, 400.0' LEVEL WITH THE CURB.	BEARING OF THE FIELD SURVEY OBTAINED BY THE SURVEYOR ON THE CURBLINE OF 6TH ST. STREET BEING NORTH 89°27'57" WEST PER TRACT MAP NO. 149, M.B. 149/51-53.

CONCEPTUAL GRADING PLAN
 FOR
 6th and Del Rosa Industrial
 CITY OF HIGHLAND

HUITT-ZOLLARS
 HUITT-ZOLLARS, INC.
 3885 CONCORD, SUITE 330 - ONTARIO, CALIFORNIA 91764 - (909) 941-7798

DESIGNED BY	SHEET
R.P.P.	1
CHIEF ENGINEER	1
ENGINEER	1
DATE	11/15/2010



PLANTING LEGEND

TREES					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	<i>Chrysopsis leucocarpa</i> Orange	24" Box	12	L	Standard
	<i>Quercus agrifolia</i> Oak	48" Box	4	L	Multi
	<i>Pinus edulis</i> Algerian Pine	24" Box	12	L	Standard
	<i>Rhus typhina</i> African Sumac	24" Box	21	L	Standard
	<i>Taxodium distichum</i> Baldcypress	15 Gal	12	M	Standard

NOTE: LANDSCAPE ELEMENTS SUCH AS TREES, SHRUBS OR GROUND COVER WILL NOT OBLSCURE OR INTERFERE WITH ANY ON-SITE SIGNAGE.

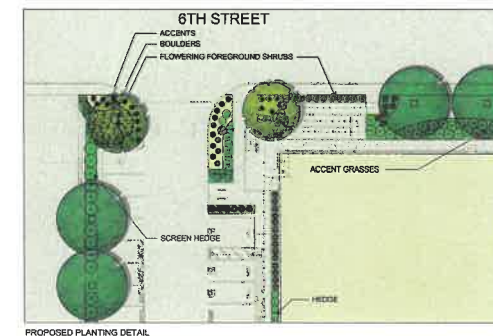
SHRUBS					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	<i>Agave americana</i> Pineapple Glaze	5 Gal	3' OC	L	SCREEN HEDGE
	<i>Albizia julibrissin</i> Silk Tree	1 Gal	7' from hardscape	L	ACCENT
	<i>Calligonum caput-medusae</i> Dwarf Bottle Brush	5 Gal	7' OC	L	FLOWERING MID-GROUND
	<i>Ceanothus leucodermis</i> Shepherd's Bush	5 Gal	2.5' O.C.	L	FLOWERING BACKGROUND
	<i>Daphne genkwa</i> Forsythia	5 Gal	2' from hardscape	M	FLOWERING ACCENT
	<i>Lawsonia alba</i> Tessalon	5 Gal	2' OC	M	SCREEN HEDGE
	<i>Sabicea angustifolia</i> Allen Chickering Sage	5 Gal	4' O.C.	L	FLOWERING BACKGROUND
	<i>Sesuvium portulacastrum</i> Portulacastrum	5 Gal	2.5' from hardscape	L	FLOWERING FOREGROUND
	<i>Sesuvium portulacastrum</i> Portulacastrum	5 Gal	2' from hardscape	L	FLOWERING MID-GROUND
	<i>Westringera linearis</i> Dwarf Coast Rosemary	5 Gal	2' from hardscape	L	FLOWERING FOREGROUND
	<i>Westringera linearis</i> Dwarf Coast Rosemary	5 Gal	2' from hardscape	L	SCREEN HEDGE

GROUND COVER					
SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	<i>Lantana camara</i> Yellow Lantana	1 Gal	36" O.C.	L	FLOWERING FOREGROUND
	<i>Lantana camara</i> Yellow Lantana	1 Gal	48" O.C.	L	FLOWERING FOREGROUND
	<i>Utricularia</i> Pink Mistle	1 Gal	36" O.C.	M	ACCENT GRASS
	<i>Myoporum laetifolium</i> Myoporum	1 Gal	36" O.C.	L	LOW FOREGROUND
	<i>Rosa rugosa</i> Rosa rugosa	1 Gal	48" O.C.	L	LOW FOREGROUND

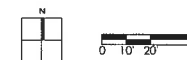
GENERAL NOTES:

- All Trees within 5' of hardscape to have a 24" deep linear root barrier. See Planting Detail sheet.
- Contractor to install concrete curb between planters and rock areas, provide curb at property lines where walls or fences don't occur.
- All planter areas to receive a 2" layer of shredding organic mulch.
- All backflows and above ground equipment to be placed at least 5' from hardscape on flat area. All equipment to be screened with strap-leaf plants.
- Tall shrubs are to be provided at screen walls for protection from graffiti.
- Soil compaction to be no greater than 85% on landscape areas.
- All finish grades to be 12" below finish surface paving.
- Agromonical soil testing report to be included in landscape plans.
- Landscape irrigation equipment to be a combination of drip and rotor.

TOTAL STALLS - 71 AREA 11,502, AREA REQUIRED TO BE SHADED 5,751
SHADING PROVIDED - 5,700



PROPOSED PLANTING DETAIL



PATRIOT PARTNERS 6th ST. & Del ROSA ROAD

22-105
08.22.22
11.31.22

Highland, California



HUNTER LANDSCAPE

711 FEE ANA STREET PLACENTIA, CA 92670
714.986.2400 FAX 714.986.2408



OLEA SWAN HILL
FRUITLESS OLIVE



CHITALPA TACHKENTENSIS
CHITALPA



RHUS LANCEA
AFRICAN SUMAC



PINUS ELДАРIC
AFGHAN PINE



TRISTANIA CONFERTA
BRISBANE BOX



ACACIAELLOWIANA
PINEAPPLE GUAVA



AGAVE AND ALOE SPP



CALLISTEMON LITTELJOHN
DWARF BOTTLEBRUSH



DIELS BICOLOR
FORTNIGHT LILY



LIGUSTRUM J. TEXANUM
TEXAS PRIVET



SALVIA LEUCANTHA
MEXICAN SAGE



OLEA SWAN HILL
FRUITLESS OLIVE



SALVIA GREGGII
AUTUMN SAGE



WESTRINGIA GREY BOX
COAST ROSEMARY GREY BOX



WESTRINGIA FRUTICOSA
COAST ROSEMARY



MUHLENBERGIA CAPILARIS
PINK MUHL



LANTANA YELLOW



LONICERA J. HALLIANA
HALL'S HONEYGUCKLE



MYOPORUM PARVIFOLIA
MYOPORUM



ROSMARINUS HUNTINGTON CARPET
PROCRATE ROSEMARY

PATRIOT PARTNERS 6th ST. & DeI ROSA ROAD

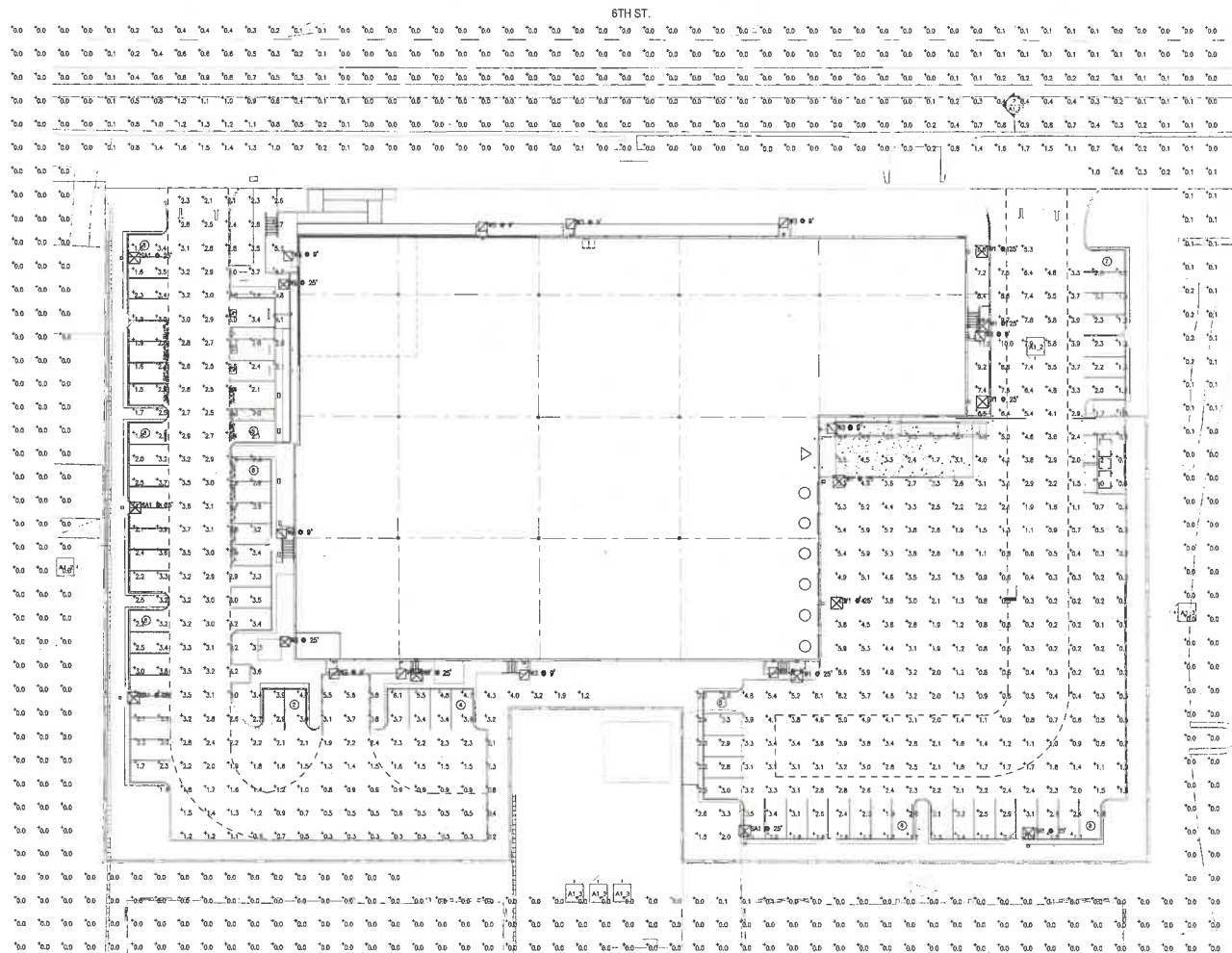
22-105
08.27.22
11.21.22

Highland, California



HUNTER LANDSCAPE

711 FEE ANA STREET PLACENTIA, CA 92870
714.986.2400 FAX 714.986.2408



SITE PHOTOMETRIC

SCALE: 1/8" = 1'-0"

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Zone #3	+	2.7 fc	11.9 fc	0.1 fc	119.01	27.01
Zone #4	+	0.1 fc	1.7 fc	0.0 fc	N/A	N/A

Symbol	Label	Quantity	Manufacturer	Coloring Number	Finish/Color	Light	Number	Parcels	Lumens Per Lamp	Light Loss Factor	Wattage
W3	W3	11	U.S. ARCHITECTURAL LIGHTING	2000-3500A-40W	BLACK PAINTED FINISHED METAL HOUSING	NO WHITE LIGHT EMISSION (LED), BASE UP	33	2000-3500A-40W	151	0.8	21.4
W2	W2	2	U.S. ARCHITECTURAL LIGHTING	2000-3500A-40W	BLACK PAINTED FINISHED METAL HOUSING	NO WHITE LIGHT EMISSION (LED), BASE UP	30	2000-3500A-40W	318	0.8	126.4
W1	W1	7	U.S. ARCHITECTURAL LIGHTING	2000-3500A-40W	BLACK PAINTED FINISHED METAL HOUSING	NO WHITE LIGHT EMISSION (LED), BASE UP	80	2000-3500A-40W	341	0.8	161.9
SA1	SA1	5	U.S. ARCHITECTURAL LIGHTING	2000-3500A-40W	BLACK PAINTED FINISHED METAL HOUSING	NO WHITE LIGHT EMISSION (LED), BASE UP	80	2000-3500A-40W	187	0.8	126.4

SOLID STATE AREA LIGHTING

RAZAR SERIES-LED

SPECIFICATIONS

GENERAL NOTES:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

PHYSICAL FEATURES:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

INSTALLATION:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

RAZAR
(1/2" x 1/2" x 1/2" LED array)

RAZAR-1/2
(1/2" x 1/2" x 1/2" LED array)

RAZAR-1
(1" x 1" x 1" LED array)

SOLID STATE AREA LIGHTING

RAZAR WALLMOUNT-LED

SPECIFICATIONS

GENERAL NOTES:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

PHYSICAL FEATURES:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

INSTALLATION:
 1. RAZAR is a solid state area lighting fixture with a 1/2" x 1/2" x 1/2" LED array. It is designed for use in areas where a high level of brightness is required. It is available in two sizes: 1/2" x 1/2" and 1" x 1".

RAZAR-WM1
(1/2" x 1/2" x 1/2" LED array)

RAZAR-WM2
(1" x 1" x 1" LED array)

RAZAR-WM3
(1" x 1" x 1" LED array)

ATTACHMENT 8
Resolution No. 2023 - _____
Approving IS/MND & MMRP

PC RESOLUTION NO. 2023 – ____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
HIGHLAND, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE
DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE DEVELOPMENT OF A 47,899 SQUARE FOOT WAREHOUSE AND
ASSOCIATED IMPROVEMENTS LOCATED ON THE SOUTH SIDE OF 6TH
STREET, 930' WEST OF DEL ROSA DRIVE. RELATED ENTITLEMENTS
INCLUDE CONDITIONAL USE PERMIT (CUP-22-011), DESIGN REVIEW
APPLICATION (DRA-22-015), AND VARIANCE (VAR-22-004)
APN: 279-201-24**

APPLICANT: PATRIOT USICV VICTORIA, LLC (PATRIOT PARTNERS)

A. RECITALS

1. On September 13, 2022, the Applicant filed an application for Conditional Use Permit (CUP-22-011) to develop a 47,899 square foot industrial warehouse and associated improvements including loading docks, passenger vehicle parking spaces, a stormwater detention/infiltration basin, and landscape area. Related applications were also filed for Design Review (DRA-22-015) including a Site Plan, Building Elevations, Conceptual Grading Plan, Conceptual Landscape Plan; Variance (VAR-22-004) to increase the maximum building height permitted to 44'.
2. The site is located on an approximately 2.83 acres at the south side of 6th Street, west of Del Rosa Drive in the City's Business Park Zoning and General Plan Designations.
3. Pursuant to the provision of the California Environmental Quality Act (CEQA) and State and Local CEQA Guidelines, the City of Highland is the Lead Agency, and is charged with the responsibility of deciding whether or not to approve the proposed Project.
4. The Initial Study prepared for the Project was made available for public review from March 24, 2023 to April 16, 2023.
5. The Initial Study also finds that the issues of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, and Tribal Cultural Resources require the implementation of mitigation measures to reduce impacts to a less than significant level, and a Mitigated Negative Declaration is the appropriate document for this project.
6. On May 16, 2023, the Planning Commission of the City of Highland, conducted a Public Hearing on the subject Project and concluded the Hearing on that date.
7. 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:

- Section 1. The Planning Commission finds that all of the facts set forth in the Recitals, Part "A" of this Resolution, are true and correct.
- Section 2. Based upon substantial evidence presented to the Planning Commission during the May 16, 2023, Public Hearing, including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:
- a. All necessary Public Meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
- Section 3 The Planning Commission hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, both of which are attached hereto and incorporated herein by reference.
- Section 4. The Planning Commission hereby instructs City staff to file a Notice of Determination with the Clerk of the Board of the Supervisors of the County of San Bernardino, pursuant to the Public Resources Code and State CEQA Guidelines.

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 16th day of May, 2023.

ATTEST:

Randall Hamerly, Chairman
Planning Commission

Lawrence A. Mainez,
Community Development Director

**Final
Initial Study/Mitigated Negative Declaration**

Sixth Street and Del Rosa Drive Warehouse Project

CUP22-011

SCH# 2023030640
April 2023



Prepared for:

City of Highland
27215 Base Line
Highland, California
92346

CONTACT:
Angela Tafolla



Prepared by:

DUDEK

27372 Calle Arroyo
San Juan Capistrano,
California 92675

CONTACT:
Patrick Cruz
Project Manager

Initial Study/Mitigated Negative Declaration

Sixth Street and Del Rosa Drive Warehouse Project

APRIL 2023

Prepared for:



CITY OF HIGHLAND

27215 Base Line

Highland, California 92346

Contact: Angela Tafolla

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San Juan Capistrano, California 92675

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1 Introduction

An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the proposed Sixth Street and Del Rosa Drive Warehouse Project (project) and made available for public comment for a public review period from March 24, 2023, through April 16, 2023. In accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15074(b) (14 CCR 15074(b)), before approving the proposed project, the City of Highland (City), as the lead agency under CEQA, will consider the IS/MND with any comments received during this public review period. Specifically, Section 15074(b) of the CEQA Guidelines (14 CCR 15074(b)) states the following:

Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

The agencies and individuals who provided substantive written comments on the environmental issues addressed in the Draft IS/MND are listed in Table 1. Although CEQA (California Public Resources Code, Section 21000 et seq.) and the CEQA Guidelines (14 CCR 15000 et seq.) do not explicitly require a lead agency to provide written responses to comments received on an IS/MND, the lead agency may do so voluntarily. Individual comments within each communication are numbered so comments can be cross-referenced with responses. The comment letters received during the public review period are included below.

Table 1. Comment Letter Summary

Letter Number	Commenter	Date
A	Yuhaaviatam of San Manuel Nation <i>Signed: Ryan Nordness, Cultural Resource Analyst</i>	October 3, 2022

Note: Comments are provided below.

Responses to comments are made in the following text to supplement, clarify, or expand on information already presented in the Draft IS/MND. These responses do not change the significance of determinations made or the severity of potential environmental impacts evaluated in the Draft IS/MND. Section 15073.5(c)(4) of the CEQA Guidelines (14 CCR 15073.5(c)(4)) permits the inclusion of new information within an IS/MND if the additional information "merely clarifies, amplifies, or makes insignificant modifications to the negative declaration."

2 Responses to Comments

Comment Letter A

Comment Letter A

Angela Tafolla

From: Ryan Nordness <Ryan.Nordness@sanmanuel-nsn.gov>
Sent: Monday, October 3, 2022 3:50 PM
To: Angela Tafolla
Subject: AB52 notice for the 6th street and del rosa drive warehouse project, Highlands, CA

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

Hello Angela,

Thank you for contacting the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) regarding the above referenced project. YSMN appreciates the opportunity to review the project documentation, which was received by our Cultural Resources Management Department on October 1st 2022, pursuant to CEQA (as amended, 2015) and CA PRC 21080.3.1. The proposed project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed project, and given the CRM Department's present state of knowledge, YSMN does not have any concerns with the project's implementation, as planned, at this time. As a result, YSMN requests that the following language be made a part of the project/permit/plan conditions:

CUL MMs

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 Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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.
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 YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
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.

TCR MMs

1. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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 resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

SIXTH STREET AND DEL ROSA AVENUE WAREHOUSE PROJECT
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

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 YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.

Note: Yuhaaviatom of San Manuel Nation realizes that there may be additional tribes claiming cultural affiliation to the area; however, Yuhaaviatom of San Manuel Nation can only speak for itself. The Tribe has no objection if the agency, developer, and/or archaeologist wishes to consult with other tribes in addition to YSMN and if the Lead Agency wishes to revise the conditions to recognize additional tribes.

Please provide the final copy of the project/permit/plan conditions so that YSMN may review the included language. This communication concludes YSMN's input on this project, at this time, and no additional consultation pursuant to CEQA is required unless there is an unanticipated discovery of cultural resources during project implementation. If you should have any further questions with regard to this matter, please do not hesitate to contact me at your convenience, as I will be your Point of Contact (POC) for YSMN with respect to this project.

Respectfully,
Ryan Nordness

Ryan Nordness
Cultural Resource Analyst
Ryan.Nordness@sanmanuel-nsn.gov
O:(909) 864-8933 Ext 50-2022
M:(909) 838-4053
26569 Community Center Dr Highland, California 92346



A-1
cont.

Response to Comment Letter A

Yuhaaviatam of San Manuel Nation (YSMN)
Ryan Nordness, Cultural Resource Analyst
October 3, 2022

- A-1** The comment contains proposed mitigation measures from the Yuhaaviatam of San Manuel Nation (YSMN), formerly known as the San Manuel Band of Mission Indians. No additional information was provided in this letter that would indicate that the project could have an adverse effect TCRs. In an abundance of caution and in an effort to maintain a good faith relationship with the YSMN, the City will refine MM-CUL-3 and MM-TCR-1 to include the mitigation measures included within the Tribe's comment letter. It should be noted that the YSMN's CUL mitigation measures have been combined within MM-CUL-3, and the YSMN's TCR mitigation measures have been combined within MM-TCR-1. These changes to MM-CUL-3 and MM-TCR-1 have been made below in Section 3, Errata, of this document.

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3 Errata

The following provides minor revisions, corrections, and additions to the Draft IS/MND. The corrections and additions are organized by section and page number of the Draft IS/MND. New text additions are shown in underline format, and deletions are shown in strikeout format. These minor revisions, corrections, and additions do not change the significance determinations made or the severity of potential environmental impacts evaluated in the Draft IS/MND.

3.5, Cultural Resources (Page 48)

Explanation for Change:

MM-CUL-3 is being modified to include the mitigation measures included within the YSMN's comment letter. This change to MM-CUL-3 has been made below.

This modification does not change the significance determination made regarding cultural resources, but rather merely strengthens and clarifies manner in which MM-CUL-3 would be implemented. As such, this modification is consistent with Section 15073.5(c)(4) of the CEQA Guidelines (14 CCR 15073.5(c)(4)), and no further action is necessary.

Change:

MM-CUL-3 Inadvertent Discovery Clause. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbance, all construction work occurring within 100 feet of the find shall immediately stop, and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether additional study is warranted. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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. Depending upon the significance of the find under the California Environmental Quality Act (CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If monitoring is warranted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City of Highland for review. This report shall document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. 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 YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. The final report shall be submitted to the South Central Coastal Information Center.

~~In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. 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. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall follow all required protocols according to California Public Resources Code, Section 5097.98.~~

3.18, Tribal Cultural Resources (Page 109)

Explanation for Change:

MM-TCR-1 is being modified to include the mitigation measures included within the YSMN's comment letter. This change to MM-TCR-1 has been made below.

This modification does not change the significance determination made regarding tribal cultural resources, but rather merely strengthens and clarifies manner in which MM-TCR-1 would be implemented. As such, this modification is consistent with Section 15073.5(c)(4) of the CEQA Guidelines (14 CCR 15073.5(c)(4)), and no further action is necessary.

Change:

MM-TCR-1 Tribal Cultural Resources – ~~Should pre-contact and/or historic-era cultural resources that are Native American in origin be discovered during project implementation, Native American Tribes that are traditionally associated with the project area and have consulted on the project, shall be contacted and be provided information regarding the resource. The resources will be treated consistent with the requirements outlined in MM-CUL-3 and in consultation with the notified tribes. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM-CUL-3, 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. Additionally, sShould the resource be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the retained archaeologist for the project, in coordination with the consulting Tribe(s)-YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a Native American monitor to be present that represents YSMN for the remainder of the project, should the consulting Tribe(s) YSMN elect to place a monitor on-site. 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 the City for dissemination to the consulting Tribe(s) YSMN. The City and/or applicant shall, in good faith, consult with the consulting Tribe(s) YSMN throughout the life of the project.~~

4 Preparers

4.1 List of Preparers

Dudek

Patrick Cruz – Project Manager

Hayley Ward – Environmental Planner

Clarisa Olaguez – Environmental Planner

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**Public Review
Initial Study/Mitigated Negative Declaration**

6th Street and Del Rosa Drive Warehouse Project

CUP22-011

March 2023



Prepared for:

**City of Highland
27215 Base Line
Highland, California
92346**

CONTACT:

**Angela Tafolla
Associate Planner**



Prepared by:

DUDEK

**27372 Calle Arroyo
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CONTACT:

**Patrick Cruz
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Initial Study/Mitigated Negative Declaration **Sixth Street and Del Rosa Drive Warehouse Project**

MARCH 2023

Prepared for:



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Acronyms and Abbreviations

Acronym/Abbreviation	Definition
AB	Assembly Bill
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
AQMP	Air Quality Management Plan
BMP	best management practice
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CH ₄	methane
CHRIS	California Historical Resources Information System
City	City of Highland
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide
CO ₂ e	Carbon dioxide equivalent
CRHR	California Register of Historical Resources
dB	decibel
dBA	A-weighted decibel
DPM	diesel particulate matter
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
EVWD	East Valley Water District
FICON	Federal Interagency Committee on Noise
GHG	greenhouse gas
GWP	global warming potential
HARP2	Hotspots Analysis Reporting Program Version 2
HIA	health impact assessment
HRA	health risk assessment
HVAC	heating, ventilation, and air conditioning
I	Interstate
IS	initial study
L _{dn}	day-night average noise level
L _{eq}	equivalent noise level over a given period
LOS	level of service
LST	localized significance threshold

SIXTH STREET AND DEL ROSA DRIVE WAREHOUSE PROJECT / INITIAL STUDY /
MITIGATED NEGATIVE DECLARATION

Acronym/Abbreviation	Definition
MM	Mitigation Measure
MND	mitigated negative declaration
MS4	Municipal Separate Storm Sewer System
MT	metric ton
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NO ₂	nitrogen dioxide
NO _x	oxides of nitrogen
NPDES	National Pollution Discharge Elimination System
O ₃	ozone
OEHHA	Office of Environmental Health Hazard Assessment
PCE	passenger car equivalent
PDF	Project Design Feature
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than or equal to 10 microns
PM _{2.5}	particulate matter with an aerodynamic diameter less than or equal to 2.5 microns
PPV	peak particle velocity
PRC	Public Resources Code
project	Sixth Street and Del Rosa Warehouse Project
project applicant	Patriot Development Partners
REL	reference exposure level
ROW	right-of-way
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
SB	Senate Bill
SBIA	San Bernardino International Airport
SBCSD	San Bernardino County Sheriff's Department
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SJVAPCD	San Joaquin Valley Air Pollution Control District
SLF	Sacred Lands File
SO _x	sulfur oxides
SR	State Route
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TCR	tribal cultural resource
VMT	vehicle miles traveled
VOC	volatile organic compound
WQMP	Water Quality Management Plan
WRP	Water Reclamation Plant

1 Introduction

1.1 Project Overview

The City of Highland (City) received an application from Patriot Development Partners (project applicant) requesting the following approvals for development of the Sixth Street and Del Rosa Warehouse Project (project) located at the southeast corner of Sixth Street and Del Rosa Drive in Highland, California:

- Conditional Use Permit (CUP 22-011)
- Design Review (DRA 22-015)
- Variance (VAR 22-004)

The project includes design review for the construction of an approximately 47,899-square-foot, one-story industrial/warehouse facility on an approximately 2.83-acre (gross) property located in the southwestern part of the City. The project site's Assessor's Parcel Number is 0279-201-24. In addition to the industrial/warehouse building, the project would include loading docks, truck and vehicle parking, and landscape areas.

1.2 California Environmental Quality Act Compliance

The City is the lead California Environmental Quality Act (CEQA) agency responsible for the review and approval of the proposed project. Based on the findings of the initial study (IS), the City has made the determination that a mitigated negative declaration (MND) is the appropriate environmental document to be prepared in compliance with CEQA (PRC Section 21000 et seq.). As stated in CEQA Section 21064, an MND may be prepared for a project subject to CEQA when an IS has identified no potentially significant effects on the environment.

This draft IS/MND has been prepared by the City as lead agency and is in conformance with Section 15070(a) of the CEQA Guidelines (14 CCR 15000 et seq.). The purpose of the MND and the IS Checklist is to determine any potentially significant impacts associated with the proposed project and to incorporate mitigation measures into the project design, as necessary, to reduce or eliminate the significant or potentially significant effects of the project.

1.3 Project Planning Setting

In accordance with CEQA, a good faith effort has been made during the preparation of this IS/MND to contact affected agencies, organizations, and persons who may have an interest in this project.

In reviewing the IS/MND, affected public agencies and the interested public should focus on the sufficiency of the document in identifying and analyzing the project's possible impacts on the environment. The Draft IS/MND and related documents are available for review on City's website (<https://www.cityofhighland.org/209/Public-Notices>).

Comments on the IS/MND may be made in writing before the end of the public review period. Following the close of the public comment period, the City will consider this IS/MND and comments thereto in determining whether to approve the proposed project.

Written comments on the IS/MND should be sent to the following address by Thursday, April 13, 2023.

City of Highland
Planning Department
27215 Base Line
Highland, California 92346
Contact: Angela Tafolla
Email: atafolla@cityofhighland.org

1.4 Public Review Process

Dudek, under the City's guidance, prepared the project's Environmental Checklist (i.e., IS Checklist) per CEQA Guidelines Sections 15063–15065. The CEQA Guidelines include a suggested checklist to indicate whether a project would have an adverse impact on the environment. The checklist is found in Section 3 of this document. Following the Environmental Checklist, Sections 3.1 through 3.21 include an explanation and discussion of each significance determination made in the checklist for the project.

For this IS/MND, the following four possible responses to each individual environmental issue area are included in the checklist:

1. Potentially Significant Impact
2. Less-than-Significant Impact with Mitigation Incorporated
3. Less-than-Significant Impact
4. No Impact

The checklist and accompanying explanation of checklist responses provide the information and analysis necessary to assess relative environmental impacts of the project. In doing so, the City will determine the extent of additional environmental review, if any, for the project.

2 Project Description

2.1 Project Location

The project site is located in the southwestern area of the City in western San Bernardino County. The City is bounded by the San Bernardino National Forest to the north and to the east, the City of Redlands to the south, and the City of San Bernardino to the west. The project site is located approximately 650 feet west of the southwestern corner of Sixth Street and Del Rosa Drive, south of Sixth Street, west of Del Rosa Drive, north of Fifth Street, and east of Tippecanoe Avenue (Figure 1, Project Location Map).

The project site is composed of Assessor's Parcel Number 0279-201-24 (Figure 2, Aerial Overview). Regional access to the project area is provided by Interstate (I) 10 to the south, I-215 to the west, and State Route (SR) 210 to the east. The site is bounded to the north by Indian Springs High School, to the east by the East Valley Water District Sterling Natural Resource Center and to the south and west by low-density residential land uses and scattered residential uses, with the City of San Bernardino and the San Bernardino Airport located beyond the City limits.

2.2 Environmental Setting

City of Highland

The City of Highland is a midsize California city with approximately 55,000 residents and 18 square miles of territory. Within the City, the pattern of land use transitions from predominantly single and multifamily residential and industrial near the San Bernardino International Airport (SBIA) to predominately single-family residential, commercial, service, and civic center uses to the north. The eastern areas of the City are mostly made up of planned development areas with various residential types, parks, and open space.

Project Site

The approximately 2.83-acre rectangular-shaped project site is located on the southwestern corner of Sixth Street and Del Rosa Drive. The project site consists of vacant land. Vegetation and land covers on the project site consist of undeveloped land and ruderal vegetation.

The project site is relatively flat and generally slopes to the west. The average site elevation is approximately 1,080 feet above mean sea level. Soils on site consist of both fill soils and native soils. Fill soils are present approximately 1 to 2 feet deep and classify as silty fine to coarse sand with occasional rootlets. Native soils on site classify as silty sand to slightly silty sand with grain size varied with depth.

The City's General Plan Land Use Map designates the project site as Business Park, and the project site is zoned as Business Park within the Airport Influence Zone (Figure 3, General Plan Land Use, and Figure 4, Zoning).

Surrounding Land Uses

The project site is located within a developed part of the City and is surrounded by a mix of urbanized land uses. Specific land uses in the immediate project area are depicted in Table 1.

Table 1. Surrounding Land Uses

Direction	Existing Use	General Plan	Zoning Designation
North	Indian Springs High School	Public Facilities	Public Facilities
East	East Valley Water District Sterling Natural Resource Center	Business Park	Business Park
South	Multifamily Residential	Business Park	Business Park
West	Single-Family Residential	Business Park	Business Park

Note: See Figure 3, General Plan Land Use, and Figure 4, Zoning.

The area south and west of the project site is designated as multifamily and single-family residential, the area north of Sixth Street is Indian Springs High School, and the area to east the East Valley Water District Sterling Natural Resource Center. However, the project is within the boundary of the proposed Airport Gateway Specific Plan. The Airport Gateway Specific Plan is a public-private partnership project proposed by the Inland Valley Development Agency, a Joint Powers Authority composed of members from the County of San Bernardino, the City of Loma Linda, the City of San Bernardino, and the City of Colton. The Airport Gateway Specific Plan encompasses 670 acres, inclusive of parcels in the City of Highland and the City of San Bernardino, that would be designated for a mix of industrial uses. The Airport Gateway Specific Plan would be bound by Sixth Street to the north, Third Street and the SBIA to the south, SR-210 to the east, and Tippecanoe Avenue on the west (Figure 5, Airport Gateway Specific Plan). This project is currently undergoing environmental review.

2.3 Project Characteristics

The project would include the construction of an approximately 47,899-square-foot (gross area, inclusive of mezzanine/office spaces), one-story warehouse building on an approximately 2.83-acre site (gross area). The 47,899-square-foot warehouse building would be composed of approximately 42,899 square feet of warehouse space and 5,000 square feet of mezzanine/office space (Figure 6, Site Plan, Figure 7, Conceptual Elevations, and Figure 8, Conceptual Rendering). The warehouse building would have an approximate height of 44 feet when measured from grade. Given that the City's Municipal Code allows for a maximum height of 35 feet in the Business Park zone, a minor variance (VAR 22-004) is being requested to accommodate the project's height. Internally, the project would have a clear height of 36 feet and would not contain any cold storage space.

Operational Characteristics

The project would support a variety of activities associated with the industrial/warehouse building, including the ingressing and egressing of passenger vehicles and trucks; the loading and unloading of trucks within designated truck courts/loading areas; and the internal and external movement of materials around the project site via forklifts, pallet jacks, yard hostlers, and similar equipment. In addition, the office space would support general internal office activities related to the industrial/warehouse uses.

On- and Off-Site Improvements

The project would also include improvements along the project's street frontage, including landscaping, fencing, and street and sidewalk improvements. A variety of trees, shrubs, and groundcovers would be planted within the project frontage's landscape setback area, within the landscape areas found around the warehouse building, and throughout the project site (Figure 9, Conceptual Landscaping Plan).

Site Access and Parking

Access to the project site would be provided by two driveways, both on Sixth Street, which would provide access to the site, allow for circulation through the project site, and lead to internal parking spaces for both truck and passenger vehicles.

The project would include a total of 71 parking spaces, including 56 passenger parking stalls, 5 future electric vehicle-charging stalls, and 4 clean air stalls. A summary of passenger vehicle parking is provided in Table 2.

Table 2. Summary of Passenger Parking Stalls

Passenger Parking Stall Type	Number of Stalls
Standard	56
Vanpool Stalls	1
Standard Accessible Stalls	2
Van Accessible Stalls	1
Clean Air Stalls	4
Future EV Charging Only Stalls	5
Future EV Charging Only Standard Accessible Stalls	1
Future EV Charging Only Van Accessible Stalls	1
Total Passenger Parking Stalls	71
Trailer Provided	5
Passenger Parking Stalls Required	63

Note: EV = electric vehicle.

Architecture

The project's design employs a variety of architectural strategies to create a contemporary, unified, and high-quality design. Building façades would feature a complementary white and gray color palette and a variety of building materials, similar to other industrial development located throughout the City and region. Building elevations include vertical, horizontal, and slanted linear elements and rooflines and panels would be offset and varying heights and depressions to would break up the overall massing of the buildings while creating an innovative design reminiscent of a creative office environment. The building's exterior façade would feature an array of glazed windows to provide visual interest along the project's frontages. Similarly, landscaping along the frontage would partially screen views of the building while enhancing the pedestrian-level environment.

Utility Improvements

The project site is currently served by domestic water, sanitary sewer, natural gas, electrical, and telecommunications services. The project would connect to the existing facilities located on and in the immediate vicinity of the project site, as detailed in following sections.

Domestic Water

Domestic water would be provided to the project site by the East Valley Water District (EVWD). EVWD provides domestic water for the City and for portions of both the City and County of San Bernardino. Water service is provided

for residential, commercial, industrial, governmental, and landscaping purposes (City of Highland 2006). The project would connect to the existing 12-inch water line within the public right-of-way (ROW) along Sixth Street using a proposed 2-inch water line.

Sanitary Sewer

The City's sewer system is maintained by EVWD, which has joint powers with the City of San Bernardino to accept all sewage generated within EVWD's boundaries. The sewage from Highland is treated at the San Bernardino Water Reclamation Plant (WRP), operated by the San Bernardino City Municipal Water District (City of Highland 2006). The project would connect to the existing 24-inch sewer line within Sixth Street using a 6-inch sewer line. Treatment will take place at the EVWD Sterling Natural Resources Plant, located at the intersection of Del Rosa Drive, between Fifth and Sixth Streets.

Natural Gas, Electrical, and Telecommunications

The Southern California Gas Company would provide natural gas service to the project site. The project would connect to either a 4-inch gas line or an 8-inch gas line within Sixth Street.

Southern California Edison would provide electric service. The project would connect to existing electrical lines within Sixth Street. Existing overhead lines would be undergrounded along the project site's frontage.

Telecommunication services are provided by AT&T. The project would connect to existing facilities and would involve the undergrounding of existing overhead lines along the project site's frontage.

Storm Drainage

The project site is not currently served by storm drainage infrastructure. Under the existing conditions, the site is undeveloped. The topography of the project site slopes from southeast to northwest with about 5 feet of fall. Existing runoff sheet flows from the southeast corner to the northwest corner, discharges onto Sixth Street, and ultimately discharges to the City Creek Channel and Santa Ana River and enters the Prado Basin.

The project would involve the construction of a new engineered storm drain system to collect and treat on-site underground infiltration/detention system. On-site stormwater will be collected via a series of roof drains, curbs, gutters, and catch basins before being conveyed to an on-site underground infiltration/detention basin located in the southeastern corner of the site. Prior to entering the infiltration basin, stormwater would be pretreated via a continuous deflection separation system, which separates and traps debris, sediment, oil, and grease from stormwater runoff. The infiltration basins would be designed to allow for stormwater flows to infiltrate into the soils. The infiltration basin would be sized to capture and infiltrate flows for a 100-year design storm, consistent with the San Bernardino County Hydraulics Manual. During an extreme storm event greater than a 100-year storm, flows would be conveyed to a 4-inch parkway culvert by a proposed 12-inch drainpipe to allow stormwater to flow onto Sixth Street, which would serve as an emergency spillway.

2.4 Project Construction and Phasing

The project applicant intends to commence construction on or around January 2023. It is anticipated that construction would take approximately 10 months, ending in October 2023. Table 3 provides a tentative project

construction schedule, as used in air quality and greenhouse gas (GHG) emissions impact analysis (refer to Section 3.3, Air Quality, and Section 3.8, Greenhouse Gas Emissions, of this IS/MND; also see Appendix A-1, Air Quality, Greenhouse Gas Emission, and Energy Modeling Inputs and Outputs).

Table 3. Anticipated Project Construction Schedule

Construction Phase	Duration	Phase Start Date	Phase End Date
Demolition	1 month	January 2023	January 2023
Site Preparation	2 weeks	January 2023	February 2023
Grading	2 weeks	February 2023	March 2023
Building Construction	6 months	March 2023	August 2023
Paving	1 month	August 2023	September 2023
Architectural Coating	1 month	September 2023	October 2023

2.5 Project Approvals

The actions and/or approvals that the City needs to consider for the proposed project include, but are not limited to, the following. This list is preliminary and may not be comprehensive:

Lead Agency Approvals

- Conditional Use Permit
- Design Review
- Variance
- Tree Removal Permit

Subsequent non-discretionary approvals (which would require separate processing through the City) would include, but may not be limited to, a demolition permit, grading permit, building permits, and occupancy permits.

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3 Initial Study Checklist

1. Project title:

Sixth Street and Del Rosa Warehouse Project

2. Lead agency name and address:

City of Highland, Planning Department
27215 Base Line
Highland, California 92346

3. Contact person and phone number:

Angela Tafolla, Associate Planner
27215 Base Line
Highland, California 92346
909.864.6861, ext. 258
909.862.3180 (fax)
atafolla@cityofhighland.org

4. Project location:

The project site is a 2.83-acre (gross) property located approximately 650 feet west of the southwest corner of Sixth Street and Del Rosa Drive, south of Sixth Street, west of Del Rosa Drive, north of Fifth Street, and east of Tippecanoe Avenue. The project site's Assessor's Parcel Number is 0279-201-24.

5. Project sponsor's name and address:

Patriot Development Partners
12126 West Sunset Boulevard
Los Angeles, California 90094

6. General plan designation:

Business Park

7. Zoning:

Business Park

8. Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):

The project would include the construction of an approximately 47,899-square-foot (gross area, inclusive of mezzanine/office spaces), one-story warehouse building on an approximately 2.83-acre site (gross area). The

47,899-square-foot warehouse building would be composed of approximately 42,899 square feet of warehouse space and 5,000 square feet of mezzanine/office space. The warehouse building would have an approximate height of 44 feet when measured from grade. In addition, the project would also include improvements along the project's street frontage, including landscaping, fencing, and street and sidewalk improvements.

9. Surrounding land uses and setting (Briefly describe the project's surroundings):

The project site is located within a developed part of the City and is surrounded by a mix of urbanized land uses. Specific land uses in the immediate project area include the following:

- **North:** Sixth Street and Indian Springs High School
- **East:** East Valley Water District Sterling Natural Resource Center and Del Rosa Drive
- **South:** Residential uses and Fifth Street
- **West:** Residential uses and Tippecanoe Avenue

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

No outside public agency approvals are required.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Please refer to Section 3.5, Cultural Resources, and 3.18, Tribal Cultural Resources, of this IS/MND.

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

Determination

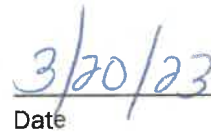
On the basis of this initial evaluation:

- ☐ 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature



Date



Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less Than Significant With Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to less than significance

3.1 Aesthetics

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS – 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?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. Scenic vistas and other important visual resources are typically associated with natural landforms such as mountains, foothills, ridgelines, and coastlines. The project site is located in an area with generally flat terrain near the SBIA. Major scenic vistas that are visible from the project site are the San Bernardino Mountains located approximately 5.1 miles northeast and the San Gabriel Mountains 33 miles southwest of the project site, respectively. The City's General Plan aims to preserve the views of the San Bernardino Mountains and stretches of open space along City Creek and the Santa Ana River (City of Highland 2006). The project site is located approximately 3.4 miles away from the nearest stretches of open space along City Creek and the Santa Ana River. Based on these distances, as well as the presence of existing intervening natural topographical variations and human-made urban features, the project site is not located within the direct viewshed of these scenic vistas. Overall, the project site is located well outside the viewshed of any scenic vistas or other important visual resources. Therefore, **no impacts** associated with scenic vistas would occur.

- b) ***Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

No Impact. Scenic highways and routes are a unique component of the circulation system, as they traverse areas of unusual scenic or aesthetic value. The closest officially designated State Scenic Highway is SR-38, located approximately 7.9 miles east of the project site (Caltrans 2018). Based on this distance and intervening natural topography and human-made development, the project site is not located within the viewshed of this officially designated state scenic highway. Therefore, **no impacts** associated with state scenic highways would occur.

- c) ***In non-urbanized areas, would the project 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?***

Less-than-Significant Impact. Visual character describes the aesthetic setting of a project area. The project is located within an urbanized area of the City and is surrounded by similar light industrial/business park land uses. Section 20171 of the California Public Resources Code (PRC) defines an "urbanized area" as "an incorporated city that meets either of the following criteria: (1) Has a population of at least 100,000 persons, or (2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons." As of January 1, 2021, the California Department of Finance estimated the population of the City to be 55,060 persons (DOF 2022). However, because the City of Highland is bordered by the City of San Bernardino, which has a population that exceeds 100,000 persons, the project would be considered to result in a significant adverse impact if the project design would conflict with applicable zoning and other regulations governing scenic quality. The proposed project would be consistent with the designated business park zoning per the City's Zoning Map.

To ensure that both current and future development within the City is designed and constructed to conform to existing visual character and quality of the surrounding built environment, the City's Municipal Code includes design standards related to building size, height, and setbacks, as well as landscaping, signage, and other visual considerations. The project is consistent with all applicable regulations outlined in the City's Municipal Code related to scenic quality with the exception of Section 16.24.040, which states that building heights are not to exceed 35 feet within the Business Park zone. The proposed warehouse building would have an approximate height of 44 feet measured from grade. Given that the City's Municipal Code allows for a maximum height of 35 feet in the Business Park Zone, a minor variance (VAR 22-004) is being requested to accommodate the project's height. This request for additional height is consistent with other industrial and institutional uses in the vicinity. A variety of architectural treatments have been applied to minimize the overall massing the project, including incorporating vertical, horizontal, and slanted linear elements and offsetting rooflines and panels at varying heights to would break up the overall massing of the buildings. The project's proposed landscape, which includes trees that would mature to heights similar to the building, would contextualize the project's height. With approval of the minor variance, the project would not conflict with the City's Municipal Code.

The project would be required to apply for a design review by the City's planning commission. This design review is intended to ensure that the proposed project would not interfere with existing or future

development within the City and to ensure the project is consistent with the applicable elements of the General Plan. Views of utilitarian project components, such as loading areas and mechanical equipment, would be screened from public view to the maximum extent practicable through the project's site plan design. Parkway and setback landscape areas along the public ROW would soften views of the project site and enhance the visual quality of the project.

These project components, as well as the City's review of the project's design, would ensure that the project would not degrade the existing visual character and quality of the area. Therefore, impacts would be **less than significant**.

- d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Short-Term Construction Impacts

No Impact. In accordance with the City's Municipal Code, Section 8.50.050, Controlled Hours of Operation, construction hours are limited to between the hours of 7:00 a.m. and 10:00 p.m. However, the project's proximity to sensitive receptors would limit construction from 7:00 a.m. to 6:00 p.m. (see Section 3.13, Noise, for more details). As such, project construction would be limited to daytime hours, and nighttime lighting would not be required until the project is operational. Therefore, **no short-term construction impacts** associated with light and glare would occur.

Long-Term Operational Impacts

Less-than-Significant Impact. Consistent with Section 16.40.160 of the City's Municipal Code, all lighting used on the project site is required to be directed and/or shielded to prevent the light from adversely affecting adjacent parcels, and no structures or features that create adverse glare effects are permitted. Thus, all exterior lighting would be shielded/hooded to prevent light trespass onto nearby properties. A photometrics plan, prepared by a certified engineer, must be approved by the Planning Commission in conjunction with the Conditional Use Permit. Additionally, the project would use a variety of non-reflective materials, and although some new reflective improvements (i.e., windows and building front treatments) would be introduced onto the project site, the project as a whole would not be considered a source of glare in the project area. Therefore, long-term impacts associated with light and glare would be **less than significant**.

3.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

- a) ***Would the project 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?***

No Impact. The project site currently consists of undeveloped vacant land and is not used for agricultural purposes. The General Plan designates the land use at the site as Business Park and the City's Zoning Map identifies the site as Business Park (City of Highland 2006, 2012). According to the California Department of Conservation Important Farmland Finder (CDOC 2016), the project site is identified as "Urban and Built-Up Land." The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide

Importance (collectively, "Important Farmland"). The project would not occur within any farmland locations and would not result in the conversion of Prime or Unique Farmland or Farmland of Statewide Importance. Therefore, **no impacts** associated with the conversion of Important Farmland would occur.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. Refer to Section 3.2(a).

c) Would the project 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))?

No Impact. Refer to Section 3.2(a). The project site is zoned as Business Park and is located within a developed area. There are no areas zoned for forest land within the vicinity of the project site. Therefore, **no impacts** associated with forest land would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. Refer to Section 3.2(c). The proposed project would not involve the conversion of forest land to non-forest use. Therefore, **no impact** with forest land would occur.

e) Would the project 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?

No Impact. Refer to Section 3.2(a). The project site is zoned as Business Park and is located within a developed area. Further, no off-site improvement associated with the project would result in changes to other properties designated as Farmland or forest land. There are no areas zoned for agricultural use or identified as forest land within the vicinity of the project site. Therefore, **no impacts** associated with forest land would occur.

3.3 Air Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY – 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?	☐	☐	☒	☐

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	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

a) **Would the project conflict with or obstruct implementation of the applicable air quality plan?**

Less-than-Significant Impact. The project site is located within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County and is within the jurisdictional boundaries of the South Coast Air Quality Management District (SCAQMD).

SCAQMD administers the SCAB's Air Quality Management Plan (AQMP), which is a comprehensive document outlining an air pollution control program for attaining the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). The most recently adopted AQMP for the SCAB is the 2016 AQMP (SCAQMD 2017).¹ The 2016 AQMP focuses on "available, proven, and cost-effective strategies, and seeks to achieve multiple goals in partnership with other entities promoting reductions in greenhouse gases and toxic risk, as well as efficiencies in energy use, transportation, and goods movement" (SCAQMD 2017).

The purpose of a consistency finding with regard to the AQMP is to determine if a project is consistent with the assumptions and objectives of the 2016 AQMP and if it would interfere with the region's ability to comply with federal and state air quality standards. SCAQMD has established criteria for determining consistency with the currently applicable AQMP in Chapter 12, Sections 12.2 and 12.3, of the SCAQMD CEQA Air Quality Handbook. These criteria are as follows (SCAQMD 1993):

Consistency Criterion No. 1: Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of the ambient air quality standards or interim emission reductions in the AQMP.

Consistency Criterion No. 2: Whether the project would exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.

To address the first criterion, project-generated criteria air pollutant emissions have been estimated and analyzed for significance and are addressed under Section 3.3(b). Detailed results of this analysis are included in Appendix A-1. As presented in Section 3.3(b), the project would not generate construction or

¹ SCAQMD has initiated the development of the 2022 AQMP to address the attainment of the 2015 8-hour ozone standard (70 parts per billion) for the SCAB and the Coachella Valley. Preliminary rule development for the 2022 AQMP is expected to begin in July 2021, including control measures developed through Residential and Commercial Buildings and Mobile Source Working Groups.

operational criteria air pollutant emissions that exceed SCAQMD's thresholds, and the project would therefore be consistent with Criterion No. 1.

The second criterion regarding the potential of the project to exceed the assumptions in the AQMP or increments based on the year of project buildout and phase is primarily assessed by determining consistency between the project's land use designations and its potential to generate population growth. In general, projects are considered consistent with, and not in conflict with or obstructing implementation of, the AQMP if the growth in socioeconomic factors is consistent with the underlying regional plans used to develop the AQMP (SCAQMD 1993). SCAQMD primarily uses demographic growth forecasts for various socioeconomic categories (e.g., population, housing, and employment by industry) developed by the Southern California Association of Governments (SCAG) for its 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (SCAG 2016). SCAQMD uses this document, which is based on general plans for cities and counties in the SCAB, to develop the AQMP emissions inventory (SCAQMD 2017).² The SCAG RTP/SCS and associated Regional Growth Forecast are generally consistent with the local plans; therefore, the 2016 AQMP is generally consistent with local government plans.

The City's Zoning Map designates the project site as Business Park (BP). According to Section 16.24.020 (A), the primary purpose of the BP District is to provide appropriate regulations and suitable locations for light industrial, research and development, and office-based firms seeking pleasant and attractive working environments, and for business support services and commercial uses requiring large parcels (City of Highland 2022). The City's Municipal Code identifies Warehousing and Wholesaling as permitted, subject to a Conditional Use Permit application (City of Highland 2022). Therefore, the project would be consistent with the existing zoning of the project site and does not propose a change in land use designation. As such, since the proposed project is not anticipated to result in residential population growth or generate an increase in employment that would conflict with existing employment-population projections, it would not conflict with or exceed the assumptions in the 2016 AQMP. Accordingly, the project is consistent with the SCAG RTP/SCS forecasts used in development of the SCAQMD AQMP.

In summary, based on the considerations presented for the two criteria, impacts relating to the project's potential to conflict with or obstruct implementation of the applicable AQMP would be **less than significant**.

b) *Would the project 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?*

Less-than-Significant Impact. Air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and SCAQMD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are used to determine whether a project's individual emissions would have a cumulatively considerable contribution to air quality. If a project's emissions would

² Information necessary to produce the emissions inventory for the SCAB is obtained from SCAQMD and other governmental agencies, including the California Air Resources Board (CARB), California Department of Transportation, and SCAG. Each of these agencies is responsible for collecting data (e.g., industry growth factors, socioeconomic projections, travel activity levels, emission factors, emission speciation profile, and emissions) and developing methodologies (e.g., model and demographic forecast improvements) required to generate a comprehensive emissions inventory. SCAG incorporates these data into its Travel Demand Model for estimating/projecting vehicle miles traveled (VMT) and driving speeds. SCAG's socioeconomic and transportation activities projections in their 2016–2040 RTP/SCS are integrated in the 2016 AQMP (SCAQMD 2017).

exceed the SCAQMD significance thresholds, it would be considered to have a cumulatively considerable contribution. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (SCAQMD 2003a).

A quantitative analysis was conducted to determine whether the project might result in emissions of criteria air pollutants that may cause exceedances of the NAAQS or CAAQS or cumulatively contribute to existing nonattainment of ambient air quality standards. Criteria air pollutants include ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide, particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀), particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}), and lead. Pollutants that are evaluated herein include volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), which are important because they are precursors to O₃, as well as CO, sulfur oxides (SO_x), PM₁₀, and PM_{2.5}.

Regarding NAAQS and CAAQS attainment status,³ the SCAB is designated as a nonattainment area for federal and state O₃ and PM_{2.5} standards (CARB 2019; EPA 2020). The SCAB is also designated as a nonattainment area for state PM₁₀ standards; however, it is designated as an attainment area for federal PM₁₀ standards. The SCAB is designated as an attainment area for federal and state CO and NO₂ standards, as well as for state sulfur dioxide standards. Although the SCAB has been designated as a nonattainment area for the federal rolling 3-month average lead standard, it is designated as an attainment area for the state lead standard.⁴

The project would result in emissions of criteria air pollutants for which the California Air Resources Board (CARB) and U.S. Environmental Protection Agency (EPA) have adopted ambient air quality standards (i.e., the NAAQS and CAAQS). Projects that emit these pollutants have the potential to cause, or contribute to, violations of these standards. The SCAQMD CEQA Air Quality Significance Thresholds, as revised in April 2019, set forth quantitative emission significance thresholds for criteria air pollutants, which, if exceeded, would indicate the potential for a project to contribute to violations of the NAAQS or CAAQS. Table 4 lists the revised SCAQMD Air Quality Significance Thresholds (SCAQMD 2019).

Table 4. South Coast Air Quality Management District Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	Construction (lbs/day)	Operation (lbs/day)
VOCs	75	55
NO _x	100	55
CO	550	550
SO _x	150	150
PM ₁₀	150	150
PM _{2.5}	55	55

³ An area is designated as in attainment when it is in compliance with the NAAQS and/or the CAAQS. These standards for the maximum level of a given air pollutant that can exist in the outdoor air without unacceptable effects on human health or the public welfare are set by EPA and CARB, respectively. Attainment = meets the standards; attainment/maintenance = achieves the standards after a nonattainment designation; nonattainment = does not meet the standards.

⁴ Re-designation of the lead NAAQS designation to attainment for the Los Angeles County portion of the SCAB is expected based on current monitoring data. The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

Table 4. South Coast Air Quality Management District Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	Construction (lbs/day)	Operation (lbs/day)
Lead ^a	3	3
TACs and Odor Thresholds		
TACs ^b	Maximum incremental cancer risk ≥ 10 in 1 million Cancer burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic and acute hazard index ≥ 1.0 (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	

Source: SCAQMD 2019.

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = particulate matter with an aerodynamic diameter less than or equal to 10 microns; PM_{2.5} = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns; TAC = toxic air contaminant; SCAQMD = South Coast Air Quality Management District.

Greenhouse gas (GHG) emissions thresholds for industrial projects, as added in the March 2015 revision to the SCAQMD Air Quality Significance Thresholds, were not included in this table as they are addressed within the GHG emissions analysis and not the air quality analysis.

^a The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

^b TACs include carcinogens and noncarcinogens.

The project would result in a cumulatively considerable net increase for O₃, which is a nonattainment pollutant, if the project's construction or operational emissions would exceed the SCAQMD VOC or NO_x thresholds shown in Table 4. These emission-based thresholds for O₃ precursors are intended to serve as a surrogate for an O₃ significance threshold (i.e., the potential for adverse O₃ impacts to occur) because O₃ itself is not emitted directly, and the effects of an individual project's emissions of O₃ precursors (i.e., VOCs and NO_x) on O₃ levels in ambient air cannot be determined through air quality models or other quantitative methods.

The California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used to estimate emissions from construction and operation of the project.⁵

The following discussion quantitatively evaluates project-generated construction and operational emissions and impacts that would result from implementation of the project.

Construction Emissions

Construction of the project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (e.g., off-road construction equipment, demolition activities, soil disturbance, and VOC off-gassing from architectural coatings and asphalt pavement application) and off-site sources (e.g., vendor trucks, haul trucks, and worker vehicle trips). Specifically, entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM₁₀ and PM_{2.5} emissions. Internal combustion engines used by construction equipment, haul trucks, vendor trucks (i.e., delivery trucks), and worker vehicles would result in emissions of VOC, NO_x, CO, PM₁₀, and PM_{2.5}. Construction emissions can vary

⁵ CalEEMod is a statewide computer model developed in cooperation with air districts throughout the state to quantify criteria air pollutant emissions associated with construction and operational activities from a variety of land use projects, including warehouses.

substantially from day to day depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions.

Emissions from the construction phase of the project were estimated using CalEEMod default values. For the purpose of conservatively estimating project emissions, construction was modeled beginning in January 2023 and concluding in November 2023,⁶ lasting approximately 10.5 months. The analysis contained herein is based on the following schedule assumptions (duration of phases is approximate):

- Site preparation: 1 week (January 2023)
- Grading: 1 week (January 2023)
- Building construction: 9 months (January–October 2023)
- Paving: 2 weeks (October 2023)
- Application of architectural coatings: 2 weeks (November 2023)

Construction modeling assumptions for equipment and vehicles are provided in Table 5. Equipment mix and horsepower were based on CalEEMod default values, including equipment load factor. For the analysis, it was generally assumed that heavy-duty construction equipment would be operating at the site 5 days per week.

Table 5. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Site Preparation	8	4	0	Graders	1	8
				Scrapers	1	8
				Tractors/loaders/backhoes	1	7
Grading	10	4	0	Graders	1	8
				Rubber-tired dozers	1	8
				Tractors/loaders/backhoes	2	7
Building Construction	54	22	0	Cranes	1	8
				Forklifts	2	7
				Generator sets	1	8
				Tractors/loaders/backhoes	1	6
				Welders	3	8
Paving	16	0	0	Cement mortar mixers	1	8
				Pavers	1	8
				Paving equipment	1	8
				Rollers	2	8

⁶ The analysis assumes a construction start date of January 2023, which represents the earliest date construction would initiate. Assuming the earliest start date for construction represents the worst-case scenario for criteria air pollutant and GHG emissions because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

Table 5. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
				Tractors/loaders/backhoes	1	8
Architectural Coating	12	0	0	Air compressors	1	6

Emissions generated during construction (and operation) of the project are subject to the rules and regulations of SCAQMD. Rule 403, Fugitive Dust, requires the implementation of measures to control the emission of visible fugitive/nuisance dust, such as wetting soils that would be disturbed. It was assumed that the active sites would be watered at least twice daily. The application of architectural coatings, such as exterior/interior paint and other finishes, and the application of asphalt pavement would also produce VOC emissions. The project is required to procure architectural coatings that meet the requirements of SCAQMD's Rule 1113, Architectural Coatings.⁷

Table 6 shows the estimated maximum daily construction emissions associated with the construction phase of the project.

Table 6. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Year	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	Pounds per Day					
2023	46.12	14.56	16.57	0.03	3.93	2.14
SCAQMD Threshold	75	100	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Source: Appendix A-1.

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = particulate matter with an aerodynamic diameter less than or equal to 10 microns; PM_{2.5} = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns; SCAQMD = South Coast Air Quality Management District.

The values shown are the maximum summer or winter daily emissions results from CalEEMod.

These estimates reflect control of fugitive dust required by SCAQMD Rule 403.

As shown in Table 6, daily construction emissions would not exceed the SCAQMD significance thresholds for VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} during project construction, and short-term construction impacts would be less than significant.

⁷ SCAQMD Rule 1113, Architectural Coatings, requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Operational Emissions

Emissions from the operational phase of the project and operation of existing land uses were estimated using CalEEMod. Operational year 2024 was assumed following completion of construction.

Area Sources

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. Emissions associated with natural gas usage in space heating and water heating are calculated in the building energy use module of CalEEMod, as described in the following text.

Consumer products are chemically formulated products used by household and institutional consumers, including the following:

- Detergents
- Cleaning compound
- Polishes
- Floor finishes
- Cosmetics
- Personal care products
- Home, lawn, and garden products
- Disinfectants
- Sanitizers
- Aerosol paints
- Automotive specialty products

Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2021). Consumer product VOC emissions were estimated in CalEEMod based on the floor area of buildings and default factor of pounds of VOC per building square foot per day. The CalEEMod default values for consumer products were assumed.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings, such as in paints and primers used during building maintenance. CalEEMod calculates the VOC evaporative emissions from the application of surface coatings based on the VOC emission factor, the building square footage, the assumed fraction of surface area, and the reapplication rate. The VOC emissions factor is based on the VOC content of the surface coatings equal to SCAQMD's Rule 1113, Architectural Coatings, requirements. CalEEMod default values were assumed, including the surface area to be painted, the VOC content of architectural coatings, and the reapplication rate of 10% of area per year.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chainsaws, and hedge trimmers. The emissions associated with landscape equipment use were estimated based on CalEEMod default values for emission factors (grams per

square foot of building space per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

Mobile Sources

Following the completion of construction activities, the project would generate criteria pollutant emissions from mobile sources (vehicular traffic) as a result of employees and visitors of the project. Based on the trip generation for the project (as shown in Section 3.17, Transportation), there would be 82 total vehicle trips per day, of which 23 are trucks and 59 are passenger cars. The truck breakdown by axle was also taken from the Warehouse Truck Trip Study Data Results and Usage (SCAQMD 2014a). CalEEMod was used to estimate emissions from proposed vehicular sources (refer to Attachment A-1). CalEEMod default data, including temperature, trip characteristics, variable start information, and emissions factors, were conservatively used for the model inputs. Project-related traffic was assumed to include a mixture of vehicles in accordance with the associated use (as discussed below), as modeled within CalEEMod, which is based on the CARB EMFAC2017 model. Emission factors representing the vehicle mix and emissions for 2024 were used to estimate emissions associated with vehicular sources. Two land uses in CalEEMod were used to model emissions from mobile sources. The “unrefrigerated warehouse-no rail” land use was used to model trucks and the “unrefrigerated warehouse-rail” was used to model passenger cars. The trip rates (as stated above) were apportioned to each land use accordingly. The fleet mix for trucks was determined based off the SCAQMD warehouse study and included the following vehicle categories: 2-axle trucks (50% LHD1 and 50% LHD2), 3-axle trucks (MHD), and 4-axle trucks (HHD). The fleet mix for passenger vehicles was assumed consistent with the EMFAC fleet mix for the air basin for the following vehicle categories: LDA, LDT1, and LDT2. Vehicle trip lengths were assumed to be 40 miles for truck trips (in accordance with SCAQMD guidance) and the CalEEMod defaults for passenger car trips.

On May 7, 2021, SCAQMD adopted the Warehouse Indirect Source Rule, Rule 2305. Rule 2305 was adopted to facilitate local and regional emission reductions associated with existing and new warehouses with an indoor warehouse floor space equal to or greater than 100,000 square feet within a single building and the mobile sources associated with these warehouses. Under Rule 2305, operators of applicable existing and new warehouses are subject to an annual Warehouse Actions and Investments to Reduce Emissions Points Compliance Obligation intended to reduce regional and local emissions from warehouse indirect sources. Based on the approximately 47,899-square-foot warehouse building proposed for the project, Rule 2305 would not be applicable to the project.

Off-Road Equipment (Forklifts)

The exact operational number of off-road equipment is unknown at this time; however, in a good faith effort to include anticipated forklifts, forklifts were estimated based on the warehouse square footage and the SCAQMD study, as described below.

SCAQMD published a summary of operational survey results from 34 operating high-cube warehouses (SCAQMD 2014b). The SCAQMD survey reported an average of 0.12 forklifts/pallet jacks per 1,000 square feet of building area, which was applied to the project. Note that this estimate is for total forklifts and pallet jacks. Pallet jacks are small as they are primarily used to lift small loads in tight quarters (and are electric or manual); therefore, assuming all pieces of equipment are forklifts is conservative. For the project, a total

of six forklifts and no yard trucks were assumed. CalEEMod was used to estimate emissions from diesel-powered forklifts, while a spreadsheet model was used to estimate the energy consumption and GHG emissions from the electric forklifts (see Appendix A-1).

Table 7 presents the maximum daily emissions associated with operation of the project in 2024 at buildout. The values shown are the maximum summer and winter daily emissions results from CalEEMod. Complete details of the emissions calculations are provided in Appendix A-1.

Table 7. Estimated Maximum Daily Operation Criteria Air Pollutant Emissions

Emissions Source	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
	Pounds per Day					
Proposed Project						
Area	1.10	<0.01	0.01	0	<0.01	<0.01
Energy	<0.01	0.03	0.02	<0.01	<0.01	<0.01
Mobile	0.19	3.80	2.62	0.03	1.49	0.43
Off-road (Forklifts)	1.70	15.98	20.61	0.03	0.92	0.85
Total	2.99	19.81	23.26	0.06	2.41	1.28
SCAQMD Threshold	55	55	550	150	150	55
Threshold Exceeded?	No	No	No	No	No	No

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM₁₀ = particulate matter with an aerodynamic diameter less than or equal to 10 microns; PM_{2.5} = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns; SCAQMD = South Coast Air Quality Management District.

<0.01 = reported value less than 0.01.

See Appendix A-1 for complete results.

As shown in Table 7, maximum daily operational emissions of VOC, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} generated by the project would not exceed SCAQMD's significance thresholds, and long-term operational impacts would be less than significant.

As previously discussed, the SCAB has been designated as a federal nonattainment area for O₃ and PM_{2.5} and a state nonattainment area for O₃, PM₁₀, and PM_{2.5}. However, as indicated in Tables 6 and 7, project-generated construction and operational emissions would not exceed the SCAQMD emission-based significance thresholds for VOCs, NO_x, PM₁₀, or PM_{2.5}.

Cumulative localized impacts would potentially occur if a project were to occur concurrently with another off-site project. Schedules for potential future projects near the project area are currently unknown; therefore, potential impacts associated with two or more simultaneous projects would be considered speculative.⁸ However, future projects would be subject to CEQA and would require air quality analysis and, where necessary, mitigation. Criteria air pollutant emissions associated with construction activity of future projects would be reduced through implementation of control measures required by SCAQMD. Cumulative PM₁₀ and PM_{2.5} emissions would be reduced because all future projects would be subject to SCAQMD Rule 403 (Fugitive Dust), which sets forth general and specific requirements for all sites in the SCAQMD.

⁸ The CEQA Guidelines state that if a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact (14 CCR 15145).

Therefore, the project would not result in a cumulatively considerable increase in emissions of nonattainment pollutants, and impacts would be **less than significant** during construction and operation.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less-than-Significant Impact with Mitigation Incorporated. The project would not expose sensitive receptors to substantial pollutant concentrations, as evaluated in the following text.

Sensitive Receptors

Sensitive receptors are those individuals more susceptible to the effects of air pollution than the population at large. People most likely to be affected by air pollution include children, older adults, and people with cardiovascular and chronic respiratory diseases. According to SCAQMD, sensitive receptors include sites such as residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993). The nearest sensitive receptors are residential uses located immediately west and south of the project site and Indian Springs High School north of the project site.

Localized Significance Thresholds

SCAQMD recommends a localized significance threshold (LST) analysis to evaluate localized air quality impacts to sensitive receptors in the immediate vicinity of the project as a result of project activities. The impacts were analyzed using methods consistent with those in SCAQMD's Final Localized Significance Threshold Methodology (SCAQMD 2008a). The project is located within Source-Receptor Area 34 (Central San Bernardino Valley). This analysis applies the SCAQMD LST values for a 2-acre site within Source-Receptor Area 34 with a receptor distance of 25 meters (82 feet), which is the shortest available distance provided in SCAQMD's methodology.

Project construction activities would result in temporary sources of on-site criteria air pollutant emissions associated with off-road equipment exhaust and fugitive dust generation. According to the Final Localized Significance Threshold Methodology, "off-site mobile emissions from the project should not be included in the emissions compared to the LSTs" (SCAQMD 2008a). Trucks and worker trips associated with the project are not expected to cause substantial air quality impacts to sensitive receptors along off-site roadways since emissions would be relatively brief in nature and would cease once the vehicles pass through the main streets. Off-site emissions from truck trips were limited to 1,000 feet of estimated on-site activity within the LST analysis. The maximum daily on-site emissions generated by construction of the project are presented in Table 8 and compared to the SCAQMD localized significance criteria for Source-Receptor Area 34 to determine whether project-generated on-site emissions would result in potential LST impacts.

Table 8. Construction Localized Significance Thresholds Analysis - Unmitigated

	NO ₂	CO	PM ₁₀	PM _{2.5}
	Pounds per Day (On Site)			
Construction				
<i>Maximum</i>	14.53	14.76	3.79	2.10
<i>SCAQMD LST Criteria^a</i>	170	972	7	4
Threshold Exceeded?	No	No	No	No

Source: SCAQMD 2008a; Appendix A-1.

Notes: NO₂ = nitrogen dioxide; CO = carbon monoxide; PM₁₀ = particulate matter with an aerodynamic diameter less than or equal to 10 microns; PM_{2.5} = particulate matter with an aerodynamic diameter less than or equal to 2.5 microns; SCAQMD = South Coast Air Quality Management District; LST = localized significance threshold.

Maximum on-site emissions occurred during the overlap of the following phases: grading and site preparation.

^a LSTs are shown for a 2-acre disturbed area corresponding to a distance to a sensitive receptor of 25 meters in Source-Receptor Area 34 (Central San Bernardino Valley).

As shown in Table 8, proposed construction activities would generate levels below SCAQMD thresholds. Thus, impacts would be **less than significant**.

Carbon Monoxide Hotspots

Traffic-congested roadways and intersections have the potential to generate localized high levels of CO. Localized areas where ambient concentrations exceed federal and/or state standards for CO are termed "CO hotspots." The transport of CO is extremely limited, as it disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthy levels, affecting sensitive receptors. Typically, high CO concentrations are associated with severely congested intersections operating at an unacceptable level of service (LOS) (LOS E or worse is unacceptable). Projects contributing to adverse traffic impacts may result in the formation of a CO hotspot. Additional analysis of CO hotspot impacts would be conducted if a project would result in a significant impact or contribute to an adverse traffic impact at a signalized intersection that would potentially subject sensitive receptors to CO hotspots. As discussed in Section 3.17, the proposed project would generate approximately 82 daily trips, with 8 trips (6 inbound and 2 outbound) in the AM peak hour, and 9 trips (3 inbound and 6 outbound) in the PM peak hour. Adjusting for passenger car equivalent (PCE), the trip generation is approximately 117 daily PCE trips, 12 AM PCE peak hour trips (9 inbound and 3 outbound) and 15 PM PCE peak hour trips (6 inbound and 9 outbound). Based on the project's trip generation estimates as described above, development of the proposed project would likely not result in degradation of the nearest intersections due to the low volume of vehicular traffic (less than 100 peak hour trips). Therefore, a transportation impact analysis and further LOS analysis would not be required.

In addition, at the time that the SCAQMD Handbook (SCAQMD 1993) was published, the SCAB was designated nonattainment under the CAAQS and NAAQS for CO. In 2007, SCAQMD was designated in attainment for CO under both the CAAQS and NAAQS as a result of the steady decline in CO concentrations in the SCAB due to turnover of older vehicles, introduction of cleaner fuels, and implementation of control

technology on industrial facilities. SCAQMD conducted CO modeling for the 2003 AQMP⁹ (SCAQMD 2003b) for the four worst-case intersections in the SCAB:

- (1) Wilshire Boulevard and Veteran Avenue
- (2) Sunset Boulevard and Highland Avenue
- (3) La Cienega Boulevard and Century Boulevard
- (4) Long Beach Boulevard and Imperial Highway

At the time the 2003 AQMP was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. The 2003 AQMP projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From 2002 through 2005, the maximum 8-hour CO concentration was 3.8 parts per million at the Sunset Boulevard and Highland Avenue intersection in 2002, and the maximum 8-hour CO concentration was 3.4 parts per million at the Wilshire Boulevard and Veteran Avenue in 2002.

Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least over 100,000 vehicles per day. Because the project is not anticipated to increase daily traffic volumes at any study intersection to more than 100,000 vehicles per day, a CO hotspot is not anticipated to occur.

Based on these considerations, the project would not generate traffic that would contribute to potential adverse traffic impacts that may result in the formation of CO hotspots. This conclusion is supported by the analysis in Section 3.17, which demonstrates that traffic impacts would be less than significant. In addition, due to continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SCAB is steadily decreasing. Based on these considerations, the project would result in a **less-than-significant** impact to air quality with regard to potential CO hotspots.

Toxic Air Contaminants

In addition to impacts from criteria pollutants, certain projects may include emissions of pollutants identified by the state and federal government as toxic air contaminants (TACs) or hazardous air pollutants. State law has established the framework for California's TAC identification and control project, which is generally more stringent than the federal project, and is aimed at TACs that are a problem in California. The state has formally identified more than 200 substances as TACs, including the federal hazardous air pollutants, and is adopting appropriate control measures for sources of these TACs.

In an abundance of caution, a voluntary health risk assessment (HRA) was performed for construction and operation of the project, as discussed below, and is presented in Appendix A-2, HRA Files: Project Construction.

The most recent guidance from the Office of Environmental Health Hazard Assessment (OEHHA) is the 2015 Risk Assessment Guidelines Manual (OEHHA 2015), which was adopted in 2015 to replace the 2003 HRA Guidance Manual. The Children's Environmental Health Protection Act of 1999 (Senate Bill [SB] 25), which requires explicit consideration of infants and children in assessing risks from air toxics, required revisions of the methods for both non-cancer and cancer risk assessment and of the exposure assumptions in the 2003 HRA Guidance Manual. Cancer risk parameters, such as age-sensitivity factors, daily breathing

⁹ SCAQMD's CO hotspot modeling guidance has not changed since 2003.

rates, exposure period, fraction of time at home, and cancer potency factors were based on the values and data recommended by OEHHA as implemented in the Hotspots Analysis Reporting Program Version 2 (HARP2). SCAQMD's Modeling Guidance for American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) (SCAQMD 2018) and Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003c) provide guidance to perform dispersion modeling for use in HRAs within the SCAB.

Health effects from carcinogenic air toxics are usually described in terms of cancer risk. SCAQMD recommends a carcinogenic (cancer) risk threshold of 10 in 1 million. Some TACs increase noncancer health risk due to long-term (chronic) exposures. The Chronic Hazard Index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. The Chronic Hazard Index estimates for all receptor types used the OEHHA-derived calculation method, which uses high-end exposure parameters for the inhalation and next top two exposure pathways and mean exposure parameters for the remaining pathways for non-cancer risk estimates (OEHHA 2015). The Chronic Hazard Index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. A hazard index less than 1.0 means that adverse health effects are not expected. Within this analysis, noncarcinogenic exposures of less than 1.0 are considered less than significant. SCAQMD recommends a Chronic Hazard Index significance threshold of 1.0 (project increment) and an acute hazard index of 1.0.

The greatest potential for TAC exposure from project construction and operation is from diesel particulate matter (DPM), as the exhaust from diesel engines is a complex mixture of gases, vapors, and particles, many of which are known human carcinogens. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts. No short-term, acute relative exposure values are established and regulated and therefore these are not addressed in this assessment.

The dispersion modeling was performed using AERMOD, which is the model SCAQMD requires for atmospheric dispersion of emissions. AERMOD (Version 21112) is a steady-state Gaussian plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of surface and elevated sources, building downwash, and simple and complex terrain (EPA 2018a).

Construction Health Risk

Construction Health Risk Assessment

An HRA was performed to evaluate potential health risk associated with construction of the project. The following discussion summarizes the dispersion modeling and HRA methodology; supporting construction HRA documentation, including detailed assumptions, is presented in Appendix A-2.

For risk assessment purposes, PM₁₀ in diesel exhaust is considered DPM, originating mainly from off-road equipment operating at a defined location for a given length of time at a given distance from sensitive receptors. Less-intensive, more-dispersed emissions result from on-road vehicle exhaust (e.g., heavy-duty diesel trucks). For the construction HRA, the CalEEMod scenario for the project was adjusted to reduce diesel truck one-way trip distances to 1,000 feet (0.19 miles) to estimate emissions from truck pass-by at proximate receptors.

The air dispersion modeling methodology was based on generally accepted modeling practices of SCAQMD (SCAQMD 2021b). Air dispersion modeling was performed using EPA's AERMOD Version 21112 modeling system (computer software) with the Lakes Environmental Software implementation/user interface, AERMOD View Version 10.2.1. The HRA followed OEHHA 2015 guidelines (OEHHA 2015) and SCAQMD guidance to calculate the health risk impacts at all proximate receptors as further discussed below. The dispersion modeling included the use of standard regulatory default options. AERMOD parameters were selected consistent with SCAQMD and EPA guidance and identified as representative of the project site and project activities. Principal parameters of this modeling are presented in Table 9.

Table 9. AERMOD Principal Parameters

Parameter	Details
Meteorological Data	AERMOD-specific meteorological data for the Riverside Airport air monitoring station (KRAL) was used for the dispersion modeling (SCAQMD 2021b). A 5-year meteorological data set from 2012 through 2016 was obtained from SCAQMD in a preprocessed format suitable for use in AERMOD.
Urban versus Rural Option	Urban dispersion option was selected due to the developed nature of the project area and per SCAQMD guidelines.
Terrain Characteristics	The elevation of the site is 801 feet (245 meters) above sea level.
Elevation Data	Digital elevation data were imported into AERMOD, and elevations were assigned to receptors and emission sources, as necessary. Digital elevation data were obtained through the AERMOD View in the United States Geological Survey's National Elevation Dataset format with a resolution of 1/3 degree (approximately 10 meters), consistent with SCAQMD guidance (SCAQMD 2021a).
Source Release Characterizations	Air dispersion modeling of DPM emissions was conducted assuming the off-road equipment would operate in accordance with the modeling scenario estimated in CalEEMod (Appendix A-1). The construction equipment and on-site truck travel DPM emissions were modeled as a line of adjacent volume sources across the project site to represent project construction with a release height of 5 meters, plume height of 10 meters, and plume width of 8 meters (SCAQMD 2008a; EPA 2021).

Note: AERMOD = American Meteorological Society/Environmental Protection Agency Regulatory Model; SCAQMD = South Coast Air Quality Management District; DPM = diesel particulate matter; CalEEMod = California Emissions Estimator Model. See Appendix A-1.

Regarding receptors, the construction scenario used an approximate 1-kilometer-by-1-kilometer Cartesian receptor grid with 20-meter spacing to establish the impact area and evaluate locations of maximum health risk impact. Discrete receptors were placed over residential and day care facilities in closest proximity to the site.

The health risk calculations were performed using HARP2 Air Dispersion and Risk Tool (ADMRT, dated 22118). AERMOD was run with all sources emitting unit emissions (1 gram per second) to obtain the necessary input values for HARP2. The line of volume sources was partitioned evenly based on the 1 gram per second emission rate. The ground-level concentration plot files were then used to estimate the long-term cancer health risk to an individual and the non-cancer chronic health indices. There is no reference exposure level (REL) for acute health impacts from DPM, and, thus, acute risk was not evaluated.

Cancer risk is defined as the increase in probability (chance) of an individual developing cancer due to exposure to a carcinogenic compound, typically expressed as the increased chances in one million.

Maximum Individual Cancer Risk is the estimated probability of a maximally exposed individual potentially contracting cancer as a result of exposure to TACs over a period of 30 years for residential receptor locations. For the purposes of this construction HRA, given the less-than-lifetime exposure period, and the higher breathing rates and sensitivity of children to TACs, the cancer risk calculation assumes that the exposure would affect children early in their lives. The 10-month exposure duration was assumed to start during the third trimester of pregnancy through 10 months of age based on the duration of construction. The exposure pathway for DPM is inhalation only.

SCAQMD has also established non-carcinogenic risk parameters for use in HRAs since some TACs increase non-cancer health risk due to long-term (chronic) exposures and some TACs increase non-cancer health risk due to short-term (acute) exposures. No short-term, acute relative exposure level has been established for DPM; therefore, acute impacts of DPM are not addressed in the HRA. Chronic exposure is evaluated in the construction HRA. Non-carcinogenic risks are quantified by calculating a hazard index, expressed as the ratio between the ambient pollutant concentration and its toxicity or REL, which is a concentration at or below which health effects are not likely to occur. The chronic hazard index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. A hazard index less than 1.0 means that adverse health effects are not expected.

The Maximum Individual Cancer Risk and the Chronic Hazard Index for residential receptors as a result of project construction are presented in Table 10.

Table 10. Construction Health Risk Assessment Results - Unmitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk-Residential	Per Million	33.1	10	Potentially Significant
Maximum Individual Cancer Risk-Student	Per Million	3.81	10	Less than Significant
Chronic Hazard Index-Residential	Index Value	0.042	1.0	Less than Significant

Source: SCAQMD 2019.

Note: CEQA = California Environmental Quality Act.
See Appendix A-2.

As shown in Table 10, project construction activities would result in a Residential Maximum Individual Cancer Risk of 33.1 in 1 million, which exceeds the significance threshold of 10 in 1 million. Project construction activities would result in a Student Maximum Individual Cancer Risk of 3.81 in 1 million, which is below the significance threshold of 10 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.042, which is below the 1.0 significance threshold.

As shown in Table 10, the construction HRA results from the unmitigated scenario show cancer risks exceeding the 10 in 1 million threshold and thus a potentially significant impact at the maximally exposed individual residential receptors. Implementation of **Mitigation Measure (MM) AQ-1** would reduce project construction-generated DPM emissions to the extent feasible.

MM-AQ-1 Construction Equipment Emissions Reductions. The following measures shall be incorporated into the project to reduce diesel particulate matter (DPM) health risk generated by construction

equipment used for the project. Prior to the issuance of a grading permit, the following shall be incorporated into the grading plan and/or grading permit conditions:

For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Interim. An exemption from these requirements may be granted in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. For example, if a Tier 4 Interim piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 3), another piece of equipment could be upgraded from a Tier 4 Interim to a higher tier (i.e., Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards.

Before an exemption may be considered, the applicant shall be required to demonstrate that two construction fleet owners/operators in the region were contacted and that those owners/operators confirmed Tier 4 Interim or better equipment could not be located in the region. To ensure that Tier 4 construction equipment or better would be used during the project's construction, the applicant will include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and California Air Resources Board or South Coast Air Quality Management District operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.

The HRA results after incorporation of **MM-AQ-1** are presented in Table 11.

Table 11. Construction Health Risk Assessment Results - Mitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk-Residential	Per Million	9.79	10	Less than Significant
Maximum Individual Cancer Risk-Student	Per Million	1.12	10	Less than Significant
Chronic Hazard Index-Residential	Index Value	0.0124	1.0	Less than Significant

Source: SCAQMD 2019.

Notes: CEQA = California Environmental Quality Act.
See Appendix A-2.

Implementation of **MM-AQ-1** would reduce construction-generated health risks to levels below SCAQMD thresholds. Thus, impacts would be **less than significant with mitigation**.

Operational Health Risk

An HRA was performed to evaluate potential health risk associated with operation of the project. The following discussion summarizes the dispersion modeling and HRA methodology; supporting operational HRA documentation, including detailed assumptions, is presented in Appendix A-2.

CARB's Air Quality and Land Use Handbook: A Community Health Perspective encourages consideration of the health impacts of distribution centers that accommodate more than 100 trucks per day on sensitive receptors sited within 1,000 feet from the source in the land use decision-making process (CARB 2005). For the operational HRA (included as Appendix A-2), operational year 2024 was assumed, consistent with completion of project construction. Emissions from the operation of the project include forklifts, truck trips, and truck idling emissions. For risk assessment purposes, PM₁₀ in diesel exhaust is considered DPM, originating mainly from forklifts, trucks traveling on site and off site, and trucks idling at the loading docks. Truck travel and idling emission rates were obtained from CARB's EMFAC2021. Emission factors representing the vehicle mix and emissions for 2024 were used to estimate emissions associated with operation of the project. Truck idling would be limited to 5 minutes in accordance with CARB's adopted Airborne Toxic Control Measure; however, truck idling was conservatively assumed to idle for 15 minutes.¹⁰ Therefore, the analysis conservatively overestimates DPM emissions from idling. As discussed for the LST analysis, SCAQMD published a summary of operational survey results from 34 operating high-cube warehouses (SCAQMD 2014b). Based on the SCAQMD survey, the analysis assumed a total of 6 forklifts for project operations. The unmitigated HRA analysis assumed diesel operation of all 6 forklifts.

Conservatively, a 2024 EMFAC2021 run was conducted, and a constant 2024 emission factor data set was used for the entire duration of the analysis (i.e., 30 years). Use of the 2024 emission factors would overstate potential impacts since this approach does not include reductions in emissions due to fleet turnover or cleaner technology with lower emissions. The truck travel DPM emissions were calculated by applying the exhaust PM₁₀ emission factor from EMFAC2017 and the total truck trip number over the length of the distance traveled. In addition, the on-site truck idling exhaust emissions were calculated by applying the idle exhaust PM₁₀ emission factor from EMFAC2021 and total truck trip over the total idling time (i.e., 15 minutes). The truck traffic was modeled as a line of adjacent volume sources with truck traffic entering and exiting the project site from the north via Sixth Street. The trucks would travel south on Del Rosa Drive and head east on Third Street to SR-210. Truck idling, forklifts, and the yard truck were modeled as a line of adjacent volume sources operating within the truck loading bay area.

As previously described, health effects from carcinogenic air toxics are usually described in terms of cancer risk. SCAQMD recommends a carcinogenic (cancer) risk threshold of 10 in 1 million. Some TACs increase noncancer health risk due to long-term (chronic) exposures. A hazard index less than 1.0 means that adverse health effects are not expected. Within this analysis, noncarcinogenic exposures of less than 1.0 are considered less than significant. The exhaust from diesel engines is a complex mixture of gases, vapors, and particles, many of which are known human carcinogens. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts. No short-term, acute relative exposure values are established and regulated and are therefore not addressed in this assessment.

The air dispersion modeling methodology was based on generally accepted modeling practices of SCAQMD (SCAQMD 2021a). Air dispersion modeling was performed using EPA's AERMOD (Version 21112) modeling system with the Lakes Environmental Software implementation/user interface, AERMOD View Version 10.2.1. The HRA followed the OEHHA 2015 guidelines (OEHHA 2015) and SCAQMD guidance to calculate the health risk impacts at all proximate receptors as further discussed below. The dispersion modeling included the use of standard regulatory default options. AERMOD parameters were selected consistent with

¹⁰ Although the project is required to comply with CARB's idling limit of 5 minutes, on-site idling emissions were estimated for 15 minutes of truck idling, which would take into account on-site idling while the trucks are waiting to pull up to the loading dock, idling at the loading dock, and idling during check-in and check-out.

SCAQMD and EPA guidance and identified as representative of the project site and project activities. Principal parameters of this modeling are presented in Table 12.

Table 12. Operational Health Risk Assessment AERMOD Operational Principal Parameters

Parameter	Details
Meteorological Data	AERMOD-specific meteorological data for the Riverside Airport monitoring station (KRAL) was used for the dispersion modeling (SCAQMD 2021b). A 5-year meteorological data set from 2012 through 2016 was obtained from SCAQMD in a preprocessed format suitable for use in AERMOD.
Urban versus Rural Option	Urban dispersion option was selected due to the developed nature of the project area and per SCAQMD guidelines.
Terrain Characteristics	The elevation of the site is 801 feet (245 meters) above sea level.
Emission Sources and Source Release Parameters	Air dispersion modeling of operational activities was conducted using emissions generated using EMFAC2017 and CalEEMod. Off-site and on-site truck travel were modeled as a line of adjacent volume sources, and based on EPA methodology, the modeled sources would result in a release height of 3.4 meters, a plume height of 6.8 meters, and a plume width of 13.4 meters (SBAPCD 2020). Forklifts were modeled as a line of adjacent volume sources, and based on EPA methodology, the modeled sources would result in a release height of 3.4 meters, a plume height of 6.8 meters, and a plume width of 8.6 meters (EPA 2018a). Truck idling was modeled as a line of adjacent volume sources, and based on EPA methodology, the modeled sources would result in a release height of 4.0 meters, a plume height of 8.0 meters, and a plume width of 8.6 meters (SBAPCD 2020).

Note: AERMOD = American Meteorological Society/Environmental Protection Agency Regulatory Model; SCAQMD = South Coast Air Quality Management District; CalEEMod = California Emissions Estimator Model; EPA = U.S. Environmental Protection Agency. See Appendix A-2.

Regarding receptors, the operational HRA scenario built from the construction HRA's 1-kilometer-by-1-kilometer Cartesian receptor grid with 20-meter spacing to establish the impact area and evaluate locations of maximum health risk impact (SCAQMD 2021a). The operational scenario added receptors at 50-meter spacing at sensitive receptor areas adjacent to the truck routes discussed above.

The health risk calculations were performed using the HARP2 Air Dispersion and Risk Tool (ADMRT, dated 21081). AERMOD was run with all sources or source groups emitting unit emissions (1 gram per second) to obtain the necessary input values for HARP2. The line of volume sources was partitioned evenly based on the 1 gram per second emission rate. The ground-level concentration plot files were then used to estimate the long-term cancer health risk to an individual and the non-cancer chronic health indices. There is no REL for acute health impacts from DPM, and, thus, acute risk was not evaluated.

Cancer risk is defined as the increase in probability (chance) of an individual developing cancer due to exposure to a carcinogenic compound, typically expressed as the increased chances in one million. Maximum Individual Cancer Risk is the estimated probability of a maximally exposed individual potentially contracting cancer as a result of exposure to TACs over a period of 30 years for residential receptor locations. The HRA assumes exposure would start in the third trimester of pregnancy through 30 years for all residential sensitive receptor locations. The exposure pathway for DPM is inhalation only.

SCAQMD has also established non-carcinogenic risk parameters for use in HRAs since some TACs increase non-cancer health risk due to long-term (chronic) exposures and some TACs increase non-cancer health risk due to short-term (acute) exposures. No short-term, acute relative exposure level has been established for DPM; therefore, acute impacts of DPM are not addressed in the HRA. Chronic exposure is evaluated in the operational HRA. Non-carcinogenic risks are quantified by calculating a hazard index, expressed as the ratio between the ambient pollutant concentration and its toxicity or REL, which is a concentration at or below which health effects are not likely to occur. The chronic hazard index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. A hazard index less than 1.0 means that adverse health effects are not expected.

The results of the HRA during operation are provided in Table 13.

Table 13. Operational Health Risk Assessment Results - Unmitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk-Residential	Per Million	391	10	Potentially Significant
Maximum Individual Cancer Risk-Student	Per Million	17.34	10	Potentially Significant
Chronic Hazard Index-Residential	Index Value	0.105	1.0	Less than Significant

Source: SCAQMD 2019.

Notes: CEQA = California Environmental Quality Act.
See Appendix A-2.

As shown in Table 13, project operation would result in a Residential Maximum Individual Cancer Risk of 391 in 1 million and a Student Maximum Individual Cancer Risk of 17.34 in 1 million, which are above the significance threshold of 10 in 1 million. Project operation would result in a Residential Chronic Hazard Index of 0.105, which is below the 1.0 significance threshold. The project operational TAC health risk impacts would be **potentially significant**, and mitigation is required.

MM-AQ-2 Operational Forklifts. The project shall require all operational forklifts to be electric powered.

The results of the HRA during operation including mitigation measure **MM-AQ-2** are provided in Table 14.

Table 14. Operational Health Risk Assessment Results - Mitigated

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk-Residential	Per Million	1.38	10	Less than Significant
Maximum Individual Cancer Risk-Student	Per Million	0.07	10	Less than Significant
Chronic Hazard Index-Residential	Index Value	0.004	1.0	Less than Significant

Source: SCAQMD 2019.

Notes: CEQA = California Environmental Quality Act.
See Appendix A-2.

As shown in Table 14, project operation would result in a Residential Maximum Individual Cancer Risk of 1.38 in 1 million and a Student Maximum Individual Cancer Risk of 0.07 in 1 million, which are below the significance threshold of 10 in 1 million. Project operation would result in a Residential Chronic Hazard Index of 0.004, which is below the 1.0 significance threshold. The project operational TAC health risk impacts would be **less than significant with mitigation**.

Health Effects of Criteria Air Pollutants

Construction and operation of the project would generate criteria air pollutant emissions; however, estimated construction and operational emissions would not exceed the SCAQMD mass-emission daily thresholds as shown in Tables 6 and 7, respectively. As previously discussed, the SCAB has been designated as a federal nonattainment area for O₃ and PM_{2.5} and a state nonattainment area for O₃, PM₁₀, and PM_{2.5}.

Health effects associated with O₃ include respiratory symptoms, worsening of lung disease leading to premature death, and damage to lung tissue (CARB 2021). VOCs and NO_x are precursors to O₃, for which the SCAB is designated as nonattainment with respect to the NAAQS and CAAQS. The contribution of VOCs and NO_x to regional ambient O₃ concentrations is the result of complex photochemistry. The increases in O₃ concentrations in the SCAB due to O₃ precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O₃ concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O₃ ambient air quality standards tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O₃ precursors is speculative because of the lack of quantitative methods to assess this impact. Because construction and operation of the project would not result in O₃ precursor emissions (i.e., VOCs or NO_x) that would exceed the SCAQMD thresholds (as shown in Tables 6 and 7), the project is not anticipated to substantially contribute to regional O₃ concentrations and their associated health impacts.

Health effects associated with NO_x include lung irritation and enhanced allergic responses (CARB 2021). Construction and operation of the project would not generate NO_x emissions that would exceed the SCAQMD mass daily thresholds; therefore, construction and operation of the project is not anticipated to contribute to exceedances of the NAAQS and CAAQS for NO₂ or contribute to associated health effects. In addition, the SCAB is designated as in attainment of the NAAQS and CAAQS for NO₂, and the existing NO₂ concentrations in the area are well below the NAAQS and CAAQS standards.

Health effects associated with CO include chest pain in patients with heart disease, headache, light-headedness, and reduced mental alertness (CARB 2021). CO tends to be a localized impact associated with congested intersections. CO hotspots were discussed previously as a less-than-significant impact. Thus, the project's CO emissions would not contribute to the health effects associated with this pollutant.

Health effects associated with PM₁₀ and PM_{2.5} include premature death and hospitalization, primarily for worsening of respiratory disease (CARB 2021). As with O₃ and NO_x, and as shown in Tables 6 and 7, the project would not generate emissions of PM₁₀ or PM_{2.5} that would exceed SCAQMD's thresholds. Accordingly, the project's PM₁₀ and PM_{2.5} emissions are not expected to cause an increase in related health effects for this pollutant.

The California Supreme Court's decision in *Sierra Club v. County of Fresno* (2018) 6 Cal. 5th 502 (referred to herein as the Friant Ranch decision; issued on December 24, 2018) addressed the need to correlate

mass emission values for criteria air pollutants to specific health consequences and contains the following direction from the California Supreme Court:

The EIR must provide an adequate analysis to inform the public how its bare numbers translate to create potential adverse impacts or it must adequately explain what the agency *does* know and why, given existing scientific constraints, it cannot translate potential health impacts further. (*Italics in original*)

Currently, SCAQMD, CARB, and EPA have not approved a quantitative method to reliably, meaningfully, and consistently translate the mass emission estimates for the criteria air pollutants resulting from the project to specific health effects. In addition, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days.

In connection with the judicial proceedings culminating in issuance of the Friant Ranch decision, SCAQMD and the San Joaquin Valley Air Pollution Control District (SJVAPCD) filed amicus briefs attesting to the extreme difficulty of correlating an individual project's criteria air pollutant emissions to specific health impacts. Both SJVAPCD and SCAQMD have among the most sophisticated air quality modeling and health impact evaluation capabilities of the air districts in California. The key relevant points from SCAQMD and SJVAPCD briefs are summarized herein:

In requiring a health impact type of analysis for criteria air pollutants, it is important to understand how O₃ and particulate matter (PM) are formed, dispersed, and regulated. The formation of O₃ and PM in the atmosphere, as secondary pollutants,¹¹ involves complex chemical and physical interactions of multiple pollutants from natural and anthropogenic sources. The O₃ reaction is self-perpetuating (or catalytic) in the presence of sunlight because NO₂ is photochemically reformed from nitric oxide. In this way, O₃ is controlled by both NO_x and VOC emissions (NRC 2005). The complexity of these interacting cycles of pollutants means that incremental decreases in one emission may not result in proportional decreases in O₃ (NRC 2005). Although these reactions and interactions are well understood, variability in emission source operations and meteorology creates uncertainty in the modeled O₃ concentrations to which downwind populations may be exposed (NRC 2005). Once formed, O₃ can be transported long distances by wind and due to atmospheric transport; contributions of precursors from the surrounding region can also be important (EPA 2008). Because of the complexity of O₃ formation, a specific tonnage of VOCs or NO_x emitted in a particular area does not equate to a particular concentration of O₃ in that area (SJVAPCD 2015).

PM can be divided into two categories: directly emitted PM and secondary PM. Secondary PM, like O₃, is formed via complex chemical reactions in the atmosphere between precursor chemicals such as SO_x and NO_x (SJVAPCD 2015). Because of the complexity of secondary PM formation, including the potential to be transported long distances by wind, the tonnage of PM-forming precursor emissions in an area does not necessarily result in an equivalent concentration of secondary PM in that area (SJVAPCD 2015). This is especially true for individual projects, like the proposed project, where project-generated criteria air pollutant emissions are not derived from a single "point source," but from construction equipment and mobile sources (passenger cars and trucks) driving to, from, and around the project site.

¹¹ Air pollutants formed through chemical reactions in the atmosphere are referred to as secondary pollutants.

Additionally, health effects from air pollutants are related to the concentration of the air pollutant that an individual is exposed to, not necessarily the individual mass quantity of emissions associated with an individual project. For example, health effects from O₃ are correlated with increases in the ambient level of O₃ in the air a person breathes (SCAQMD 2015). However, it takes a large amount of additional precursor emissions to cause a modeled increase in ambient O₃ levels over an entire region (SCAQMD 2015). The lack of link between the tonnage of precursor pollutants and the concentration of O₃ and PM_{2.5} formed is important because it is not necessarily the tonnage of precursor pollutants that causes human health effects; rather, it is the concentration of resulting O₃ that causes these effects (SJVAPCD 2015). Indeed, the ambient air quality standards, which are statutorily required to be set by EPA at levels that are requisite to protect the public health, are established as concentrations of O₃ and PM_{2.5} and not as tonnages of their precursor pollutants (EPA 2018a). Because the ambient air quality standards are focused on achieving a particular concentration region-wide, the tools and plans for attaining the ambient air quality standards are regional in nature. For CEQA analyses, project-generated emissions are typically estimated in pounds per day or tons per year and compared to mass daily or annual emission thresholds. While CEQA thresholds are established at levels that the air basin can accommodate without affecting the attainment date for the ambient air quality standards, even if a project exceeds established CEQA significance thresholds, this does not mean that one can easily determine the concentration of O₃ or PM that will be created at or near the project site on a particular day or month of the year, or what specific health impacts will occur (SJVAPCD 2015).

In regard to regional concentrations and air basin attainment, SJVAPCD emphasized that attempting to identify a change in background pollutant concentrations that can be attributed to a single project, even one as large as the entire Friant Ranch Specific Plan, is a theoretical exercise. The SJVAPCD brief noted that it “would be extremely difficult to model the impact on NAAQS attainment that the emissions from the Friant Ranch project may have” (SJVAPCD 2015). The situation is further complicated by the fact that background concentrations of regional pollutants are not uniform either temporally or geographically throughout an air basin but are constantly fluctuating based upon meteorology and other environmental factors. SJVAPCD noted that the currently available modeling tools are equipped to model the impact of all emission sources in the San Joaquin Valley Air Basin on attainment (SJVAPCD 2015). The SJVAPCD brief then indicated that “running the photochemical grid model used for predicting O₃ attainment with the emissions solely from the Friant Ranch project (which equate to less than 0.1% of the total NO_x and VOC in the Valley) is not likely to yield valid information given the relative scale involved” (SJVAPCD 2015).

SCAQMD and SJVAPCD have indicated that it is not feasible to quantify project-level health impacts based on existing modeling (SCAQMD 2015; SJVAPCD 2015). Even if a metric could be calculated, it would not be reliable because the models are equipped to model the impact of all emission sources in an air basin on attainment and would likely not yield valid information or a measurable increase in O₃ concentrations sufficient to accurately quantify O₃-related health impacts for an individual project.

Nonetheless, following the Supreme Court’s Friant Ranch decision, some EIRs where estimated criteria air pollutant emissions exceeded applicable air district thresholds have included a quantitative analysis of potential project-generated health effects using a combination of a regional photochemical grid model¹²

¹² The first step in the publicly available HIAs includes running a regional photochemical grid model, such as the Community Multiscale Air Quality model or the Comprehensive Air Quality Model, with extensions to estimate the increase in concentrations of O₃ and PM_{2.5} as a result of project-generated emissions of criteria and precursor pollutants. Air districts, such as SCAQMD, use photochemical air quality models for regional air quality planning. These photochemical models are large-scale air quality models

and the EPA Benefits Mapping and Analysis Program (BenMAP or BenMAP–Community Edition).¹³ The publicly available health impact assessments (HIAs) typically present results in terms of an increase in health incidences and/or the increase in background health incidence for various health outcomes resulting from the project's estimated increase in concentrations of O₃ and PM_{2.5}.¹⁴ To date, the five publicly available HIAs reviewed herein have concluded that the evaluated project's health effects associated with the estimated project-generated increase in concentrations of O₃ and PM_{2.5} represent a small increase in incidences and a very small percent of the number of background incidences, indicating that these health impacts are negligible and potentially within the models' margin of error. It is also important to note that while the results of the five available HIAs conclude that the project emissions do not result in a substantial increase in health incidences, the estimated emissions and assumed toxicity are also conservatively inputted into the HIA and thus overestimate health incidences, particularly for PM_{2.5}.

As explained in the SJVAPCD brief and noted previously, running the photochemical grid model used for predicting O₃ attainment with the emissions solely from an individual project like the Friant Ranch project or the proposed project is not likely to yield valid information given the relative scale involved. The five examples reviewed support the SJVAPCD brief's contention that consistent, reliable, and meaningful results may not be provided by methods applied at this time. Accordingly, additional work in the industry and, more importantly, air district participation are needed to develop a more meaningful analysis to correlate project-level mass criteria air pollutant emissions and health effects for decision makers and the public. Furthermore, at the time of writing, no HIA has concluded that health effects estimated using the photochemical grid model and BenMAP approach are substantial provided that the estimated project-generated incidences represent a very small percent of the number of background incidences, potentially within the models' margin of error.

In summary, construction and operation of the project would not result in exceedances of the SCAQMD significance thresholds for certain criteria pollutants, and potential health effects associated with criteria air pollutants would be less than significant.

In addition, an analysis of the project's potential to exceed the SCAQMD LSTs is presented above. SCAQMD developed the LST analysis in response to the CARB Governing Board's Environmental Justice Enhancement Initiative I-4. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable NAAQS or CAAQS (which are health protective standards) at the nearest sensitive receptor, taking into consideration ambient concentrations in each source receptor area, project size, and distance to the nearest sensitive receptor. LSTs has been developed

that simulate the changes of pollutant concentrations in the atmosphere using a set of mathematical equations characterizing the chemical and physical processes in the atmosphere (EPA 2018b).

¹³ After estimating the increase in concentrations of O₃ and PM_{2.5}, the second step in the five examples includes use of BenMAP or BenMAP–Community Edition to estimate the resulting associated health effects. BenMAP estimates the number of health incidences resulting from changes in air pollution concentrations (EPA 2018c). The health impact function in BenMAP–Community Edition incorporates four key sources of data: (1) modeled or monitored air quality changes, (2) population, (3) baseline incidence rates, and (4) an effect estimate. All of the five example HIAs focused on O₃ and PM_{2.5}.

¹⁴ The following CEQA documents included a quantitative HIA to address Friant Ranch: (1) California State University, Dominguez Hills 2018 Campus Master Plan EIR (CSU Dominguez Hills 2019), (2) March Joint Powers Authority K4 Warehouse and Cactus Channel Improvements Project EIR (March JPA 2019), (3) Amendment to Norman Y. Mineta San José International Airport Master Plan Project EIR (City of San Jose 2020), (4) Inglewood Basketball and Entertainment Center (IBEC) Project EIR (City of Inglewood 2019), and (5) Draft San Diego State University Mission Valley Campus Master Plan EIR (SDSU 2019).

for NO₂, CO, PM₁₀, and PM_{2.5}. As presented above, the project's localized construction emissions would not exceed site-specific LSTs, and impacts would be **less than significant**.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less-than-Significant Impact. The project would result in emissions, including criteria air pollutant and TACs; however, those are addressed under Sections 3.3(b) and 3.3(c). Accordingly, the evaluation of other emissions is focused on the potential for the project to generate odors. The occurrence and severity of potential odor impacts depend on numerous factors. The nature, frequency, and intensity of the source; the wind speed and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the project. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application. Such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. Therefore, impacts associated with odors during construction would be less than significant.

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The project entails operation of a warehouse and would not create any new sources of odors during operation. Therefore, project operations would result in an odor impact that is **less than significant**.

3.4 Biological Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES – 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

SIXTH STREET AND DEL ROSA DRIVE WAREHOUSE PROJECT / INITIAL STUDY /
MITIGATED NEGATIVE DECLARATION

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. 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?	☐	☐	☐	☒

The analysis of biological resources is based on the biological resources technical letter report that documents the existing conditions of the study area and evaluates the potential of special-status biological resources to occur (Appendix B). Potential project-related impacts to these biological resources and recommendations to avoid or reduce impacts below a level of significance under CEQA are also described within the report and are summarized herein.

- a) ***Would the project 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 Wildlife or U.S. Fish and Wildlife Service?***

Less-than-Significant Impact with Mitigation Incorporated. No special-status plants or wildlife species were observed on the study area during the biological reconnaissance. The study area consists of non-native grassland, disturbed habitat, and ornamental vegetation associated with adjacent development. Given the low-quality, fragmented, and disturbed habitat on the project site and location within an urban setting, there is no moderate or high potential for special-status species to occur on the study area.

No active nests were observed, and species diversity was limited to species that occur in urbanized settings. However, ornamental vegetation immediately outside of the southern and eastern project site boundaries provides suitable nesting habitat within the study area for migratory bird and raptor species protected by the Migratory Bird Treaty Act and California Fish and Game Code Section 3500. While vegetation clearing and grading for construction of the proposed project is not anticipated to directly impact nesting birds, construction activities may indirectly impact suitable nesting habitat for protected bird species due to increased dust, noise, and human presence, which would be considered significant. With implementation of **MM-BIO-1**, impacts to nesting birds would be reduced to a **less-than-significant** level.

MM-BIO-1 Avian Nesting Season Avoidance. Construction activities shall be avoided during the bird nesting season (generally February 1 through August 30) to ensure compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code Section 3500 et seq. If avoidance of the nesting season is not feasible, then a pre-construction nesting bird survey shall be conducted by a qualified biologist within a maximum of 3 days prior to the start of construction in areas that could support tree-, shrub-, and ground-nesting birds to ensure that birds are not engaged in active nesting within 100 feet of the project's construction limits. If nesting birds are discovered during the pre-construction survey, then the qualified biologist shall identify an appropriate buffer where no ground-breaking activities are allowed to occur until after the birds have fledged from the nest. The active nest buffer size depends on the species' sensitivity to disturbance (typically up to 500 feet for raptors and 300 feet for passerines), and ongoing biological monitoring during construction may be required. Construction activities may take place in other areas on the project site, outside of the nest avoidance buffer. No construction activities may take place within the nest avoidance buffer unless authorized by an on-site monitoring biologist.

- b) ***Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

No Impact. Vegetation communities were mapped on the study area during the biological reconnaissance according to the California Department of Fish and Wildlife's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) and List of Vegetation Alliances and Associations (CDFW 2019). Vegetation communities and land covers were delineated to the vegetation alliance level, based on the Manual of California Vegetation (Sawyer et al. 2009). Some modification, such as the Preliminary Descriptions of the Terrestrial Natural Communities of California (Holland 1986; Oberbauer et al. 2008) were incorporated to accommodate the lack of conformity of the observed communities to those included in these references. No sensitive or natural vegetation communities or riparian habitats were observed on the study area. Any natural vegetation communities that historically occurred in the study area have been removed during previous grading and clearing activities. As such, vegetation clearing and grading for construction of the proposed project will have **no impact** on riparian habitats or sensitive natural communities.

- c) ***Would the project 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?***

No Impact. No formal jurisdictional wetland delineation was conducted on the study area. However, a preliminary assessment of potential jurisdictional waters in the study area during the biological reconnaissance determined there are no waterways or drainages that would be subjected to federal or state regulatory agency jurisdiction. Additionally, no natural wetlands or riparian habitats were observed in the study area. A review of the National Wetlands Inventory dataset revealed no mapped “blue line” features within the study area. Although City Creek, a blue line mapped flood control channel, lies approximately 0.12 miles south of the study area, it is not anticipated to be directly or indirectly impacted by project activities due to intervening mixed land use (residential, commercial, municipal). As such, vegetation clearing and grading of the study area for construction of the proposed project will have **no impact** to state or federally protected waters and wetlands.

- d) ***Would the project 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?***

No Impact. The entire study area is surrounded by mixed development, and no portions of the study area function as a wildlife corridor or linkage that connects to larger habitat areas in the region, such as the Santa Ana River further south. The study area is separated from the Santa Ana River by urban development, specifically SBIA, which would significantly impede local wildlife movement. Further, the study area is not mapped as an important wildlife corridor, habitat linkage, or nursery site, and occurs on a fragmented, low-quality, previously disturbed (tilled/disked) parcel in an urban setting. On a local scale, the study area may function as a linkage for small to medium-sized mammals and reptiles to use the project site as a corridor, to travel locally to other fragmented undeveloped parcels to the west. However, Sixth Street is a paved road with consistent moderate traffic volume that would also significantly impede local wildlife movement. Therefore, a wildlife corridor study for the project is not warranted. Vegetation clearing and grading for construction of the proposed project is anticipated to have **no impact** on wildlife corridors, habitat linkages, and nursery sites.

- e) ***Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

No Impact. The study area does not contain any heritage trees protected by the City Municipal Code of Ordinances (Section 16.64.040, City of Highland 2022). Therefore, construction of the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and **no impact** will occur.

- f) ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

No Impact. The study area does not occur within any approved, in process, or implemented Habitat Conservation Plan or Natural Community Conservation Plan for local or regional protection of species and habitats. As such,

project implementation would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan, and **no impact** will occur.

3.5 Cultural Resources

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

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?*

Less-than-Significant Impact with Mitigation Incorporated. As defined by the CEQA Guidelines (14 CCR 15000 et seq.), a “historical resource” is considered to be a resource that is listed in or eligible for listing in the National Register of Historic Places or California Register of Historical Resources (CRHR), has been identified as significant in a historical resource survey, or is listed on a local register of historical resources. Under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; 14 CCR 15064.5[b]). If a site is listed or eligible for listing in the CRHR, included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1[q]), it is a historical resource and is presumed to be historically or culturally significant for the purposes of CEQA (PRC Section 21084.1; 14 CCR 15064.5[a]).

A review of historical topographic maps and aerial photographs indicates that the proposed project site was vacant and undeveloped as early as 1896. By 1938, the proposed project site is shown to be in use for agricultural purposes. By 1984, the proposed project site is shown to have been graded, and the development of the buildings immediately to the south and outside the proposed project site are present, generally consistent with present-day site conditions.

A review of the California Historical Resources Information System (CHRIS) database records held at the South Central Coastal Information Center (SCCIC) for the proposed project site indicates that 18 previous cultural resource studies have been conducted within 0.5 miles of the proposed project site between 1973 and 2011. Of these studies, two studies address the proposed project site resulting in the entirety (100%) of the proposed project site having been subjected to previous archaeological investigations; neither of these

studies identified cultural resources within the proposed project site. The CHRIS records search results identified 67 previously recorded cultural resources within the records search area. Of these, 1 resource is a historic-period archaeological site, and the remaining 66 are historic built environment resources. None of the identified resources are located within or adjacent to the project site and none have been determined to be a historical resource pursuant to Section 15064.5. An archaeological pedestrian survey of the project site conducted in support of assessments for this project did not identify any historical resources within the project footprint. Furthermore, no structures are currently present within the project site.

Therefore, the project would not cause a substantial adverse change in the significance of a known historical resource pursuant to Section 15064.5. However, the potential for intact cultural deposits to exist within native soils (below between 1 and 2 feet below ground surface) to the depths of proposed ground disturbance is unknown. In the event that unanticipated cultural resources are encountered during project implementation, an evaluation of the resource would be conducted, potentially resulting in the determination that the resource is historical in accordance with the definition outlined in Section 15064.5. As a result, the project has a potential to impact and thus cause a substantial adverse change in the significance of a yet unknown historical resource.

Thus, mitigation is required to address impacts related to the inadvertent discovery of yet unknown historical resources, as outlined in **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3**. **MM-CUL-1** requires that all project construction personnel participate in a Worker Environmental Awareness Program training for the proper identification and treatment of inadvertent discoveries. **MM-CUL-2** requires the retention of an on-call qualified archaeologist to respond to and address inadvertent discoveries. **MM-CUL-3** requires construction work occurring within 100 feet of a cultural resource discovery be immediately halted until the qualified archaeologist, meeting the Secretary of Interior's Professional Qualification Standards for Archaeology, can assess and evaluate the discovery pursuant to CEQA. Additionally, **MM-CUL-3** requires the inadvertent discovery clause be included on all construction plans. With implementation of **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3**, significant impacts to historical resources would be reduced to **less than significant with mitigation incorporated**.

MM-CUL-1 Worker Environmental Awareness Program. Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Worker Environmental Awareness Program training is to provide specific details on the kinds of materials that may be identified during ground-disturbing activities and explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include but are not limited to work curtailment or redirection and the immediate contact of the site supervisor and archaeological monitoring staff.

MM-CUL-2 Retention of an On-Call Qualified Archaeologist. A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified project implementation.

MM-CUL-3 Inadvertent Discovery Clause. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbance, all construction work occurring within 100 feet of the find shall immediately stop, and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether additional study is warranted. Depending upon the significance of the find under the California Environmental Quality Act (CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If monitoring is warranted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City of Highland for review. This report shall document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. The final report shall be submitted to the South Central Coastal Information Center.

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall follow all required protocols according to California Public Resources Code, Section 5097.98.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?*

Less-than-Significant Impact with Mitigation Incorporated. A CHRIS database records search, background research, including a review of a geotechnical report, and an archaeological pedestrian survey were conducted as part of a Phase I Archaeological Resources Assessment that was prepared for the project (Appendix C).

A review of historical topographic maps and aerial photographs indicates that the proposed project site was vacant and undeveloped as early as 1896, with a tributary of Warm Creek intersecting the northwestern quadrant of the proposed project site. By 1938, the proposed project site is shown to be used for agricultural purposes. The 1968 aerial shows that the proposed project site was disturbed, as evidenced by what appears to be paths and/or informal dirt roads that traverse the site. By 1984, the proposed project site is shown to have been graded, and the development of the buildings immediately to the south and outside the proposed project site are present, generally consistent with present-day site conditions.

While the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search (completed January 20, 2023) result was positive, it is important to note that the results of the SLF provided by NAHC relate to the general regional area within and surrounding the proposed project site and do not necessarily equate to the existence of resources within the specific area occupied by the proposed project site. As previously mentioned, a review of the CHRIS database records conducted at the SCCIC identified two studies that address the proposed project site, indicating that the entirety (100%) of the proposed project site has been

subjected to previous archaeological investigations, including a pedestrian survey, prior to the ground disturbance observed between the 1980 and 1984 aerials. The CHRIS records search results also indicate that 67 cultural resources have been previously recorded within 0.5 miles of the proposed project site, consisting of 1 historic-period archaeological site and 66 historic built environment resources, none of which are located within or immediately adjacent to the proposed project site. No record of previously recorded historic-period or prehistoric archaeological resources are on file with the SCCIC as being present within proposed project site. The nearest archaeological resource consisting of the remains of a historic-period agricultural system is located approximately 1,400 feet (425 meters) outside of the proposed project site.

A review of a geotechnical report (Appendix D) prepared for the proposed project site determined that fill soils were encountered from surface to between 1 and 2 feet below existing ground surface within all eight exploratory boring locations. Recommendations within the geotechnical report include removal of disturbed soils and/or fill soils to competent native material and any vegetation and/or demolition debris prior to the start of grading operations. Therefore, it is assumed that the minimum depth of ground disturbance is 1 to 2 feet across the proposed project site, no deeper than 5 feet for utilities, and a maximum depth of 20 feet below the existing ground surface for the installation of the underground infiltration/detention system within the southeast corner of the proposed project site.

An intensive-level archaeological survey of the proposed project site was conducted December 22, 2022. Project site conditions at the time the survey was conducted consisted of vacant and undeveloped land that had been subjected to tilling and/or disking activities. Disturbances observed included vehicular tracks traversing the site and dumping of modern refuse across the site. For these reasons, ground surface visibility was variable and ranged from non-existent to poor (0% to 20%) in areas where the ground surface was obscured and good to excellent (90% to 100%) for the remainder of the site, which accounted for approximately 95% of the proposed project site. No cultural materials were observed within the proposed project site as a result of the archaeological pedestrian survey. It should be noted, however, that the geotechnical study revealed that the proposed project site is predominately covered in fill soils although the origin of the soils was not mentioned. The presence of fill soils demonstrates that native soils within which cultural deposits might exist in context could not have been observed during the survey; this fact demonstrates that the survey findings are less than reliable. As such, any exposed soils observed during the survey were likely fill soils and not representative of the native soils present prior to ground disturbing activities.

In consideration of all these factors, the potential to encounter intact deposits containing archaeological resources within soils from the current grade and between 1 and 2 feet below existing ground surface is unlikely. However, given that the proposed project site is within the Santa Ana River Watershed and a tributary of Warm Creek historically intersected the northwestern quadrant of the proposed project site, there is a potential for the proposed project site to be buried in alluvial and flood deposits. For these reasons, the proposed project site should be treated as potentially sensitive for archaeological resources. In the event that unanticipated archaeological resources are encountered during project implementation, impacts to these resources would be potentially significant.

Thus, mitigation is required to address impacts related to the inadvertent discovery of archaeological resources, as outlined in **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3**. **MM-CUL-1** requires that all project construction personnel participate in a Worker Environmental Awareness Program training for the proper identification and treatment of inadvertent discoveries. **MM-CUL-2** requires the retention of an on-call qualified archaeologist to respond to and address inadvertent discoveries. **MM-CUL-3** requires construction

work occurring within 100 feet of a cultural resource discovery be immediately halted until the qualified archaeologist, meeting the Secretary of Interior's Professional Qualification Standards for Archaeology, can assess and evaluate the discovery pursuant to CEQA. Additionally, **MM-CUL-3** requires the inadvertent discovery clause be included on all construction plans. With implementation of **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3**, significant impacts to historical resources would be reduced to **less than significant with mitigation incorporated**.

c) **Would the project disturb any human remains, including those interred outside of formal cemeteries?**

Less-than-Significant Impact. No prehistoric or historic-period burials, including those interred outside of formal cemeteries, were identified within the proposed project site as a result of the CHRIS records search or pedestrian survey. In the event that human remains are inadvertently encountered during ground-disturbing activities, they shall be treated consistent with state and local regulations, including the California Health and Safety Code Section 7050.5, PRC Section 5097.98, and the California Code of Regulations Section 15064.5(e). In accordance with these regulations, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall follow all required protocols according to PRC Section 5097.98. Compliance with these regulations would ensure that impacts to human remains resulting from the proposed project would be **less than significant**.

3.6 Energy

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. Energy – Would the project:				
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?	☐	☐	☒	☐

a) **Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Less-than-Significant Impact. The electricity and natural gas used for construction of the proposed project would be temporary, would be substantially less than that required for project operation, and would have a negligible contribution to the project's overall energy consumption. Although the project would see an

increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in vehicle miles traveled (VMT) over time.

Construction

Electricity

Temporary electric power for as-necessary lighting and electronic equipment (such as computers inside temporary construction trailers) would be provided by Southern California Edison. The electricity used for such activities would be temporary, would be substantially less than that required for project operation, and would have a negligible contribution to the project's overall energy consumption.

Natural Gas

Natural gas is not anticipated to be required during construction of the project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below in the Petroleum subsection. Any minor amounts of natural gas that may be consumed as a result of project construction would be substantially less than that required for project operation and would have a negligible contribution to the project's overall energy consumption.

Petroleum

Heavy-duty construction equipment associated with construction activities would rely on diesel fuel. Construction workers would travel to and from the project site throughout the duration of construction. It is assumed in this analysis that construction workers would travel to and from the site in gasoline-powered passenger vehicles.

Heavy-duty construction equipment of various types would be used during each phase of project construction. Appendix A-1 lists the assumed equipment usage for each phase of construction.

Fuel consumption from construction equipment was estimated by converting the total carbon dioxide (CO₂) emissions from each construction phase to gallons using the conversion factors for CO₂ to gallons of gasoline or diesel. Construction is estimated to occur in 2023 based on the construction phasing schedule. The conversion factor for gasoline is 8.78 kilograms per metric ton (MT) CO₂ per gallon, and the conversion factor for diesel is 10.21 kilograms per MT CO₂ per gallon (The Climate Registry 2021). The estimated diesel fuel usage from construction equipment is shown in Table 15.

Table 15. Construction Equipment Diesel Demand

Phase	Pieces of Equipment	Equipment CO ₂ (MT)	kg/CO ₂ /Gallon	Gallons
Site Preparation	3	3.26	10.21	319.08
Grading	4	5.48	10.21	536.25
Building Construction	8	205.55	10.21	20,132.57
Paving	6	7.82	10.21	765.70
Architectural Coating	1	1.29	10.21	125.22
Total				21,878.81

Sources: Pieces of equipment and equipment CO₂ (Appendix A-1); kg/CO₂/Gallon (The Climate Registry 2021).

Notes: CO₂ = carbon dioxide; MT = metric ton; kg = kilogram.

Fuel consumption from worker and vendor trips is estimated by converting the total CO₂ emissions from each construction phase to gallons using the conversion factors for CO₂ to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline, and vendor vehicles are assumed to be diesel. The project also includes haul truck trips for the export of demolition waste and import of earthwork materials. Calculations for total worker, vendor truck, and haul truck fuel consumption are provided in Table 16.

Table 16. Construction Worker, Vendor, and Haul Truck Gasoline and Diesel Demand

Phase	Trips	Vehicle MT CO ₂	kg/CO ₂ /Gallon	Gallons
Worker (Gasoline)				
Site Preparation	24	0.10	8.78	11.66
Grading	60	0.26	8.78	29.16
Building Construction	10,638	45.38	8.78	5,169.00
Paving	160	0.68	8.78	77.74
Architectural Coating	120	0.51	8.78	58.30
Vendor (Diesel)				
Site Preparation	12	0.11	10.21	10.70
Grading	24	0.22	10.21	21.40
Building Construction	4,334	39.45	10.21	3,864.34
Paving	0	0	10.21	0
Architectural Coating	0	0	10.21	0
Haul (Diesel)				
Site Preparation	0	0.00	10.21	0.00
Grading	0	0.00	10.21	0.00
Building Construction	0	0.00	10.21	0.00
Paving	0	0.00	10.21	0.00
Architectural Coating	0	0.00	10.21	0.00
Total				9,242.30

Sources: Trips and vehicle CO₂ (Appendix A-1); kg/CO₂/Gallon (The Climate Registry 2021).

Notes: MT = metric ton; CO₂ = carbon dioxide; kg = kilogram.

In summary, construction of the project is anticipated to consume 5,346 gallons of gasoline and 25,775 gallons of diesel over the course of 10.5 months. The project will be subject to CARB's In-Use Off-Road Diesel Vehicle Regulation that applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation (1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; (2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; (3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and (4) requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The fleet must either show that its fleet average index was less than or equal to the calculated fleet average target rate, or that the fleet has met the Best Achievable Control Technology requirements. The project is also located in an urban area and worker, vendor, and haul truck trip lengths would be shorter compared to a suburban

project location, resulting in less energy use. Therefore, impacts to energy resources during construction would be **less than significant**.

Operation

Electricity

The operation of the project would require electricity for multiple purposes, including cooling, lighting, appliances, and powering various equipment, such as electric forklifts. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. Electricity consumption associated with project operation is based on the CalEEMod outputs and spreadsheet calculations for water, wastewater, and electric forklifts presented in Appendix A-1.

CalEEMod default values for energy consumption for each land use were applied for the project analysis. The energy use from non-residential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Energy use in buildings (both natural gas and electricity) is divided by the program into end use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the heating, ventilation, and air conditioning [HVAC] system; water heating system; and integrated lighting) and those not subject to Title 24 requirements (such as appliances, electronics, and miscellaneous “plug-in” uses).

Title 24 of the California Code of Regulations serves to enhance and regulate California’s building standards. The most recent amendments to Title 24, Part 6, referred to as the 2019 standards, became effective on January 1, 2020. According to these estimations, the project would consume approximately 353,878 kilowatt-hours per year during operation (Appendix A-1).

Natural Gas

The operation would require natural gas for various purposes, including water heating and natural gas appliances and natural gas forklifts. Natural gas consumption associated with operation is based on the CalEEMod outputs in Appendix A-1.

CalEEMod default values for energy consumption for each land use were applied for the project analysis. The energy use from non-residential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Energy use in buildings (both natural gas and electricity) is divided by the program into end use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the HVAC system, water heating system, and integrated lighting) and those not subject to Title 24 requirements (such as appliances, electronics, and miscellaneous “plug-in” uses).

Title 24 of the California Code of Regulations serves to enhance and regulate California’s building standards. The most recent amendments to Title 24, Part 6, referred to as the 2019 standards, became effective on January 1, 2020. According to these estimations, the project would consume approximately 12,974,326 thousand British thermal units per year.

Petroleum

During operations, the majority of fuel consumption resulting from the project would involve the motor vehicles traveling to and from the project site.

Petroleum fuel consumption associated with motor vehicles traveling to and from the project site is a function of the VMT as a result of project operation. As shown in Appendix A-1, the annual VMT attributable to the project is expected to be 332,034 miles for passenger vehicles and 312,192 miles for trucks. Similar to the construction worker and vendor trips, fuel consumption from worker and truck trips are estimated by converting the total CO₂ emissions from operation of the project to gallons using the conversion factors for CO₂ to gallons of gasoline or diesel. Mobile source emissions were estimated using EMFAC2017. Calculations for annual mobile source fuel consumption are provided in Table 17.

Table 17. Operational Annual Mobile Source Petroleum Demand

Fuel	Source	Vehicle MT CO ₂	kg/CO ₂ /Gallon	Gallons
Gasoline	Vehicles	230.14	8.78	26,211.88
Diesel	Vehicles	216.39	10.21	21,193.65
Total				47,405.52

Sources: Trips and vehicle CO₂ (Appendix A-1); kg/CO₂/Gallon (The Climate Registry 2021).

Notes: MT = metric ton; CO₂ = carbon dioxide; kg = kilogram.

As shown in Table 17, total petroleum consumption for the project annually is estimated to be 47,406 gallons.¹⁵

Summary

In summary, although natural gas and electricity usage would increase due to the implementation of the project, the project would be subject to the State Building Energy Efficiency Standards. Although the project would see an increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in VMT over time. Therefore, impacts to energy resources during operation would be **less than significant**.

Over the lifetime of the project, the fuel efficiency of the vehicles being used by the visitors and employees of the project is expected to increase. As such, the amount of gasoline consumed as a result of vehicular trips to and from the project site during operation would decrease over time. There are numerous regulations in place that require and encourage increased fuel efficiency. For example, CARB has adopted a new approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the number of plug-in hybrids and zero-emission vehicles in California (CARB 2017a). Additionally, in response to SB 375, CARB has adopted the goal of reducing per-capita GHG emissions from 2005 levels by 8% by the year 2020 and 13% by the year 2035 for light-duty passenger vehicles in the SCAG planning area. This reduction would occur by reducing VMT through the integration of land use planning and transportation. As such, operation of the project is expected to use decreasing amounts of petroleum over time, due to advances in fuel economy.

¹⁵ For context, California as a whole is expected to consume approximately 18.0 billion gallons of petroleum per year by 2023 (CARB 2021). Countywide total petroleum use by vehicles is expected to be 1,114 million gallons per year by 2024 (CARB 2021).

The project would create additional electricity and natural gas demand by adding warehouse facilities. New facilities associated with the proposed project would be subject to the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of non-residential buildings and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. While the project will meet applicable Title 24 requirements, other renewable energy systems, including wind turbine generation, geothermal generation, energy storage, and other renewable energy generation features are not considered technically or economically feasible and not demonstrated for a similar project. Additionally, site constraints include limited land availability and incompatibility with land use for large scale power generation facilities as well as unknown interconnection feasibility and compatibility with utility provider systems. For these reasons, other on-site renewable energy systems are not considered feasible for the proposed project.

In summary, implementation of the project would increase the demand for electricity and natural gas at the project site and petroleum consumption in the region during construction and operation. However, as the project would be consistent with current regulations and policies, the project would not be wasteful or inefficient and would not result in unnecessary energy resource consumption. The project's energy consumption demands during construction and operation would conform to the state's Title 24 standards such that the project would not be expected to wastefully use gas and electricity. Since the proposed project would comply with Title 24 conservation standards, the proposed project would not directly require the construction of new energy generation or supply facilities or result in wasteful, inefficient, or unnecessary consumption of energy. Moreover, vehicle usage associated with the project would use less petroleum due to advances in fuel economy and potential reduction in VMT over time. Therefore, impacts would be **less than significant**.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less-than-Significant Impact. The project would be subject to and would comply with, at a minimum, the California Building Energy Efficiency Standards (24 CCR, Part 6). Part 6 of Title 24 establishes energy efficiency standards for non-residential buildings constructed in California to reduce energy demand and consumption. As such, the project would comply with the California code requirements for energy efficiency.

Part 11 of Title 24 sets forth voluntary and mandatory energy measures that are applicable to the project under the California Green Building Standards, also known as CALGreen. CALGreen institutes mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential, high-rise residential, state-owned buildings, schools, and hospitals, as well as certain residential and non-residential additions and alterations. On this basis, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, impacts would be **less than significant**.

3.7 Geology and Soils

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GEOLOGY AND SOILS – Would the project:				
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- 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 (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

a) *Would the project 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.*

No Impact. The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years. As shown in Figure 6-2 of the General Plan, the City is traversed by the San Andreas Fault System (City of Highland 2006). The Alquist-Priolo Earthquake Fault Zone, as identified in the General Plan, is located approximately 4.3 miles from the project site (City of Highland 2006). The proposed development lies outside of any Alquist-Priolo Special Studies Zone, and the potential for damage due to direct fault rupture is considered unlikely (Appendix D, Geotechnical Investigation). Additionally, based on a review of the CDOC regulatory maps, the project site is not located in a designated Fault Hazard Zone (CDOC 2021). Therefore, **no impacts** associated with fault rupture would occur.

ii) *Strong seismic ground shaking?*

Less-than-Significant Impact. Similar to other areas located in the seismically active Southern California region, the City is susceptible to strong ground shaking during an earthquake. However, as previously addressed in Section 3.7(a)(i), the project site is located approximately 4.3 miles from the Alquist-Priolo Earthquake Fault Zone, which is capable of producing an 8.3 magnitude earthquake (City of Highland 2006). Pursuant to Title 15, Buildings and Construction, of the City's Municipal Code, the project would incorporate the design recommendations included in its geotechnical report, which will be subject to review and approval by City staff prior to issuance of a grading permit. The project's geotechnical report provides specific design recommendations to ensure the structural integrity of the project in the event that seismic ground shaking is experienced at the project site. These recommendations include performing remedial grading, over-excavating existing soils, and recompacting these soils with structured fill, among other technical design recommendations (Appendix D). Additionally, the project's structures would be designed consistent with the most recent version of the California Building Code, which includes universal standards relating to seismic load requirements. With implementation of the recommendations of the project's geotechnical report, impacts associated with strong seismic ground shaking would be **less than significant**.

iii) *Seismic-related ground failure, including liquefaction?*

Less-than-Significant Impact with Mitigation Incorporated. Liquefaction occurs when partially saturated soil loses its effective stress and enters a liquid state, which can result in the soil's inability to support structures above. Liquefaction can be induced by ground-shaking events and is dependent on soil saturation conditions. As shown in Figure 6-3 of the General Plan, the project site lies within a Suspected Liquefaction Susceptibility Area (City of Highland 2006), and according to the project's geotechnical report, liquefaction is a concern for the project site (Appendix D). To mitigate for potential impacts related ground failure, including liquefaction, **MM-GEO-1** shall be required. **MM-GEO-1** requires that the proposed project incorporate all applicable geotechnical recommendations made in the site-specific geotechnical study, including those related to seismic guidelines and liquefaction, into the proposed project's design and engineering. Application of these recommendations would further reduce the potential to expose people or

structures to substantial risk of loss or injury due to liquefaction. Therefore, impacts associated with liquefaction would be **less than significant with mitigation incorporated**.

MM-GEO-1 Geotechnical Investigation Report Recommendations. The property owner/developer shall implement all recommendations in the approved geotechnical investigation report for the proposed project during site preparation, grading, and construction, and compliance with the approved geotechnical investigation shall be verified in the field by a qualified representative. The property owner/developer shall demonstrate to the City of Highland's Building & Safety Department, Planning Department, and/or Public Works/Engineering Department staff that all or equivalent recommendations in the Geotechnical Engineering Investigation, Proposed Industrial Warehouse Development, South Side of 6th Street and West of Del Rosa Drive, Highland, California prepared by NorCal Engineering, dated June 9, 2022, or any updates to that report have been incorporated into the proposed project's design and grading plans.

iv) Landslides?

No Impact. The project site is relatively flat and is not within an area susceptible to landslides, as shown in Figure 6-3 of General Plan (City of Highland 2006). Therefore, **no impact** associated with landslides would occur on the proposed project site.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Short-Term Construction Impacts

Less-than-Significant Impact. Ground surfaces that would be temporarily exposed during construction could result in erosion or loss of soil during storm events. Construction projects that involve the disturbance of 1 or more acres of soil, including clearing, grading, and disturbances to the ground such as stockpiling or excavation, are required to obtain coverage under the State Water Resources Control Board (SWRCB) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP) (SWRCB 2022a). Implementation of a Construction General Permit, including preparation of a SWPPP and installation of best management practices (BMPs), would reduce the potential for both stormwater runoff and soil erosion impacts. Therefore, short-term construction impacts associated with soil erosion would be **less than significant**.

Long-Term Operational Impacts

Less-than-Significant Impact. Following construction of the project, ground surfaces would be covered by the proposed warehouse building or otherwise stabilized with landscaping and paving. The stormwater generated on site, along with any sediments contained within the stormwater, will be directed into an on-site underground infiltration/detention system to be treated on site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered **less than significant**.

- c) ***Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?***

Less-than-Significant Impact. As previously discussed, the project would be designed consistent with the specific design recommendations of the project's geotechnical report (Appendix D). Implementation of these recommendations would address these potentially hazardous conditions and ensure structural integrity in the event that seismic-related issues are experienced at the project site. With implementation of the recommendations of the project's geotechnical report, impacts would be **less than significant**.

- d) ***Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

Less-than-Significant Impact. Expansive soils are characterized by their potential shrink/swell behavior. Shrink/swell is the change in volume (expansion and contraction) that occurs in certain fine-grained clay sediments from the cycle of wetting and drying. Much of the damage to building foundations, roads, and other structures can be caused by the swelling and shrinking of soils as a result of wetting and drying. The upper soils at the project site are very low (Expansion Index=0–20) in expansion potential (Appendix D). Further, compliance with California Building Code requirements would reduce the potential risk to people and structures due to unstable and expansive soils. Therefore, impacts associated with expansive soils would be **less than significant**.

- e) ***Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

No Impact. The proposed project would connect directly to the municipal sanitary sewer system and would not require septic tanks or any other alternative wastewater disposal system. Therefore, **no impacts** associated with the ability of soils to support septic tanks would occur.

- f) ***Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Less-than-Significant Impact with Mitigation Incorporated. The geologic units underlying the project site are primarily fill soils encountered at the ground surface. The fill soils generally consist of silty fine to coarse sand with occasional rootlets. Native soils generally consisting of silty sand to slightly silty sand with some gravel with occasional small rootlets were encountered beneath the upper fill soils (Appendix D). As is the case with most development projects that involve earthwork activity, there is always a possibility that subsurface construction activity could unearth a potentially significant paleontological resource. **MM-GEO-2** would be required to ensure that subsurface construction activity complies with the standard procedures for treatment of unanticipated discovery of paleontological resources; therefore, with incorporation of mitigation, impacts associated with paleontological resources would be **less than significant**.

MM-GEO-2 Discovery of Paleontological Resources. In the event that paleontological resources (i.e., fossil remains) are exposed during construction activities for the project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology's guidelines,

can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations shall be made in accordance with the Society of Vertebrate Paleontology's guidelines and shall be subject to review and approval by the City of Highland. Work in the area of the find shall only resume upon approval of a qualified paleontologist.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. GREENHOUSE GAS EMISSIONS – 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?	☐	☐	☒	☐

- a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less-than-Significant Impact. Climate change refers to any significant change in measures of climate (e.g., temperature, precipitation, or wind patterns) lasting for an extended period (i.e., decades or longer). The earth's temperature depends on the balance between energy entering and leaving the planet's system, and many factors (natural and human) can cause changes in the earth's energy balance. The greenhouse effect is the trapping and buildup of heat in the atmosphere near the earth's surface (the troposphere). The greenhouse effect is a natural process that contributes to regulating the earth's temperature, and it creates a livable environment on Earth. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the earth's surface temperature to rise. Global climate change is a cumulative impact; a project contributes to this impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. Thus, GHG impacts are recognized exclusively as cumulative impacts (CAPCOA 2008).

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code Section 38505(g) for purposes of administering many of the state's primary GHG emissions reduction programs, GHGs include CO₂, methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and nitrogen trifluoride (see also CEQA

Guidelines Section 15364.5).¹⁶ The three GHGs evaluated herein are CO₂, CH₄, and N₂O because these gases would be emitted during project construction and operation.

The Intergovernmental Panel on Climate Change developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The reference gas used is CO₂; therefore, GWP-weighted emissions are measured in MT of CO₂ equivalent (CO₂e). Consistent with CalEEMod, this GHG emissions analysis assumes the GWP for CH₄ is 25 (i.e., emissions of 1 MT of CH₄ are equivalent to emissions of 25 MT of CO₂), and the GWP for N₂O is 298, based on the Intergovernmental Panel on Climate Change's Fourth Assessment Report (IPCC 2007).

As discussed in Section 3.3, the project is located within SCAQMD jurisdictional boundaries. In October 2008, SCAQMD proposed recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects as presented in its Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold (SCAQMD 2008b). This document, which builds on the previous guidance prepared by the California Air Pollution Control Officers Association, explored various approaches for establishing a significance threshold for GHG emissions. The draft interim CEQA thresholds guidance document was not adopted or approved by the Governing Board. However, in December 2008, SCAQMD adopted an interim 10,000 MT CO₂e per-year screening level threshold for stationary source/industrial projects for which SCAQMD is the lead agency (SCAQMD 2008b). The 10,000 MT CO₂e per-year threshold, which was derived from GHG reduction targets established in Executive Order S-3-05, was based on the conclusion that the threshold was consistent with achieving an emissions capture rate of 90% of all new or modified stationary source projects.

SCAQMD formed a GHG CEQA Significance Threshold Working Group to work with SCAQMD staff on developing GHG CEQA significance thresholds until statewide significance thresholds or guidelines are established. From December 2008 to September 2010, SCAQMD hosted working group meetings and revised the draft threshold proposal several times, although it did not officially provide these proposals in a subsequent document. SCAQMD has continued to consider adoption of significance thresholds for residential and general land-use development projects. The most recent proposal issued by SCAQMD, issued in September 2010, uses the following tiered approach to evaluate potential GHG impacts from various uses (SCAQMD 2010):

- Tier 1 Determine if CEQA categorical exemptions are applicable. If not, move to Tier 2.
- Tier 2 Consider whether or not the project is consistent with a locally adopted GHG reduction plan that has gone through public hearing and CEQA review, that has an approved inventory, includes monitoring, etc. If not, move to Tier 3.
- Tier 3 Consider whether the project generates GHG emissions in excess of screening thresholds for individual land uses. The 10,000 MT CO₂e per-year threshold for industrial uses would be recommended for use by all lead agencies. Under option 1, separate screening thresholds are proposed for residential projects (3,500 MT CO₂e per year), commercial projects (1,400 MT CO₂e

¹⁶ Climate-forcing substances include greenhouse gases (GHGs) and other substances such as black carbon and aerosols. This discussion focuses on the seven GHGs identified in the California Health and Safety Code Section 38505; impacts associated with other climate-forcing substances are not evaluated herein.

per year), and mixed-use projects (3,000 MT CO₂e per year). Under option 2, a single numerical screening threshold of 3,000 MT CO₂e per year would be used for all non-industrial projects..

Construction Greenhouse Gas Emissions

Construction of the project would result in GHG emissions, which are primarily associated with the use of off-road construction equipment, on-road haul and vendor trucks, and worker vehicles. The SCAQMD Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold (SCAQMD 2008b) recommends that “construction emissions be amortized over a 30-year project lifetime, so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies.” Thus, the total construction GHG emissions were calculated, amortized over 30 years, and added to the total operational emissions for comparison with the GHG significance threshold of 3,000 MT CO₂e per year. The determination of significance, therefore, is addressed in the operational emissions discussion following the estimated construction emissions.

CalEEMod was used to calculate the annual GHG emissions based on the construction scenario described in Section 3.3. Construction of the project is anticipated to commence in January 2023, lasting a total of approximately 10.5 months and reaching completion in November 2023. On-site sources of GHG emissions include off-road equipment, and off-site sources include haul trucks, vendor trucks, and worker vehicles. Table 18 presents construction GHG emissions for the project from on-site and off-site emission sources.

Table 18. Estimated Annual Construction Greenhouse Gas Emissions

Year	CO ₂	CH ₄	N ₂ O	CO ₂ e
	metric tons per year			
2023	306.89	0.05	0.01	310.10
Total				310.10
Amortized Emissions (over 30 years)				10.34

Source: Appendix A-1.

Notes: CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂e = carbon dioxide equivalent.

As shown in Table 18, the estimated total GHG emissions during construction of the project would be approximately 310 MT CO₂e. Estimated project-generated construction emissions amortized over 30 years would be approximately 10 MT CO₂e per year. As with project-generated construction air quality pollutant emissions, GHG emissions generated during construction of the project would be short-term in nature, lasting only for the duration of the construction period, and would not represent a long-term source of GHG emissions. Because there is no separate GHG threshold for construction, the evaluation of significance is discussed in the operational emissions analysis in the following text.

Operational Greenhouse Gas Emissions

CalEEMod was used to estimate potential project-generated and exiting land use operational GHG emissions from area sources (landscape maintenance), natural gas combustion, electrical generation, water supply and wastewater treatment, solid waste, and off-road equipment (forklifts). As with the air quality analysis, mobile source GHG emissions were estimated using CalEEMod based on EMFAC2017 emission factors. Emissions from each category—area sources, energy sources, mobile sources, solid waste, water supply and wastewater treatment, and off-road equipment—are discussed in the following text with respect to the project. For

additional details, see Section 3.3 for a discussion of operational emission calculation methodology and assumptions, specifically for area, energy (natural gas), and mobile sources. Operational year 2024 was assumed to be the first full year of operation following completion of construction.

Area Sources

CalEEMod was used to estimate GHG emissions from the project's area sources, including operation of gasoline-powered landscape maintenance equipment, which produce minimal GHG emissions. It was assumed that 100% of the landscaping equipment would be gasoline powered. Consumer product use and architectural coatings result in VOC emissions, which are analyzed in air quality analysis only, and low to no GHG emissions.

Energy Sources

The estimation of operational energy emissions was based on CalEEMod land use defaults and square footage of the project's land uses. For non-residential buildings, CalEEMod energy intensity value (electricity or natural gas usage per square foot per year) assumptions were based on the California Commercial End-Use Survey database. Emissions are calculated by multiplying the energy use by the utility carbon intensity (pounds of GHGs per kilowatt-hour for electricity or 1,000 British thermal units for natural gas) for CO₂ and other GHGs.

The current Title 24, Part 6 building energy efficiency standards, referred to as the 2019 standards, became effective on January 1, 2020. The current version of CalEEMod assumes compliance with the 2019 standards (CAPCOA 2021).

The CalEEMod default energy intensity factor (CO₂, CH₄, and N₂O mass emissions per kilowatt-hour) were utilized for Southern California Edison. SB X1 2 established a target of 33% from renewable energy sources for all electricity providers in California by December 31, 2020, and SB 100 calls for further development of renewable energy, with a target of 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. As such, GHG emissions associated with project electricity demand would continue to decrease over time.

Mobile Sources

All details for criteria air pollutants discussed in Section 3.3 are also applicable for the estimation of operational mobile source GHG emissions. It was assumed that the warehouse would operate 7 days per week; therefore, 365 days of vehicle emissions were assumed. Regulatory measures related to mobile sources include Assembly Bill (AB) 1493 (Pavley) and related federal standards. AB 1493 required that CARB establish GHG emission standards for automobiles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. In addition, the National Highway Traffic Safety Administration and EPA have established corporate fuel economy standards and GHG emission standards, respectively, for automobiles and light-, medium-, and heavy-duty vehicles. Implementation of these standards and fleet turnover (replacement of older vehicles with newer ones) will gradually reduce emissions from the project's motor vehicles. The effectiveness of fuel economy improvements was evaluated to the extent it was captured in the EMFAC2017 emission factors for motor vehicles in 2024.

The Advanced Clean Trucks Regulation was approved by CARB in 2020. The purpose of the Advanced Clean Trucks Regulation is to accelerate the market for zero-emission vehicles in the medium- and heavy-duty truck sector and to reduce air pollutant emissions generated from on-road mobile sources (CARB 2020). The two components of the regulation are as follows (CARB 2020):

- Zero-emission truck sales: Manufacturers who certify Class 2b-8 chassis or complete vehicles with combustion engines will be required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales would need to be 55% of Class 2b – 3 truck sales, 75% of Class 4 – 8 straight truck sales, and 40% of truck tractor sales.
- Company and fleet reporting: Large employers including retailers, manufacturers, brokers and others will be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, will be required to report about their existing fleet operations. This information will help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Solid Waste

The project would generate solid waste and, therefore, would result in CO₂e emissions associated with landfill off-gassing. CalEEMod default values for solid waste generation were used to estimate GHG emissions associated with solid waste.

Water and Wastewater

Supply, conveyance, treatment, and distribution of water for the project require the use of electricity, which would result in associated indirect GHG emissions. Similarly, wastewater generated by the project requires the use of electricity for conveyance and treatment, along with GHG emissions generated during wastewater treatment. Water consumption estimates for both indoor and outdoor water use and associated electricity consumption from water use and wastewater generation were estimated using CalEEMod default values.

Off-Road Equipment

SCAQMD published a summary of operational survey results from 34 operating high-cube warehouses (SCAQMD 2014b). The SCAQMD survey reported an average of 0.12 forklifts/pallet jacks per 1,000 square feet of building area, which was applied to the project. Note that this estimate is for total forklifts and pallet jacks. Pallet jacks are small as they are primarily used to lift small loads in tight quarters (and are electric or manual); therefore, assuming all pieces of equipment are forklifts is conservative. For the project, a total of six forklifts were assumed. In accordance with mitigation measure **MM-AQ-2**, the six forklifts are assumed to be electric-operated. A spreadsheet model was used to estimate the energy consumption and GHG emissions from the electric forklifts (see Appendix A-1).

The estimated operational (year 2024) GHG emissions from area sources, energy usage, motor vehicles, solid waste generation, water usage and wastewater generation, and off-road equipment are shown in Table 19.

Table 19. Estimated Annual Operational Greenhouse Gas Emissions

Emission Source	CO ₂	CH ₄	N ₂ O	CO ₂ e
	metric tons per year			
Proposed Project				
Area	<0.01	<0.01	0	<0.01
Energy	26.61	<0.01	<0.01	26.75
Mobile	430.96	0.01	0.05	446.53
Solid Waste	9.15	0.54	0	22.67
Water Supply and Wastewater	30.55	0.36	0.01	42.25
Off-Road Equipment (Electric Forklifts)	18.7	<0.01	<0.01	18.79
Project Total				556.99
Amortized Construction Emissions				10.34
Emissions (Proposed Project + Amortized Construction Total) Total				567.33

Source: Appendix A-1.

Notes: CO₂ = carbon dioxide; CH₄ = methane; N₂O = nitrous oxide; CO₂e = carbon dioxide equivalent.

As shown in Table 19, estimated annual generated GHG emissions would be approximately 557 MT CO₂e per year as a result of project operation. Estimated annual operational emissions in 2024 with amortized project construction emissions of approximately 10 MT CO₂e per year would be approximately 567 MT CO₂e per year. Annual operational GHG emissions with amortized construction emissions would not exceed the SCAQMD recommended threshold of 3,000 MT CO₂e per year.

b) Would the project generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less-than-Significant Impact. The project would result in **less-than-significant** impacts related to conflicts with GHG emission reduction plans, for the reasons described as follows.

Potential to Conflict with the San Bernardino County Regional GHG Reduction Plan

The San Bernardino Council of Governments adopted a Regional GHG Reduction Plan in March 2021 (SBCOG 2021). The Regional GHG Reduction Plan “compiled a GHG emissions inventory of GHG and developed reduction measures that could be adopted by the 25 Partnership cities of San Bernardino County” (SBCOG 2021). The Regional GHG Reduction Plan serves as the basis for cities in San Bernardino County to develop a more detailed community or local level climate action plan. As discussed in the Regional GHG Reduction Plan, The City selected a goal to reduce its community GHG emissions to a level that is 40% below its 2016 emissions by 2030. The City will meet and exceed this goal subject to reduction measures that are technologically feasible and cost-effective through a combination of state (approximately 70%) and local (approximately 30%) efforts. The AB 1493 (Pavley) vehicle standards, the state’s low carbon fuel standard, the renewable portfolio standard, and other state measures will reduce GHG emissions in the City’s on-road, solid waste, and building energy sectors in 2030. However, the City has not adopted a local climate action plan. Nonetheless, the project would comply with or not prevent the City from pursuing the relevant GHG reduction measures and regulations outlined in the Regional GHG Reduction Plan, including compliance with applicable Title 24 building standards and compliance with the City’s off-road

equipment idling ordinance. The Regional GHG Reduction Plan is not a qualified GHG reduction plan under CEQA Guidelines Section 15183.5. Therefore, this discussion is for informational purposes only and is not determinative of significance.

Potential to Conflict with the CARB Scoping Plan

The Climate Change Scoping Plan, approved by CARB in 2008 and updated in 2014 and 2017, provides a framework for actions to reduce California's GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. The Scoping Plan is not directly applicable to specific projects, and it is not intended to be used for project-level evaluations.¹⁷ Under the Scoping Plan, however, several state regulatory measures aim to identify and reduce GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area-source emissions (e.g., energy usage and high-GWP GHGs in consumer products) and changes to the vehicle fleet (e.g., hybrid, electric, and more fuel-efficient vehicles) and associated fuels, among others. Nonetheless, the project would comply with various GHG emission reduction regulations to the extent they apply to the project's emissions sources including CARB's tractor-trailer GHG regulations and Heavy-Duty Greenhouse Gas Standards for New Vehicle and Engines:

Potential to Conflict with the Southern California Association of Governments 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy

The SCAG 2020–2045 RTP/SCS (Connect SoCal) is a regional growth management strategy that targets per capita GHG reduction from passenger vehicles and light trucks in the Southern California Region pursuant to SB 375. In addition to demonstrating the region's ability to attain the GHG emission-reduction targets set forth by CARB, the 2020–2045 RTP/SCS outlines a series of actions and strategies for integrating the transportation network with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. Thus, successful implementation of the 2020–2045 RTP/SCS would result in more complete communities with various transportation and housing choices while reducing automobile use.

The following strategies are intended to be supportive of implementing the 2020–2045 RTP/SCS and reducing GHGs: focus growth near destinations and mobility options, promote diverse housing choices, leverage technology innovations, support implementation of sustainability policies, and promote a green region (SCAG 2020). The strategies that pertain to residential development and SCAG's support of local jurisdiction sustainability efforts would not apply to the project. The project's potential to conflict with the remaining applicable strategies is presented in the following text.

Focus Growth Near Destinations and Mobility Options. One of the strategies within the 2020–2045 RTP/SCS focuses on growth near existing transit and implementation of first/last mile strategies. The project would not conflict with this strategy as the project is located within 3 miles of the San Bernardino Transit Center. Omnitrans provides public transportation throughout the San Bernardino Valley and would serve as the nearest transit service to the project site. The nearest Omnitrans bus stop serves Route 15,

¹⁷ The Final Statement of Reasons for the amendments to the CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that "[t]he Scoping Plan may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan" (CNRA 2009).

located along Del Rosa Drive east of the project site. Route 15 operates between the Fontana Metrolink Transit Center and the City of Redlands via the Cities of Rialto, San Bernardino, and Highland, with a peak service frequency of 60 minutes throughout the week.

Leverage Technology Innovations. One of the technology innovations identified in the 2020–2045 RTP/SCS that would apply to the project is the promotion and support of low emission technologies for transportation, such as alternative fueled vehicles to reduce per capita GHG emissions. The project would not conflict with SCAG’s ability to implement this strategy.

Promote a Green Region. The third applicable strategy within the 2020–2045 RTP/SCS, for individual developments, such as the project, involves promoting a green region through efforts such as supporting local policies for renewable energy production and promoting more resource efficient development (e.g., reducing energy consumption) to reduce GHG emissions. The project would support this measure by complying with the Title 24, Part 6, 2019 standards.

Based on the analysis above, the project would be consistent with the SCAG 2020–2045 RTP/SCS.

Potential to Conflict with Senate Bill 32 and Executive Order S-3-05

Regarding consistency with SB 32 (which has the goal of reducing GHG emissions to 40% below 1990 levels by 2030) and Executive Order S-3-05 (which has the goal of reducing GHG emissions to 80% below 1990 levels by 2050), there are no established protocols or thresholds of significance for that future-year analysis. However, CARB has expressed optimism about both the 2030 and 2050 goals. It states in the First Update to the Climate Change Scoping Plan: Building on the Framework that “California is on track to meet the near-term 2020 GHG emissions limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32” (CARB 2014). Regarding the 2050 target for reducing GHG emissions to 80% below 1990 levels, CARB (2014) states the following:

This level of reduction is achievable in California. In fact, if California realizes the expected benefits of existing policy goals (such as 12,000 megawatts [MW] of renewable distributed generation by 2020, net zero energy homes after 2020, existing building retrofits under AB 758, and others) it could reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80% below 1990 levels by 2050. Additional measures, including locally driven measures and those necessary to meet federal air quality standards in 2032, could lead to even greater emission reductions.

In other words, CARB believes that the state is on a trajectory to meet the 2030 and 2050 GHG reduction targets set forth in AB 32, SB 32, and Executive Order S-3-05. This is confirmed in the 2017 Climate Change Scoping Plan Update, which states (CARB 2017b):

The Scoping Plan builds upon the successful framework established by the Initial Scoping Plan and First Update, while identifying new, technologically feasible and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities.

In addition, the specific path to compliance for the state in regard to the long-term, future goals will likely require development of new technology or other changes that are not currently known or available. As such, identifying ways that the project would be consistent with future goals would be speculative and cannot be meaningfully discussed at this time. However, the proposed project's consistency with current goals, policies, and regulations would assist in meeting the City's contribution to GHG emission reduction targets in California. With respect to future GHG targets under SB 32 and Executive Order S-3-05, CARB has also made clear its legal interpretation that it has the requisite authority to adopt whatever regulations are necessary, beyond the AB 32 horizon year of 2020, to meet the SB 32 40% reduction target by 2030 and the Executive Order S-3-05 80% reduction target by 2050. This legal interpretation by an expert agency provides evidence that future regulations will be adopted to continue the trajectory toward meeting these future GHG targets.

Based on the above considerations, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. This impact would be **less than significant**, and no mitigation is required.

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
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 that 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?	☐	☐	☐	☒

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MITIGATED NEGATIVE DECLARATION

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Short-Term Construction Impacts

Less-than-Significant Impact. In March 2022, a Phase I ESA was prepared by ODIC Environmental to characterize the potential hazards associated with the historical and current uses of the project site and surrounding areas (Appendix E). Historical uses of the project site included agricultural and vacant land from as early as 1930. Currently, the site contains undeveloped land and ruderal vegetation.

Based on the results of the research, available data, and a site survey, the Phase I ESA (Appendix E) did not identify any recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions.

Potentially hazardous materials would likely be handled on the project site as part of project construction. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products required to operate and maintain construction equipment. Handling of these potentially hazardous materials would be temporary and would coincide with the short-term construction phase of the project.

Although these materials would likely be stored on the project site, storage would be required to comply with the guidelines set forth by each product's manufacturer and with all applicable federal, state, and local regulations pertaining to the storage of hazardous materials. Consistent with federal, state, and local requirements, the transport of hazardous materials to and from the project site would be conducted by a licensed contractor. Any handling, transport, use, or disposal of hazardous materials would comply with all relevant federal, state, and local agencies and regulations, including EPA, the California Department of Toxic Substances Control, OSHA, the California Department of Transportation, the Resource Conservation and

Recovery Act, and SCAQMD. Therefore, with compliance with applicable regulations, short-term construction impacts related to the transport, use, or disposal of hazardous materials would be **less than significant**.

Long-Term Operational Impacts

Less-than-Significant Impact. Potentially hazardous materials associated with project operations would include materials used during typical cleaning and maintenance activities. Although these potentially hazardous materials would vary, they would generally include household cleaning products, paints, fertilizers, herbicides, and pesticides. Many of these materials are considered household hazardous wastes, common wastes, and/or universal wastes by EPA, which considers these types of wastes to be common to businesses and households and to pose a lower risk to people and the environment than other hazardous wastes when properly handled, transported, used, and disposed of. Federal, state, and local regulations typically allow these types of wastes to be handled and disposed of with less stringent standards than other hazardous wastes, and many of these wastes do not have to be managed as hazardous waste. Additionally, any potentially hazardous material handled on the project site would be limited in both quantity and concentrations, consistent with other similar industrial uses located in the City, and any handling, transport, use, and disposal would comply with applicable federal, state, and local agencies and regulations. Further, as mandated by OSHA (OSHA n.d.), all hazardous materials stored on the project site would be accompanied by a material safety data sheet, which would inform employees and first responders as to the necessary remediation procedures in the case of accidental release. Therefore, long-term operational impacts associated with hazardous materials would be **less than significant**.

- b) *Would the project 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?*

Less-than-Significant Impact. Refer to response provided in Section 3.9(a).

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The nearest school to the project site is Indian Springs High School (650 Del Rosa Drive), which is located 0.25 miles north of the project site. Therefore, **no impacts** associated with emitting or handling hazardous materials within 0.25 miles of a school would occur.

- d) *Would the project be located on a site that 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?*

No Impact. The project site is not included on any hazardous waste site lists, including the California Department of Toxic Substances Control's EnviroStor database, SWRCB's GeoTracker site, the Cortese list, or other lists compiled pursuant to Section 65962.5 of the Government Code (CalEPA 2022; DTSC 2022; SWRCB 2022b). Therefore, **no impacts** associated with hazardous materials sites would occur.

- 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?***

Less-than-Significant Impact. The SBIA and Trade Center is located approximately 0.6 miles south of the project site. The SBIA and Trade Center includes two distinct components: (1) the airport portions (and related facilities) of the former Norton Air Force Base, and (2) the Trade Center, which encompasses the non-airport related portions of the former base. The project site is located within the Airport Influence Area (General Plan Figure 6-7) outlined in the City's General Plan (City of Highland 2006). As required by state law for real estate transactions within the Airport Influence Area, notification/disclosure statements are required to alert potential buyers and tenants of the presence of and potential impacts from the SBIA. The San Bernardino Airport Land Use Plan is currently being drafted and was not available at the time of this report. Nonetheless, the Federal Aviation Administration Regulations, Title 14, Part 77, determines restrictions to obstructions and height limitations for structures taller than 200 feet or within 20,000 feet of an airport. The proposed project would be consistent with the general land use of the area. Additionally, the project would be consistent with Section 19.20.015 Noise Standards. Therefore, a **less than significant** impact would occur.

- f) ***Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

Less-than-Significant Impact. The City has an emergency operations plan to ensure the most effective and economical allocation of resources for the maximum benefit and protection of the City in times of emergency. No revisions to this plan would occur as a result of the project. The project does not propose any changes to the geometry of evacuation route roadways to the extent that these roadways' ability to serve as emergency evacuation routes would be compromised. As a result, the project would not significantly affect emergency response or evacuation activities. Therefore, impacts would be **less than significant**.

- g) ***Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

No Impact. The City's General Plan does not designate the project site as an area that would be at risk from wildland fires. Although there are currently some isolated vacant lots in the vicinity of the project site, the area surrounding the project site is largely developed and would not likely aid the spread of wildfire. Therefore, **no direct or indirect impacts** due to wildfire would occur.

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
X. HYDROLOGY AND WATER QUALITY – Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water 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 offsite;	☐	☐	☒	☐
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?	☐	☐	☒	☐

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Short-Term Construction Impacts

Less-than-Significant Impact. Construction of the project would include earthwork activities that could potentially result in erosion and sedimentation, which could subsequently degrade downstream receiving waters and violate water quality standards. Stormwater runoff during the construction phase may contain silt and debris, resulting in a short-term increase in the sediment load of the municipal storm drain system. Substances such as oils, fuels, paints, and solvents may be inadvertently spilled on the project site and subsequently conveyed via stormwater to nearby drainages, watersheds, and groundwater.

For stormwater discharges associated with construction activity in the State of California, SWRCB has adopted the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) to avoid and minimize water quality impacts attributable to such activities. The Construction General Permit applies to all projects in which construction activity disturbs more than 1 acre of soil. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground, such as stockpiling and excavation. The Construction General Permit requires the development and implementation of a SWPPP, which would include and specify water quality BMPs designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters (in this case, the City Creek Channel, the Twin Creek Channel, the Prado Flood Control Basin, the Santa Ana River, and its discharge into the Pacific Ocean). Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by SWRCB (SWRCB 2022a).

The City is a co-permittee under San Bernardino County's National Pollution Discharge Elimination System (NPDES) Permit (No. CAS618036) and as such is required to adhere to the Countywide NPDES permit requirements. Because land disturbance for project construction activities would exceed 1 acre, the project applicant would be required to obtain coverage under the Construction General Permit issued by SWRCB prior to the start of construction within the project site. Specifically, the Construction General Permit requires that the following be kept on site at all times: (1) a copy of the Notice of Intent to Comply with Terms of the General Permit to Discharge Water Associated with Construction Activity; (2) a waste discharge identification number issued by SWRCB; (3) a SWPPP and monitoring program plan for the construction activity requiring the construction permit; and (4) records of all inspections, compliance and non-compliance reports, evidence of self-inspection, and good housekeeping practices.

The SWPPP requires the construction contractor to implement water quality BMPs to ensure that water quality standards are met and that stormwater runoff from the construction work areas do not cause degradation of water quality in receiving water bodies. The SWPPP must describe the type, location, and function of stormwater BMPs to be implemented and must demonstrate that the combination of BMPs selected are adequate to meet the discharge prohibitions, effluent standards, and receiving water limitations contained in the Construction General Permit. Therefore, short-term construction impacts associated with water quality, stormwater drainage, and stormwater runoff would be **less than significant**.

Long-Term Operational Impacts

Less-than-Significant Impact. The project would be subject to the municipal stormwater permit, the Municipal Separate Storm Sewer System (MS4) Permit, issued to San Bernardino County and incorporated cities within the County by the Santa Ana Regional Water Quality Control Board. The MS4 Permit requires implementation of Low Impact Development BMPs to prevent pollutants from being discharged off site by mimicking pre-development site hydrology and feasible source control. The LID Ordinance is designed to reduce runoff from impervious surfaces, including new development, through landscape design that promotes water retention, permeable surface design, natural drainage systems, and on-site retention where feasible (RWQCB 2010). These project-specific designs would reduce impacts to water quality associated with redevelopment.

As required by the San Bernardino County MS4 NPDES Permit, a Water Quality Management Plan (WQMP) was prepared for the project in April 2022. The WQMP is a post-construction management program that outlines implementation measures to ensure water quality standards are met, including implementation of source control and operational BMPs such as designing landscape to minimize irrigation and runoff, utilizing covered and leak-proof trash dumpsters, and sweeping and litter control of loading areas in order to prevent pollutants from entering runoff. The WQMP would be implemented prior to the issuance of grading/building permits as required by the San Bernardino County MS4 NPDES Permit. The project would not violate any water quality standards or waste discharge requirements during long-term operation through compliance with the WQMP. Therefore, long-term operational impacts associated with water quality, stormwater drainage, and stormwater runoff would be **less than significant**.

In summary, project grading and construction would be completed in accordance with an NPDES-mandated SWPPP, which would include standard BMPs to reduce potential off-site water quality impacts related to erosion and incidental spills of petroleum products and hazardous substances from equipment. Surface water runoff during project operations would be managed through the use of a proposed underground infiltration/detention system on the southeast corner of the project site. Therefore, the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, and water quality impacts would be **less than significant**.

- b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Groundwater Supplies

Less-than-Significant Impact. The project site is located within the service area of EVWD. EVWD's main water supply is from the Bunker Hill Basin, which has the capacity to provide 70,000 acre-foot per year from groundwater and surface water resources. The proposed project would include a water service line that would connect to the existing 12-inch EVWD water line located along Sixth Street.

Additionally, according to the geotechnical investigation (Appendix D), groundwater was not encountered during test excavations, and historic high groundwater in the vicinity has been recorded greater than 26 feet below grade at nearby wells. As such, the project's subsurface construction activities, which would only extend a few feet below grade, are highly unlikely to encounter groundwater, and dewatering activities are not anticipated to be necessary. Therefore, impacts associated with groundwater supplies would be **less than significant**.

Groundwater Recharge

Less-than-Significant Impact. The project site is undeveloped and highly disturbed and does not contain a groundwater recharge basin or other facilities that promote groundwater recharge. Thus, under the existing condition, the project site is not considered an important location for groundwater recharge. Following construction, the project site would contain landscape areas and other pervious surfaces that would allow for water to percolate into the subsurface soils compared to the existing conditions. Therefore, impacts associated with groundwater recharge would be **less than significant**.

- c) ***Would the project 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?***

Less-than-Significant Impact. Under the existing conditions, the project site consists of vacant land, a church, residential structures, and a meat processing plant. The project would result in the demolition and removal of the existing structures on the project site and the construction of new paved surfaces, a warehouse building, and landscape areas. The project site is not currently served by storm drainage facilities. Existing runoff sheet flows from the southeast corner to the northeast corner and discharges onto Sixth Street. The existing drainage system would serve as an emergency overflow for the proposed infiltration/detention system. The project would involve construction of a new engineered storm drainage system that would feature structural BMPs, including an infiltration/detention system to treat and manage on-site stormwater flows. The proposed infiltration/detention system would be designed to capture 100% of a 100-year storm event and would minimize the potential for siltation or erosion on or off site. The project's proposed storm drain system would be designed to conform with all applicable federal, state, and local requirements related to drainage, hydrology, and water quality, including the current MS4 Permit adopted by the Santa Ana Regional Water Quality Control Board. Additionally, the project's structural BMPs would be designed such that any potential sediments collected on site are captured in retention facilities so that they would not be conveyed to downstream waters and result in siltation.

As such, altering the on-site drainage pattern would be conducted in a manner consistent with all applicable standards related to the collection and treatment of stormwater, such that they would not result in substantial erosion or siltation on or off site. Therefore, impacts associated with altering the existing drainage pattern of the project site would be **less than significant**.

- ii) ***Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?***

Less-than-Significant Impact. As discussed in Section 3.10(c)(i), the project would increase the amount of impervious surfaces on the project site and drainage pattern. Runoff generated by the project site would be routed to the proposed underground infiltration/detention system on the southeast corner of the project site through a combination of roof drains, storm drains, curbs, and gutters. The development of the existing site into the proposed project would not create any adverse impacts downstream for storm events up to the 100-year storm. There would not be an increase in the existing discharge from the site in both the 10-

year and 100-year events due to the proposed infiltration basin that would be sized to capture and infiltrate the 100-year rainfall event. Discharge from the site would greatly decrease from the existing condition.

Under the existing conditions, the project site is not served by storm drainage facilities, and storm drainage sheet flows onto Sixth Street. As such, the proposed project would not increase the amount of surface runoff, and impacts would be less than significant.

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?*

Less-than-Significant Impact. As discussed in Section 3.10(c)(i), the project would increase the amount of impervious surfaces on the project site and inevitably alter the existing on-site drainage pattern. Runoff generated by the project site would be routed to the proposed underground infiltration/detention system on the southeast corner of the project site through a combination of roof drains, storm drains, curbs, and gutters.

The proposed on-site underground infiltration/detention system was designed to infiltrate 100% of the 100-year storm event. However, if the proposed underground infiltration/retention chamber system reaches capacity, flows would then be discharged through a proposed 4-inch outlet pipe to Sixth Street, which would serve as an emergency spillway. According to the Preliminary Drainage Report prepared for the project, the underground infiltration/detention system has the capacity to retain 28,471 cubic feet of stormwater before any stormwater is allowed to discharge from the project site, which is large enough to accommodate a 100-year storm event. The analysis concluded that the drainage and storm drain facilities are adequately sized to handle a 100-year design storm event, consistent with the methodology outlined in the San Bernardino County Flood Control District Hydrology Manual. Therefore, impacts associated with the project creating or contributing runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff would be less than significant.

iv) *Impede or redirect flood flows?*

No Impact. According to the Federal Emergency Management Agency Flood Insurance Rate Map No. 06071C8682J (FEMA 2016), the project site is located in Zone X, which is located outside of the 0.2% Annual Chance Flood Hazard Zone (500-year floodplain). The project's on-site storm drain systems would adequately provide flood protection for the 100-year storm event. Implementation of the project would not substantially impede or redirect flood flows. Therefore, no impacts associated with flooding would occur.

d) *In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

Less-than-Significant Impact. The project site is located approximately 70 miles east of the Pacific Ocean. Because of the project site's inland location, the project would not be subject to tsunami. Additionally, due to the lack of a larger adjacent perennial waterbody such as a reservoir or lake, the project site would not be susceptible to seiche. Further, the project site's relatively flat topography and lack of nearby hillside would eliminate any impact-related mudflow. However, the project site, along with most of the City, is within the limit of flooded area with dam failure of the Seven Oaks Dam and 500-Year floodplain (City of Highland 2006). The Seven Oaks Dam has been designed to resist an earthquake measuring 8.0 on the Richter scale and is designed to provide flood protection during 350-year storm events. Based on these design characteristics and ongoing maintenance of the dam's structural integrity, it is highly unlikely that the

project site would be subject to inundation due to a failure of the Seven Oaks Dam. Therefore, due to the low likelihood that the Seven Oaks Dam would be subject to failure and because the project would not involve the uncontained storage of pollutants outside of the proposed building, the project would not risk release of pollutants due to inundation associated with these natural phenomena, and impacts would be **less than significant**.

e) ***Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

Less-than-Significant Impact. Refer to responses provided in Section 3.10(a) and 3.10(b). The project would comply with regional and local regulations requiring preparation of a SWPPP and would not obstruct existing water quality control plans or groundwater sustainable management plans. In addition, the project applicant would comply with the project-specific WQMP during operation activities. The proposed project would provide an on-site infiltration/detention basin, which would help the City sustainably manage groundwater levels. Therefore, impacts associated with conflict with a water quality control plan or sustainable groundwater management plan would be **less than significant**.

3.11 Land Use and Planning

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

a) ***Would the project physically divide an established community?***

No Impact. The physical division of an established community is typically associated with the construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility within an existing community or between a community and an outlying area. Currently, the project site is located within an area of the City that is primarily zoned for business park and industrial uses and, thus, is not used as a connection between two established communities.

Instead, connectivity in the surrounding project area is facilitated via local roadways and pedestrian facilities. Despite the nearby scattered residential uses, the project would not impede movement between these residences within the project area, within an established community, or from one established community to another. Therefore, **no impacts** associated with division of an existing community would occur.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less-than-Significant Impact. The City's Zoning Map designates the project site as Business Park (BP). According to Section 16.24.020 (A), the primary purpose of the BP District is to provide appropriate regulations and suitable locations for light industrial, research and development, and office-based firms seeking pleasant and attractive working environments, and for business support services and commercial uses requiring large parcels (City of Highland 2022). The City's Municipal Code identifies Warehousing and Wholesaling as permitted, subject to a Conditional Use Permit application (City of Highland 2022). As part of the City's site-plan review process, the City would thoroughly review all plans for the proposed project to ensure compliance with all applicable development standards set forth in the City's Municipal Code and other relevant land use plans, policies, and regulations. As part of the City's site-plan review process, the City has determined that the project would be consistent with all development standards required for the BP Zone, with the exception of Section 16.24.040, Employment district development standards, of the City's Municipal Code, which states that building heights are not to exceed 35 feet within the BP District. The project proposes a building height of approximately 44 feet. However, with the processing of a variance consistent with the procedures outlined in Section 16.08.870, the City may permit such modification of the height regulations as necessary to secure an appropriate improvement on a lot. As such, upon approval of variance (VAR 22-004), the project's height would be allowed within in the BP District.

The City's General Plan Land Use Map designates the project site as BP within Sixth Street (City of Highland 2006). The BP land use permits a variety of light industrial, research and development, and office uses. The maximum floor area ratio permitted within the BP designation is 0.6 (City of Highland 2006). The proposed project would include construction of an industrial warehouse with a floor area ratio of 0.374. As such, the proposed project is consistent with the permitted land use and maximum density permitted by the City.

Development of a light industrial warehouse would introduce additional processing and distribution opportunities near SBIA.

As such, the project would be consistent with local plans, policies, and regulations governing land use decisions. Therefore, impacts associated with applicable land use plans, policies, and regulations would be **less than significant**.

3.12 Mineral Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

- a) ***Would the project 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?***

Less-than-Significant Impact. According to the City's General Plan, the project site is within an MRZ-2, meaning significant mineral deposits or likelihood of significant mineral deposits exist; however, the significance of the deposit is undetermined (City of Highland 2006).

The project site is located in an urbanized portion of the City and is bound by existing residential, commercial, and industrial development in all directions. Mineral resource mining is not a compatible use with these land uses. The project site is not large enough to effectively extract mineral resources. Considering the existing surrounding land uses and the incompatibility of mineral resource extraction activities in the project area, potential significant mineral resources within the project area are considered unavailable for extraction. Therefore, impacts associated with mineral resources would be **less than significant**.

- b) ***Would the project 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?***

Less-than-Significant Impact. Refer to the response provided in Section 3.11(a).

3.13 Noise

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

Noise and Vibration Characteristics

Noise is defined as unwanted sound. Sound may be described in terms of level or amplitude (measured in decibels [dB]), frequency or pitch (measured in hertz or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the amplitude of sound is the decibel. Because the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel (dBA) scale performs this compensation by discriminating against low and very high frequencies in a manner approximating the sensitivity of the human ear. Several descriptors of noise (noise metrics) exist to help predict average community reactions to the adverse effects of environmental noise, including traffic-generated noise, on a community. These descriptors include the equivalent noise level over a given period (L_{eq}), the statistical sound level, the day-night average noise level (L_{dn}), and the Community Noise Equivalent Level (CNEL). Each of these descriptors uses units of dBA. Table 20 provides examples of A-weighted noise levels from common sounds. In general, human sound perception is such that a change in sound level of 3 dBA is barely noticeable, a change of 5 dBA is clearly noticeable, and a change of 10 dBA is perceived as doubling or halving the sound level.

Table 20. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
—	110	Rock band
Jet flyover at 300 meters (1,000 feet)	100	—
Gas lawn mower at 1 meter (3 feet)	90	—
Diesel truck at 15 meters (50 feet), at 80 kilometers per hour (50 mph)	80	Food blender at 1 meter (3 feet) Garbage disposal at 1 meter (3 feet)
Noisy urban area, daytime Gas lawn mower at 30 meters (100 feet)	70	Vacuum cleaner at 3 meters (10 feet)
Commercial area Heavy traffic at 90 meters (300 feet)	60	Normal speech at 1 meter (3 feet)
Quiet urban daytime	50	Large business office Dishwasher, next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime	30	Library
Quiet rural nighttime	20	Bedroom at night, concert hall (background)

Table 20. Typical Sound Levels in the Environment and Industry

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
—	10	Broadcast/recording studio
Lowest threshold of human hearing	0	Lowest threshold of human hearing

Source: Caltrans 2013.

Note: dBA = A-weighted decibel.

L_{eq} is a sound energy level averaged over a specified period (typically no less than 15 minutes for environmental studies). L_{eq} is a single numerical value that represents the amount of variable sound energy received by a receptor during a time interval. For example, a 1-hour L_{eq} measurement would represent the average amount of energy contained in all the noise that occurred in that hour. L_{eq} is an effective noise descriptor because of its ability to assess the total time-varying effects of noise on sensitive receptors.

Unlike the L_{eq} metrics, L_{dn} and CNEL metrics always represent 24-hour periods, usually on an annualized basis. L_{dn} and CNEL also differ from L_{eq} because they apply a time-weighted factor designed to emphasize noise events that occur during the evening and nighttime hours (when speech and sleep disturbance is of more concern). “Time weighted” refers to the fact that L_{dn} and CNEL penalize noise that occurs during certain sensitive periods. In the case of CNEL, noise occurring during the daytime (7:00 a.m.–7:00 p.m.) receives no penalty. Noise during the evening (7:00 p.m.–10:00 p.m.) is penalized by adding 5 dB, while nighttime (10:00 p.m.–7:00 a.m.) noise is penalized by adding 10 dB. L_{dn} differs from CNEL in that the daytime period is defined as 7:00 a.m.–10:00 p.m., thus eliminating the evening period. L_{dn} and CNEL are the predominant criteria used to measure roadway noise affecting residential receptors. These two metrics generally differ from one another by no more than 0.5 dB to 1 dB and, as such, are often treated as equivalent to one another.

Vibration

Vibration is an oscillatory motion through a solid medium in which the motion’s amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of vibration are trains, buses on rough roads, and construction activities, such as blasting, pile driving, and heavy earthmoving equipment.

Several different methods are used to quantify vibration. Peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square amplitude is most frequently used to describe the effect of vibration on the human body and is defined as the average of the squared amplitude of the signal. Decibel notation is commonly used to measure root mean square. The decibel notation acts to compress the range of numbers required to describe vibration.

High levels of vibration may cause physical personal injury or damage to buildings. However, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that can affect concentration or disturb sleep. In addition, high levels of vibration can damage fragile buildings or interfere with equipment that is highly sensitive to vibration (e.g., electron microscopes). Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical

outdoor sources of perceptible vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible.

Sensitive Receptors

Noise- and vibration-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, and some passive recreation areas would be considered noise and vibration sensitive and may warrant unique measures for protection from intruding noise. Sensitive receptors in the vicinity of the project site consist of legal non-conforming residential uses (i.e., non-residentially zoned) located to the south and west of the project site, a high school located to the north, and zoned residential uses to the northwest and northeast. These sensitive receptors represent the nearest sensitive land uses with the potential to be impacted by construction and/or operation of the project.

Existing Noise Conditions

Noise measurements were conducted in the vicinity of the project site on September 26, 2022, to characterize the existing noise levels. Table 21 provides the locations, dates, and times the noise measurements were taken. The noise measurements were taken using a Soft dB Piccolo sound level meter equipped with a 0.5-inch, pre-polarized condenser microphone with pre-amplifier. The sound level meter meets the current American National Standards Institute standard for a Type 2 (General Use) sound level meter. The accuracy of the sound level meter was verified using a field calibrator before and after the measurements, and the measurements were conducted with the microphone positioned approximately 5 feet above the ground.

Table 21. Measured Noise Levels

Receptor	Location	Date	Time	L _{eq} (dBA)	L _{max} (dBA)
ST1	West of project site, adjacent to a residence at 25137 Sixth Street	9/26/22	11:53 a.m.–12:08 p.m.	62.7	80.4
ST2	South of project site, adjacent to multifamily residences at 25180 West Fifth Street	9/26/22	12:13 p.m.–12:28 p.m.	52.5	69.5
ST3	North of project site, adjacent to Indian Springs High School at 650 North Del Rosa Drive	9/26/22	12:40 p.m.–12:55 p.m.	67.8	82.5

Source: Appendix F-1.

Notes: L_{eq} = equivalent continuous sound level (time-averaged sound level); dBA = A-weighted decibel; L_{max} = maximum sound level during the measurement interval.

Three short-term noise measurement locations (ST1–ST3) were conducted in the vicinity of the project site, as shown in Figure 10, Noise Measurement Locations. The measured L_{eq} and maximum noise levels are provided in Table 21. The field noise measurement data sheets are provided in Appendix F-1, Field Data Noise Sheets. The primary noise sources at the sites identified in Table 21 consisted of traffic on local roadways; other, secondary noise sources included occasional distant aircraft, distant landscaping activities, and distant conversations. As shown in Table 21, the measured sound levels ranged from approximately 53 dBA L_{eq} at ST2 to approximately 68 dBA L_{eq} at ST3.

Regulatory Setting

Federal

There are no federal noise standards that would directly regulate environmental noise during construction and operation of the project. The following is provided because guidance summarized herein is used or pertains to the analysis.

Federal Transit Administration

In its Transit Noise and Vibration Impact Assessment Manual, the Federal Transit Administration recommends a daytime construction noise level threshold of 80 dBA L_{eq} over an 8-hour period (FTA 2018) when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project. Although this Federal Transit Administration guidance is not a binding regulation, it is provided here for comparison purposes in the absence of such limits at the state and local jurisdictional levels.

Federal Interagency Committee on Noise

Some guidance regarding the determination of a substantial permanent increase in ambient noise levels in the project vicinity above existing levels is provided by the 1992 findings of the Federal Interagency Committee on Noise (FICON), which assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations (FICON 1992). The FICON recommendations are based upon studies that relate aircraft and traffic noise levels to the percentage of persons highly annoyed by the noise. Annoyance is a qualitative measure of the adverse reaction of people to noise that generates speech interference, sleep disturbance, or interference with the desire for a tranquil environment.

The rationale for the FICON recommendations is that it is possible to consistently describe the annoyance of people exposed to transportation noise in terms of L_{dn} . The changes in noise exposure that are shown in Table 22 are expected to result in equal changes in annoyance at sensitive land uses. Although the FICON recommendations were specifically developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to all transportation noise sources and permanent non-transportation noise sources.

Table 22. Measures of Substantial Increase for Community Noise Sources

Ambient Noise Level Without Project (L_{dn})	Project Increases to Ambient Noise Levels at which Significant Impact is Assumed to Occur
<60 dBA	+ 5 dBA or more
60–65 dBA	+ 3 dBA or more
>65 dBA	+ 2 dBA or more

Source: FICON 1992.

Notes: L_{dn} = day–night average noise level; dBA = A-weighted decibel.

State

California Government Code

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use

compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” noise levels for various land use types. Single-family homes are “normally acceptable” in exterior noise environments up to 60 dBA CNEL and “conditionally acceptable” up to 70 dBA CNEL.¹⁸ Multifamily residential uses are “normally acceptable” up to dBA 65 CNEL and “conditionally acceptable” up to dBA 70 CNEL. Schools, libraries, and places of worship are “normally acceptable” up to 70 dBA CNEL, as are office buildings and business, commercial, and professional uses.

Local

City of Highland Municipal Code

Operational Noise Standards

Pursuant to Chapter 8.50 (Noise Control) of the City’s Municipal Code, allowable daytime (between the hours of 7:00 a.m. and 10:00 p.m.) and nighttime (between the hours of 10:00 p.m. and 7:00 a.m.) noise levels are as follows:

- Residential: 60 dBA daytime, 55 dBA nighttime
- Commercial: 70 dBA daytime, 65 dBA nighttime
- Industrial Zone: 75 dBA at any time

Construction Noise Standards

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. Because the proposed project does not include a Development Agreement or other agreement with the City or any of its political subdivisions, it is not exempt from performing a construction noise analysis and providing adequate mitigation measures. The following includes an analysis of the project’s construction noise impacts.

City of Highland General Plan

The City’s General Plan Noise Element (City of Highland 2006) references the City’s Municipal Code’s noise standards as guidelines to evaluate the acceptability of noise impacts. These standards are used to assess long-term noise impacts on land uses. The Noise Element identifies noise problems in the community, quantifies existing and projected noise levels, addresses excessive noise exposure, and provides regulations to control noise. The General Plan Noise Element contains the following goals and policies¹⁹ that address noise and are applicable to the project:

Goal 7.1. Protect sensitive land uses and the citizens of Highland from annoying and excessive noise through diligent planning and regulation.

¹⁸ A “conditionally acceptable” designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a “normally acceptable” designation indicates that standard construction can occur with no special noise reduction requirements.

¹⁹ Goal, policy, and action numbers provided are accurate to the original text.

Policies:

- 1) Enforce the City's Noise Control Ordinance consistent with health and quality of life goals and employ effective techniques of noise abatement through such means as a noise ordinance, building codes and subdivision and zoning regulations.
- 2) Encourage the use of site planning and architectural techniques such as alternative building orientation and walls combined with landscaping to mitigate noise to levels consistent with interior and exterior noise standards.
- 3) Require mitigation where sensitive uses are to be placed along transportation routes to ensure compliance with interior and exterior noise standards.
- 4) Consider the compatibility of proposed land uses with the noise environment when preparing, revising or reviewing development proposals.
- 7) Require that site-specific noise studies be conducted by a qualified acoustic consultant utilizing acceptable methodologies while reviewing the development of sensitive land uses or development that has the potential to impact sensitive land uses. Also require a site-specific noise study if the proposed development could potentially violate the noise provisions of the General Plan or City ordinance.

Actions:

- 3) When site and architectural design features cannot sufficiently reduce adverse noise levels, or cannot be economically provided, require the provision of noise barriers/berms, provided that noise barriers:
 - are sufficiently massive to prevent significant noise transmission and high enough to shield receiver from noise source;
 - noise barriers exhibit a minimum acceptable density of four pounds per square foot (equivalent to 3/4-inch plywood);
 - contain no cracks or openings; and
 - minimize the effect of flanking by bending the barrier back from the noise source at the end of the barrier.
- 4) Require landscaping treatment to be provided in conjunction with noise barriers to provide visual relief and to reduce aesthetic impacts.
- 6) Maintain a noise complaint file to document areas of excessive noise in the City.

Goal 7.3. Protect residents from the effects of "spill over" or nuisance noise.

Policies:

- 1) Enforce the City's Noise Control Ordinance so that new projects located in commercial or entertainment areas do not exceed stationary-source noise standards at the property line of proximate residential or commercial uses, as appropriate.
- 2) Prohibit new industrial uses from exceeding commercial or residential stationary-source noise standards at the most proximate land uses, as appropriate. (Industrial noise may spill over to proximate industrial uses so long as the combined noise does not exceed the appropriate industrial standards.)
- 3) Require that construction activities employ feasible and practical techniques to minimize noise impacts on adjacent uses. Particular emphasis shall be placed on the restriction of hours in which work other than emergency work may occur.
- 4) Require that the hours of truck deliveries to commercial properties abutting residential uses be limited unless there is no feasible alternative or there are overriding transportation benefits by scheduling deliveries at another hour.
- 5) Ensure that buildings are constructed to prevent adverse noise transmission between differing uses located in the same structure and individual residences in multi-family buildings.

Actions:

- 1) As a condition of approval, limit non-emergency construction activities adjacent to existing noise-sensitive uses to daylight hours between 7:00 a.m. and 6:00 p.m. Discourage construction on weekends or holidays except in the case of construction proximate to schools where these operations could disturb the classroom environment.
- 2) Ensure that the design and placement of air conditioning units and pool equipment within residential areas is accomplished in a manner that does not intrude upon the peace and quiet of adjacent noise-sensitive uses.
- 3) Encourage the use of portable noise barriers for heavy equipment operations performed within 100 feet of existing residences or make applicant provide evidence as to why the use of such barriers is infeasible.

- a) ***Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

Short-Term Construction Noise

Less-than-Significant Impact. Construction noise is considered a short-term impact and would be considered significant if construction activities were to exceed the allowable hours of operation, as permitted by the City. Noise-sensitive land uses in the vicinity of the project include legal non-conforming

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residences to the west²⁰ (within approximately 15 feet of the construction boundary) and south (within approximately 30 feet), a high school to the north (within approximately 110 feet), and zoned residential uses to the northwest (approximately 450 feet away) and to the northeast (approximately 800 feet away). The construction noise assessment focused on noise levels that would occur at the nearest noise-sensitive land uses (residences to the south and west and the high school to the north); construction noise levels at receptors further from the site would be lower. Modeling assumptions and output calculations are provided in Appendix F-2, Construction Noise Modeling Inputs and Outputs.

Project-generated construction noise will vary depending on the construction process, the type of equipment involved, the location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week), and the duration of the construction work. A likely worst-case construction noise scenario using information provided by the project applicant and equipment identified by CalEEMod (see Section 3.3) for this type and size of project was calculated using a spreadsheet model based the Federal Highway Administration's Roadway Construction Noise Model (FHWA 2008). Table 5 in Section 3.3 presents the equipment list used for the construction noise analysis. The results are summarized in Table 23 (see Appendix F-2 for model results). Table 23 provides construction noise estimates for both a "typical worst-case" 1-hour average scenario in which construction equipment may be operating in proximity to any one receiver for extended periods, as well as a typical 8-hour workday in which it is assumed that the equipment would be in motion and working both near and far from any one receiver, operating (on average) at the approximate acoustic center of the project site. The average noise levels (based upon the acoustic center²¹) are considered a better representation of the overall noise exposure experience for adjacent receivers over the duration of each construction phase.

As shown, the highest noise levels from construction are predicted to range from approximately 70 dBA Leq 1-hour (during the architectural coating phase) to 92 dBA Leq 1-hour (during site preparation and grading) at the nearest receiver. These maximum noise levels are considered to be a peak exposure, applicable to not more than 10%–15% of the total construction period, only while the construction activity is taking place along the property boundary closest to these nearest off-site receivers. In terms of a typical 8-hour workday, the highest noise levels from construction are predicted to range from approximately 62 dBA Leq 8-hour (during the architectural coating phase) to 74 dBA Leq 8-hour (during site preparation) at the nearest receiver. Noise levels, while relatively high when equipment is operating near the project boundaries, would not exceed the Federal Transit Administration's 80 dBA Leq 8-hour threshold.

Table 23. Construction Noise Summary of Results

Receiver Location (Distance)/ Description	Zoning Designation	Construction Noise Level by Construction Phase ¹ (dBA Leq 1-hour/dBA Leq 8-hour)				
		Site Prep.	Grading	Building Const.	Paving	Arch. Coating
Residence to the west (as near as 15 feet) / Legal Non-Conforming Residence	Business Park	92/74	92/73	72/68	85/69	70/62

²⁰ Based upon the City's Zoning Map (<https://www.cityofhighland.org/DocumentCenter/View/3211/Zoning-Map-PDF>), the proposed project site as well as the entire block (from Third Street to Sixth Street in the north-south direction and Del Rosa Avenue to west of Tippecanoe Avenue in the east-west direction) is zoned BP (Business Park).

²¹ The acoustic center is the combination of all construction work occurring on site, near and far, and is considered to be equivalent to the geometric center, for the purposes of this analysis.

Table 23. Construction Noise Summary of Results

Receiver Location (Distance)/ Description	Zoning Designation	Construction Noise Level by Construction Phase ¹ (dBA Leq 1-hour/dBA Leq 8-hour)				
		Site Prep.	Grading	Building Const.	Paving	Arch. Coating
Residence to the south (as near as 30 feet) / Legal Non-Conforming Residence	Business Park	87/74	86/73	71/68	77/69	69/62
School to the north	Public Facility (City of San Bernardino)	77/74	76/73	68/68	69/69	65/62

Source: Appendix F-2.

Notes: dBA = A-weighted decibel; Leq 1-hour = equivalent continuous sound level (time-averaged sound level) during a 1-hour period near the project boundary; Leq 8-hour = equivalent continuous sound level (time-averaged sound level) during an 8-hour construction workday; Site Prep. = Site Preparation; Building Const. = Building Construction; Arch. Coating = Architectural Coating.

¹ See Section 3.3, Air Quality.

Based on the construction noise analysis, noise levels during construction are estimated to create noise levels at sensitive receivers that would not exceed the Federal Transit Administration construction noise threshold of 80 dBA Leq 8-hour. The project would be required to adhere to the City's General Plan limitations on construction noise through restrictions on allowable construction hours (Goal 7.3, Action 1):

As a condition of approval, limit non-emergency construction activities adjacent to existing noise-sensitive uses to daylight hours between 7:00 a.m. and 6:00 p.m. Discourage construction on weekends or holidays except in the case of construction proximate to schools where these operations could disturb the classroom environment.

Thus, with incorporation of the City's standard conditions, impacts associated with short-term construction noise would be **less than significant**, and no mitigation measures would be required.

Long-Term Operational Noise

Less-than-Significant Impact. Operation of the project would result in the generation of noise both on and off site. Consistent with similar warehouse and light industrial uses, business operations supported by the project would primarily be conducted within the enclosed buildings, except for traffic movement, parking, and loading and unloading of trucks at designated loading bays. As such, on-site operational noise sources are expected to include roof-top air conditioning units, parking lot activity, and truck loading dock activity. Off-site noise could be generated by vehicles, including heavy trucks, accessing the project site and contributing to vehicular roadway noise. As detailed below, these operational project activities would not result in the 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.

On-Site Operational Noise

Implementation of the project would result in changes to existing noise levels on and around the project site by developing new stationary sources of noise, including introduction of outdoor HVAC equipment. These sources may affect noise-sensitive vicinity land uses off the project site.

The proposed warehouse space overall would not be served by heating or air conditioning equipment. However, the floor plan includes an office with an associated mezzanine space at the northwest building corner. For the analysis of noise from HVAC equipment operation, a York Model ZF-048 package HVAC unit was used as a reference. Based upon the square footage of the office and mezzanine spaces (5,000 square feet total), it was assumed that two such units would be required for the office/mezzanine areas. The York Model ZF-048 package HVAC unit has a sound power rating of 80 dBA (Johnson Controls 2015). Based on the warehouse roof design provided, there will be a 2.8-foot-high parapet extending along the perimeter of the roof, which would minimize sound from the HVAC unit at nearby noise-sensitive land uses.

Assuming all the HVAC equipment is operating simultaneously for a minimum period of 1 hour, the worst-case calculated noise level at each property line and at the nearby residences is presented in Table 24. The maximum hourly noise level for all the HVAC equipment operating at each examined point along the property and the nearest noise-sensitive uses would range from 15 to 30 dBA L_{eq} , which is well below the City's noise standard for both commercial zoning (70 dBA L_{eq} daytime, 65 dBA L_{eq} nighttime) and residences (60 dBA L_{eq} daytime, 55 dBA L_{eq} nighttime). The noise level calculation spreadsheets for the HVAC package units are included in Appendix F-3, Equipment Specifications and Noise Calculations.

Table 24. Mechanical Equipment Operation Noise Summary of Results

Equipment	Noise Level at Property Boundary	
	Receiver Location	Average Noise Level (dBA L_{eq})
HVAC	W1 (Legal Non-Conforming Residence to West)	30
HVAC	E1 (Vacant lot zoned Business Park)	15
HVAC	S1 (Legal Non-Conforming Residences to South)	20
HVAC	N1 (High School to North)	29

Source: Appendix F-3.

Note: dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level); HVAC = heating, ventilation, and air conditioning equipment.

The results of the mechanical equipment operations noise analysis indicate that the project would comply with City noise standards.

Parking Lot Activity

A comprehensive study of noise levels associated with surface parking lots was published in the Journal of Environmental Engineering and Landscape Management (Baltrėnas et al. 2004). The study found that average noise levels during the peak period of use of the parking lot (generally in the morning with arrival of commuters and in the evening with the departure of commuters) were 47 dBA at 1 meter (3.3 feet) from the outside boundary of the parking lot. The parking area would function as an area source for noise, which means that noise would attenuate at a rate of 3 dBA with each doubling of distance. The employee parking lots are proposed to be situated on the east and southwest sides of the warehouse, no closer than 45 feet from the property line of the project site (from center of drive-aisle to fence) on the southern, western, and eastern sides. On the north side, the nearest parking area would be located approximately 125 feet from the high school. At a distance of 45 feet, parking lot noise levels would be approximately 36 dBA L_{eq} at the southern, western, and eastern property boundaries in the absence of the projects' 8-foot-high boundary wall. Accounting for the noise reduction provided by the boundary wall, parking lot noise levels would be approximately 24 dBA L_{eq} at the southern, western, and eastern property boundaries. At the high school to

the north, parking lot noise levels would be approximately 31 dBA L_{eq} . Parking lot activity noise levels are summarized in Table 25.

Truck Loading Dock Activity

The parking lot study (Baltrėnas et al. 2004) also examined noise levels associated with cargo truck delivery activity, including noise produced by backup alarms and forklift/yard hostler operations. The study concluded that average noise levels from truck loading/unloading areas was 96 dBA at 1 meter (3.3 feet) from the boundary of the truck activity area. The truck loading dock area (i.e., the truck court) would be located on the eastern side of the proposed warehouse building, approximately 90 feet from the projects' southern property line, approximately 295 feet from the projects' western property line, and approximately 120 feet from the projects' eastern property line. On the north side, the truck loading dock area would be located approximately 210 feet from the high school. At the projects' northern and western property lines, the noise and view of the loading docks would be entirely obstructed by the warehouse building. At the projects' southern and eastern property lines, the noise and view of the loading docks would be partially obstructed by the projects' 8-foot-high boundary wall. Using the outdoor attenuation rate of 6 dBA with each doubling of distance and accounting for the noise reduction provided by the warehouse building and the boundary wall, noise would range from approximately 32 dBA L_{eq} at the western property line to approximately 56 dBA L_{eq} at the southern property line. Truck loading dock activity noise levels are summarized in Table 25 and combined with the other on-site noise sources.

Table 25. Combined On-Site Noise Summary of Results - Noise Levels (dBA L_{eq}) at Property Boundaries

Receiver Location	Zoning	Applicable Noise Standard – Daytime (7 a.m. to 10 p.m.) / Nighttime (10 p.m. to 7 a.m.)	HVAC	Parking Lot Activity	Truck Loading Dock Activity	Combined HVAC, Parking Lot, and Truck Loading Dock Activities Noise	Applicable Noise Standard Exceeded?
W1	Business Park	70/65	20	23	32	33	No
E1	Business Park	70/65	15	23	53	53	No
S1	Business Park	70/65	30	23	56	56	No
N1	Public Facility (City of San Bernardino)	n/a	29	31	36	38	No

Source: Appendix F-3.

Notes: dBA = A-weighted decibel; L_{eq} = equivalent continuous sound level (time-averaged sound level); HVAC = heating, ventilation, and air conditioning; n/a = not applicable.

As shown in Table 25, on-site noise sources associated with the proposed project would not exceed applicable noise standards. Thus, on-site operational noise would be **less than significant**.

Project-Generated Off-Site Traffic Noise

The project is expected to generate 82 daily trips to the roadway system; in terms of PCE, which accounts for truck percentages, the project would generate 117 daily PCE trips. On an hourly basis, the project would result in a total of 8 AM and 9 PM peak-hour trips, consisting of 6 passenger vehicles and 2 trucks (ranging in size from 2-axle trucks to 4+ axle trucks) during the AM peak hour, and 7 passenger vehicles and 2 trucks during the PM peak hour. In terms of PCE, the project would result in a total of 12 AM and 15 PM PCE peak-hour trips.²² Vehicles entering and exiting the project site would use Sixth Street, which has average daily traffic volumes of approximately 1,457.²³ This amounts to a small percentage (less than 6%) of the total daily volume on Sixth Street. The project would not result in a doubling of trips on any particular road segment. Typically, a doubling of the energy of a noise source, such as a doubling of traffic volume, would increase noise levels by 3 dBA.²⁴ Given that it would result in only a modest increase in traffic on local and regional roadways, the project is not expected to result in an increase of 3 dBA or greater on roadways in the study area. The change in noise level due to the project would not be audible. Therefore, impacts associated with off-site project-generated traffic noise would be **less than significant**.

b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Less-than-Significant Impact. The main concern associated with groundborne vibration is annoyance; however, in extreme cases, vibration can cause damage to buildings, particularly those that are old or otherwise fragile. Some common sources of groundborne vibration are trains and construction activities such as blasting, pile-driving, and heavy earthmoving equipment. The primary source of groundborne vibration occurring as part of the proposed project is construction activity.

Groundborne vibration information related to construction/heavy equipment activities has been collected by the California Department of Transportation. Information from the California Department of Transportation indicates that transient vibrations (such as from construction activity) with approximately 0.035 inches per second PPV may be characterized as barely perceptible, and vibration levels of 0.24 inches per second PPV may be characterized as distinctly perceptible (Caltrans 2020). The heavier pieces of construction equipment, such as large bulldozers or hoe rams, would register up to approximately 0.089 inches per second PPV at a distance of 25 feet, and a clam shovel drop would measure up to approximately 0.202 inches per second PPV at a distance of 25 feet (FTA 2018).

Groundborne vibration is typically attenuated over relatively short distances. At the nearest existing noise/vibration-sensitive use distance to the nearest construction area (approximately 15 feet—the Head Start building to the northeast) and with the anticipated construction equipment, the vibration level would be approximately 0.192 inches per second PPV. This vibration level would be higher than the threshold of “barely perceptible” of 0.035 inches per second PPV and would be lower than the threshold of “distinctly perceptible” of 0.24 inches per second PPV.

The major concern with construction vibration is related to building damage. Construction vibration as a result of the proposed project would not result in structural building damage, which typically occurs at

²² Data from the proposed project’s trip generation estimates (Section 3.17, Transportation).

²³ Airport Gateway Specific Plan, Traffic Impact Analysis 2019.

²⁴ Under normal circumstances (i.e., outside of a controlled setting such as a listening laboratory), a 3 dBA increase in noise levels is considered to be the smallest increase that is audible to the human ear, whereas a less than 3 dBA increase in noise levels is considered to be a barely or non-audible increase.

vibration levels of 0.5 inches per second PPV or greater for buildings of reinforced concrete, steel, or timber construction. Therefore, impacts related to groundborne vibration would be **less than significant**.

- 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?***

Less-than-Significant Impact. No private airstrips are located in the project vicinity. The SBIA is located approximately 0.6 miles south of the project site. The project site is located within the Airport Influence Area (General Plan Figure 6-7) outlined in the City's General Plan (City of Highland 2006). As required by state law for real estate transactions within the Airport Influence Area, notification/disclosure statements are required to alert potential buyers and tenants of the presence of and potential impacts from the SBIA. According to Exhibit 4H (Existing and Ultimate Noise Contours) of the Airport Layout Plan Narrative Report for San Bernardino International Airport (San Bernardino International Airport Authority 2010), the SBIA's 65 dBA CNEL ultimate noise contour would be located approximately 1.0 miles south of the project site.

Policy 1 of Goal 11.1 ("Reduce exposure of people to aircraft noise and overflights, and ensure adequate public notification through buyer awareness measures") within the City's General Plan states, "Limit the development of sensitive land uses located within the 65 decibel (dB) Community Noise Equivalent Level (CNEL)" (City of Highland 2006). The City considers residential dwellings and institutional uses such as hospitals, convalescent homes, and churches to be sensitive noise receptors, while retail and office uses are considered to be relatively insensitive land uses. Other land use types, including industrial and manufacturing, are considered to be least impacted by noise. Because the proposed project is not noise-sensitive, and because the project site is located outside the 65 dBA CNEL noise contour, the proposed project would not expose people residing or working in the project area to excessive noise levels. Thus, aircraft and airport-related noise would be **less than significant**.

3.14 Population and Housing

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. POPULATION AND HOUSING – 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?	☐	☐	☐	☒

- a) ***Would the project 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)?***

Less-than-Significant Impact. The project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the project area. The temporary workforce would be needed to construct the proposed warehouse building and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction but will likely average a few dozen workers at any given time throughout the workday. These short-term positions are anticipated to be filled primarily by workers who reside in the project area vicinity. Therefore, construction of the project would not generate a permanent increase in population within the project area.

In terms of operational employees, because the future tenant is not yet known, the number of jobs that the project would generate cannot be precisely determined, but it can be estimated. For purposes of analysis, employment estimates are calculated using average employment density factors reported by SCAG. SCAG reports that for every 1,195 square feet of warehouse space in San Bernardino County, the average numbers of jobs supported is one employee (SCAG 2001). The proposed warehouse would be 47,899-square-foot square feet, and as such, the estimated number of employees required for operation would be approximately 108 people.

According to the SCAG Demographics and Growth Forecast, employment in the City is anticipated to grow from 6,900 employees in 2016 to 11,100 employees in 2045 (SCAG 2020). The project-related increase in employment would be minimal in comparison to the anticipated increase in the SCAG Demographics and Growth Forecast.

Additionally, as of September 2022, the California Employment Development Department found that the unemployment rate for Riverside-San Bernardino-Ontario Metropolitan Statistical Area, including the City of Highland, is at 3.9%, which is tied to the state average (3.9 %) and compared to the to the national average (7.9%) for the same period (EDD 2022). Therefore, the project's temporary and permanent employment requirements could likely be met by the City's existing labor force without the need for people to relocate to the project region. The project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans. Therefore, impacts associated with population growth would be **less than significant**.

- b) ***Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

No Impact. The project site (Sixth Street and Del Rosa Drive) is currently undeveloped vacant land. Development of the proposed project would not result in displacement of existing households. However, assuming that relation occurred in the project area, vacant housing opportunities are available within the City and surrounding area. The City has approximately 17,127 housing units with a vacancy rate of 2.6% (DOF 2022), or approximately 445 vacant housing units. Given the availability of housing opportunities within the City, it is assumed that there are sufficient housing opportunities in the area for existing residences, and there would not be a need for new construction or replacement of housing elsewhere. Therefore, there would be **no impact** associated with housing.

3.15 Public Services

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. PUBLIC SERVICES – Would the project:

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

Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

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

Fire protection?

Less-than-Significant Impact. The California Department of Forestry and Fire Protection (CAL FIRE) provides fire protection and emergency medical services to the City, including the project site, through a cooperative agreement that provides for CAL FIRE employees to staff City-owned facilities and apparatus (City of Highland 2006). The City also has available fire protection services from other area agencies such as the Cities of Redlands and Yucaipa and the U.S. Forest Service (City of Highland 2006). The City also participates in the Statewide Master Mutual Aid Agreement, which provides additional assistance from San Bernardino City and County Fire Departments and the San Manuel Fire Department (City of Highland 2006).

The closest fire station to the project is San Bernardino County Fire Station No. 222 (1201 West Ninth Street), located approximately 3.6 miles west of the project site. Considering the proximity of the project site to Station No. 222 and given the fact that the project site is already located within CAL FIRE's service area, the project could be adequately served by the various fire departments without adversely effecting personnel-to-resident ratios, response times, or other performance objectives.

In addition, the project would not directly or indirectly induce population growth in the City. Although the project could potentially result in a slight, incremental increase in calls for service to the project site in comparison to the existing conditions, this increase is expected to be nominal and would not result in the need for new CAL FIRE facilities. Nonetheless, similar to other development projects in the City, the project applicant would still be required to pay their fair share of development impact fees to help offset

incremental impacts to fire protection services. Therefore, impacts associated with CAL FIRE facilities and response times would be **less than significant**.

Police protection?

Less-than-Significant Impact. The City contracts with the San Bernardino County Sheriff's Department (SBCSD) to provide police protection to the City, including the project site (City of Highland 2006). The SBCSD has one patrol station in the City, located at 26985 East Base Line, approximately 2.8 miles northeast of the site.

The project would not directly or indirectly induce population growth in the City. While the project would potentially result in a slight, incremental increase in calls to the SBCSD for service to the project site in comparison to the existing conditions, this increase is expected to be nominal and would not result in the need for new SBCSD facilities. In addition, the project site is already located within SBCSD's service area and would not require an expansion of service area, which could otherwise result in longer response time. Overall, it is anticipated that the project would be adequately served by existing SBCSD facilities, equipment, and personnel. Nonetheless, similar to other development projects in the City, the project applicant would still be required to pay their fair share of development impact fees to help offset incremental impacts to police protection services. Therefore, impacts associated with SBCSD facilities and response times would be less than significant. In addition, the applicant will be required to follow the City's Development Impact Fee Ordinance (Fee Ordinance). The Fee Ordinance requires the applicant submit a fee payable to the City that will apply to the funding of public facilities, including law enforcement facilities. Therefore, impacts to police protection resources resulting from the proposed project would be **less than significant**.

Schools?

No Impact. The project site is located within the San Bernardino City Unified School District. It is not anticipated that people would relocate to the City as a result of the project, and an increase in school-age children requiring public education is not expected to occur as a result of the project. Nonetheless, all residential and non-residential development projects are subject to SB 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other state or local laws (Government Code Section 65996). In accordance with SB 50, the project applicant would pay its fair share of impacts fees based on the number/type of dwelling units. These impact fees are required of most residential, commercial, and industrial development projects in the City. Therefore, **no impacts** associated with school facilities would occur.

Parks?

No Impact. Given the lack of population growth as a result of the project, neither construction nor operation of the project would generate new residents to the extent that new or expanded park facilities would be required. Therefore, **no impacts** associated with park facilities would occur.

Other public facilities?

No Impact. The project would not directly or indirectly induce substantial population growth in the City. As such, it is unlikely that the project would increase the use of other public facilities such as libraries. Therefore, **no impacts** associated with libraries and other public facilities would occur.

3.16 Recreation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

- 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?***

No Impact. The project would construct a new warehouse building and associated improvements. The project does not propose any residential uses and would not directly or indirectly result in a substantial and unplanned increase in population growth within the project area. As such, the project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. Therefore, **no impacts** associated with the use of existing residential facilities would occur.

- 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?***

No Impact. The project would construct a new warehouse building and associated improvements. The project does not propose any recreational facilities. As an industrial use, the project would not require the construction or expansion of recreational facilities. Therefore, **no impacts** associated with the construction of new or expansion of existing recreational facilities would occur.

3.17 Transportation

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII. TRANSPORTATION – 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?	☐	☐	☒	☐

The following analysis prepared consistent with the requirements of the City's Public Works Policies, Procedures and Standards for traffic studies (Traffic Study Guidelines) (September 2016), as well as SB 743 and the current CEQA Guidelines for potential impacts to VMT. Appendix G, Transportation Technical Memorandum, includes the project's Trip Generation and VMT Screening Analysis. It also includes a Traffic Scoping Form, which provides LOS screening for the project.

Trip Generation Analysis

Trip generation estimates for the project are based on daily and AM and PM peak hour trip generation rates obtained from the Institute of Transportation Engineers Trip Generation Handbook, 11th Edition (ITE 2021), using the warehousing land use (ITE Code 150). No trip credits for the existing land uses have been assumed in this analysis; therefore, the project's trip generation estimates are conservative.

PCE factors were also applied to the trip generation estimates to account for truck traffic. The City indicates that projects with high truck percentages should convert project trips to PCE. A 1.5 PCE factor was applied to 2-axle trucks, 2.0 PCE for 3-axle trucks, and a 3.0 PCE factor was applied to 4-axle trucks per the San Bernardino County Congestion Management Program (CMP). Table 26 presents the project's daily and AM and PM peak hour trip generation estimates.

Table 26. Project Trip Generation Summary

			AM Peak Hour			PM Peak Hour			
Land Use	Daily Trip Rate/Unit		In	Out	Total	In	Out	Total	
Trip Rates and Trip Generation									
Warehousing ¹ (ITE Code 150)	1.71/TSF		0.13	0.04	0.17	0.05	0.13	0.18	
Land Use	Units	Daily	In	Out	Total	In	Out	Total	
Proposed Project	47.899 TSF	82	6	2	8	3	6	9	
Land Use	Vehicle Classification (Percent)		Daily	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Vehicle Mix ² and Non-PCE Trips (47.899 TSF)	Passenger Cars (72.5)		59	5	1	6	2	5	7
	2-axle Trucks (4.6)		4	0	0	0	0	0	0
	3-axle Trucks (5.7)		5	0	1	1	1	0	1
	4+axle Trucks (17.2)		14	1	0	1	0	1	1
	Project Trip Generation Non-PCE		82	6	2	8	3	6	9
Project Trip Generation PCE									
PCE Factors ³ and PCE Trips (47.899 TSF)	Passenger Cars (1.0 PCE)		59	5	1	6	2	5	7
	2-axle Trucks (1.5 PCE)		6	0	0	0	0	0	0
	3-axle Trucks (2.0 PCE)		9	0	2	2	2	0	2
	4+axle Trucks (3.0 PCE)		43	4	0	4	2	4	6
	Total PCE Trips		117	9	3	12	6	9	15

Notes: ITE = Institute of Transportation Engineers; TSF = thousand square feet, PCE = passenger car equivalent.
Some of the totals may not match exactly due to rounding.

¹ Trip rates from the Institute of Transportation Engineers, Trip Generation Manual, 11th Edition (ITE 2021).

² Vehicle Mix and Percent from SCAQMD, Warehouse Truck Trip Study Data Results and Usage (SCAQMD 2014a).

³ PCE factors per the San Bernardino County CMP, (SANBAG 2016).

As shown in Table 26, the proposed project would generate approximately 82 daily trips, with 8 trips (6 inbound and 2 outbound) in the AM peak hour, and 9 trips (3 inbound and 6 outbound) in the PM peak hour. Adjusting for PCE, the trip generation is approximately 117 daily PCE trips, 12 AM PCE peak hour trips (9 inbound and 3 outbound) and 15 PM PCE peak hour trips (6 inbound and 9 outbound).

- a) **Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

Less-than-Significant Impact. As detailed in the following text, the project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including roadway, bicycle, pedestrian, and transit facilities.

Roadway Facilities

The project is located within the jurisdiction of the City; therefore, the following consistency requirements would apply.

San Bernardino Associated Governments Congestion Management Plan

The City is located in San Bernardino County, and therefore, the San Bernardino County CMP applies to the City. To address the increasing public concern that traffic congestion is impacting the quality of life and economic vitality of the State of California, Proposition 111 created the CMP in 1990. The intent of the CMP is to provide the analytical basis for transportation decisions through the State Transportation Improvement Program process. In 1990, the San Bernardino Associated Governments was designated the Congestion Management Agency for San Bernardino County. Although implementation of the CMP was made voluntary by the passage of AB 2419 (Bowler 1996), the CMP requirement has been retained in San Bernardino County.

The LOS at each CMP location is monitored by local jurisdictions in order to implement the statutory requirements of the CMP. If LOS standards deteriorate, then local jurisdictions must prepare a deficiency plan to meet conformance standards outlined by the countywide plan. The local CMP requires that a transportation impact analysis report be prepared when a project's trip generation exceeds 250 two-way peak hour trips and expects to add at least 50 two-way peak hour trips to a State highway facility. For the CMP roadway system, the LOS standard shall be E for all segments and intersections except those designated LOS F, as listed in Table 2-1 of the CMP (SBCTA 2020). The nearest CMP facility is the intersection of Victoria Avenue/Fifth Street.

Based on the project's trip generation estimates as described above, development of the proposed project would not be likely to result in degradation of the nearby CMP facilities due to the low volume of vehicular traffic (less than 250 peak hour trips and less than 50 peak hour trips to a State highway facility, per the CMP). Therefore, impacts associated with project-related traffic on both the local and regional circulation system would be **less than significant**.

City of Highland

Traffic Study Guidelines

The City's Traffic Study Guidelines are included in Chapter 9 of the City's Public Works Policies, Procedures and Standards Manual. Although changes in CEQA regarding SB 743 implementation shifts the primary metric for traffic analyses from LOS to VMT, the City has not yet adopted updated guidelines or thresholds related to VMT. As such, the City continues to require a traffic report to analyze the surrounding transportation network to evaluate the project's effect on the City's transportation infrastructure, and identify improvements required to maintain consistency with the City's LOS standards. Per the Traffic Study Guidelines, a traffic report would be required if a project exceeds the CMP thresholds (250 two-way peak hour trips) or generates more than 1,000 new two-way daily trips, or 100 two-way peak hour trips. Additionally, the City may require a traffic report if there are concerns regarding access, roadway structural impacts, or LOS on intersection or roadway segments adjacent to the project. Trip generation estimates for the project are summarized above.

Based on the project's trip generation estimates as described above, development of the proposed project would likely not result in degradation of the nearest intersection of Del Rosa Drive/ Sixth Street or other nearby intersections due to the low volume of vehicular traffic (less than 100 peak hour trips). A detailed LOS analysis would not be required. Therefore, impacts would be **less than significant**.

General Plan Circulation Element

The City adopted its most recent version of the General Plan in March 2006. The General Plan Circulation Element takes into consideration transit, bicycle, pedestrian, and other multimodal uses. The Circulation Element primarily utilizes volume-to-capacity LOS as a measurement in the rating of the performance of streets. The Circulation Element establishes the following LOS criteria (City of Highland 2006):

- The LOS should be LOS D or better for major intersections in the City
- LOS D is considered acceptable for peak operating periods
- Any City of Highland intersection operating at LOS E or F is considered deficient

As the proposed project is forecast to generate 12 AM peak hour trips and 15 PM peak hour trips (PCE-adjusted), the proposed project would not exceed the 250 two-way peak hour trip threshold for the preparation of a transportation impact analysis per the CMP or the 100 two-way peak hour trip threshold for preparation of a traffic report per the City's Traffic Study Guidelines. Therefore, a transportation impact analysis and further LOS analysis would not be required.

Additionally, the project site is bordered by Sixth Street to the north, which is designated as a collector street. Per the Circulation Element, a collector street is generally "intended to carry traffic between residential neighborhoods and the larger street network" (City of Highland 2006). Collector streets are generally two-lane roadways; however, the roadway segment of Sixth Street adjacent to the project site is constructed with two travel lanes in the westbound direction (which transition into one travel lane, west of Fairfax Lane) and one travel lane in the eastbound direction with a two-way, center-turn lane. The project would not conflict with the ROW and would be responsible for constructing half-width improvements along its frontage on Sixth Street.

Pedestrian and Bicycle Facilities

Although the General Plan Circulation Element includes several bicycle classifications, the City's Active Transportation Plan, adopted February 2021, provides a more comprehensive and updated overview of the City's current and future recommendations to enhance multimodal facilities:

Class I Shared-Use Paths are paths completely separated from motor vehicle traffic and are used by people for walking and biking. These paths are typically located immediately adjacent and parallel to a roadway or in its own independent ROW, such as within a park or along a body of water.

Class II Bicycle Lanes are dedicated lanes for bicycle travel adjacent to traffic. A painted white line separates the bicycle lane from motor vehicle traffic.

Class IIB Buffered Bicycle Lanes are dedicated lanes for bicycle travel separated from vehicle traffic by a painted buffer. The buffer provides additional comfort for users by providing space from motor vehicles or parked cars.

Class III Bicycle Routes are signed bike routes that people biking share with motor vehicles, which can include pavement markings.

Class IIIB Bicycle Boulevards are calm, local streets where bicycles have priority but share roadway space with motor vehicles. These boulevards include shared roadway bicycle markings on the pavement as well as traffic calming features such as speed humps and traffic diverters to keep these streets more comfortable for bicycles.

There are no existing or proposed bicycle facilities adjacent to the project site along Sixth Street or along Del Rosa Drive near its intersection with Sixth Street. Per the Active Transportation Facilities map included in the San Bernardino County Non-Motorized Transportation Plan for City of Highland, the proposed facilities in the vicinity of the project are along Fifth Street, Third Street, Victoria Avenue, and parts of Del Rosa Drive (SBCTA 2018). As such, the project would not conflict with existing or proposed bicycle facilities, and impacts would be **less than significant**.

Site analysis of the project area does not indicate existing sidewalk and pedestrian facilities along the full extent of Sixth Street in the vicinity of the project site. The project would be responsible for constructing frontage improvements, including sidewalks along Sixth Street. As such, development of the project would improve the existing pedestrian facilities, and impacts would be **less than significant**.

Transit Facilities

Omnitrans provides public transportation throughout the San Bernardino Valley and would serve as the nearest transit service to the project site. The nearest Omnitrans bus stop serves Route 15, located approximately 650 feet east of the project site, and north and south of the intersection of Del Rosa Drive/Sixth Street. Route 15 operates between the Fontana Metrolink Transit Center and the City of Redlands via the Cities of Rialto, San Bernardino, and Highland, with a peak service frequency of 60 minutes throughout the week. Development of the proposed project would not conflict with the existing bus routes or bus stops. Therefore, impacts to transit would be **less than significant**.

b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less-than-Significant Impact. As shown below, the project-generated VMT would result in a less than significant impact.

On September 27, 2013, SB 743 was signed into law, which created a process to change the way that transportation impacts are analyzed under CEQA. SB 743 required the Governor's Office of Planning and Research to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Under the transportation guidelines, LOS, or vehicle delay, will no longer be considered an environmental impact under CEQA. The updates to the CEQA Guidelines required under SB 743 were approved on December 28, 2018. These guidelines identify VMT as the most appropriate measure of transportation impacts under CEQA as of July 1, 2020.

VMT Screening

The following screening criteria were analyzed per the San Bernardino County Transportation Authority Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment (SBCTA 2020), per direction from the City in lieu of formally adopted City VMT guidelines. The following criteria would be satisfied in order to screen-out of significant VMT impacts:

- **Projects generating less than 110 daily trips:** The proposed project is the construction and development of 47,899 square feet of warehouse buildings, estimated to generate 82 average daily trips as shown in Table 26. Therefore, the project would fall under the threshold for projects generating less than 110 average daily trips.

Based on the trip generation analysis above, the project would not generate 110 or more new daily trips. The proposed project would be screened out from conducting further VMT analysis and is presumed to have a **less-than-significant** VMT impact. Thus, the project would not require any mitigation.

- c) ***Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

Less-than-Significant Impact. Access to the project site would be provided by two driveways on the northern portion of the site on Sixth Street. Both driveways along Sixth Street would be full-access and allow for passenger access. The eastern driveway would allow truck access, and the driveway width would be 40 feet. The western driveway would allow only passenger car access, and the driveway width would be 26 feet. During site plan review, the internal roadway and driveway widths and curb radii to facilitate passenger car and truck turning and movement would be reviewed, designed, and constructed per City standards and applicable street design requirements.

The project would construct frontage improvements of existing segment of Sixth Street and new driveways for project access.

For on-site construction and any improvements required within the public ROW, the proposed project would be required to comply with standards set forth by the City to ensure that the project does not introduce an incompatible design feature that would impede traffic flow on roadway facilities. There would be no incompatible or hazardous uses associated with the proposed project, and impacts would be **less than significant**.

- d) ***Would the project result in inadequate emergency access?***

Less-than-Significant Impact. Access to the project site would be provided by two driveways on the northern portion of the site on Sixth Street. Emergency vehicle access will be available at both driveways and facilitated such that the project is accessible to emergency responders during construction and operation of the project. Therefore, impacts associated with an emergency response plan or emergency evacuation plan would be **less than significant**.

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. TRIBAL CULTURAL RESOURCES				
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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

The evaluation of potential impacts to TCRs is based on the findings resulting from tribal consultation conducted by the City, as the lead agency, as well as the findings of the Phase I Archaeological Resources Assessment conducted by Dudek in 2022 (Appendix C). Background research conducted to inform this analysis include the results of an NAHC SLF search, ethnographic research, archival research and CHRIS database records search, and the results of formal tribal consultation completed by the lead agency, the City, pursuant to California AB 52, a brief summary of which is provided in this section.

Existing Setting – Ethnohistoric

The history of the Native American communities prior to the mid-1700s has largely been reconstructed through later mission-period and early ethnographic accounts. The first records of the Native American inhabitants of the region come predominantly from European merchants, missionaries, military personnel, and explorers. These brief, and generally peripheral, accounts were prepared with the intent of furthering respective colonial and economic aims and were combined with observations of the landscape. They were not intended to be unbiased accounts regarding the cultural structures and community practices of the newly encountered cultural groups. The establishment of the missions in the region brought more extensive documentation of Native American communities, though these groups did not become the focus of formal and in-depth ethnographic study until the early twentieth century (Bean and Shipek 1978; Boscana 1846; Harrington 1934; Laylander 2000; Sparkman 1908; White 1963). The principal intent of these researchers was to record the precontact and culturally specific

practices, ideologies, and languages that had survived the destabilizing effects of missionization and colonialism. This research, often understood as “salvage ethnography,” was driven by the understanding that traditional knowledge was being lost due to the impacts of modernization and cultural assimilation. Alfred Kroeber applied his “memory culture” approach (Lightfoot 2005, p. 32) by recording languages and oral histories within the region. Ethnographic research by Dubois, Kroeber, Harrington, Spier, and others during the early twentieth century seemed to indicate that traditional cultural practices and beliefs survived among local Native American communities.

It is important to note that even though there were many informants for these early ethnographies who were able to provide information from personal experiences about native life before the Europeans, a significantly large proportion of these informants were born after 1850 (Heizer and Nissen 1973); therefore, the documentation of precontact, aboriginal culture was being increasingly supplied by individuals born in California after considerable contact with Europeans. As Heizer (1978) stated, this is an important issue to note when examining these ethnographies, since considerable culture change had undoubtedly occurred by 1850 among the Native American survivors of California.

Based on ethnographic information, it is believed that at least 88 different languages were spoken from Baja California Sur to the southern Oregon state border at the time of Spanish contact (Johnson and Lorenz 2006, p. 34). The distribution of recorded Native American languages has been dispersed as a geographic mosaic across California through six primary language families (Golla 2007).

Golla contended that one can interpret the amount of variability within specific language groups as being associated with the relative “time depth” of the speaking populations (Golla 2007, p. 80). A large amount of variation within the language of a group represents a greater time depth than a group’s language with less internal diversity. One method that he has employed is by drawing comparisons with historically documented changes in Germanic and Romantic language groups. Golla observed that the “absolute chronology of the internal diversification within a language family” can be correlated with archaeological dates (2007, p. 71). This type of interpretation is modeled on concepts of genetic drift and gene flows that are associated with migration and population isolation in the biological sciences.

The tribes of this area have traditionally spoken Takic languages that may be assigned to the larger Uto–Aztecan family (Golla 2007, p. 74). These groups include the Gabrieliño, Cahuilla, and Serrano. Golla interpreted the amount of internal diversity within these language-speaking communities to reflect a time depth of approximately 2,000 years. Other researchers have contended that Takic may have diverged from Uto–Aztecan ca. 2600 BC–AD 1, which was later followed by the diversification within the Takic speaking tribes, occurring approximately 1500 BC–AD 1000 (Laylander 2000).

Serrano

Traditionally, the Serrano lived in an area east of the Gabrieliño and north of the Cahuilla, near present-day western San Bernardino County and northeastern Los Angeles County (Laylander 2000). The Serrano occupied an area in and around the San Bernardino Mountains between approximately 1,500 and 11,000 feet above mean sea level. Their territory extended west along the northern slope of the San Gabriel Mountains, east as far as Twentynine Palms, north along the Mojave River, and south to the San Jacinto area. Kroeber (1925) divided the Serrano into four distinct groups within the western Mojave Desert: the Kitanemuk, Tataviam, Serrano, and Vanyume. Each group held a distinct territory within the region (Kroeber 1925). According to Bean and Smith (1978a, p. 570), “the Serrano resided in an area that extended east of the Cajon Pass, located in the San Bernardino Mountains, to Twenty-nine Palms, the north foothills of the San Bernardino Mountains and south to include portions of the Yucaipa Valley.”

Serrano social organization was based on patrilineal and patrilocal lineages. Exogamy rules required that a man could not marry a woman related to them within five generations. Women moved to their husband's village but kept their identity as a member of their natal lineage (Cultural Systems Research 2005, p. 15).

The Serrano were mainly hunters and gatherers who occasionally fished. Game hunted included mountain sheep, deer, antelope, rabbits, small rodents, and various birds, particularly quail. Vegetable staples consisted of acorns, piñon nuts, bulbs and tubers, shoots and roots, berries, mesquite, barrel cacti, and Joshua tree (Bean and Smith 1978a; Cultural Systems Research 2005, p. 15). A variety of materials was used for hunting, gathering, and processing food, as well as for shelter, clothing, and luxury items. Shells, wood, bone, stone, plant materials, animal skins, and feathers were used for making baskets, pottery, blankets, mats, nets, bags and pouches, cordage, awls, bows, arrows, drills, stone pipes, musical instruments, and clothing (Bean and Smith 1978a).

The majority of the Serrano lived in small villages, close to sources of fresh water (Benedict 1924). Houses and ramadas were round, dome-shaped, and constructed of poles covered with bark and tule mats (Benedict 1924; Kroeber 1925). The Serrano also had sweat houses and ceremonial houses for religious activities. Further, according to Benedict (1924), a typical Serrano settlement was a village with multiple small satellite camps surrounding it. Most Serrano villages also had a ceremonial house used as a religious center. Other structures within the village might include granaries and sweathouses (Bean and Smith 1978a). According to DeBarros (2004), one of the more prominent Serrano villages was called Guapiabit, and it was located in Summit Valley.

Gabrieleño/Tongva

The archaeological record indicates that the Gabrieliño arrived in the Los Angeles Basin around 500 BC. Surrounding native groups included the Chumash and Tataviam to the northwest, the Serrano and Cahuilla to the northeast, and the Juaneño and Luiseño to the southeast.

The names by which Native Americans identified themselves have, for the most part, been lost and replaced by those derived by the Spanish people administering the local Missions. These names were not necessarily representative of a specific ethnic or tribal group, and traditional tribal names are unknown in the post-Contact period. The name "Gabrieliño" or "Gabrieleño" was first established by the Spanish from the San Gabriel Mission and included people from the established Gabrieliño area as well as other social groups (Bean and Smith 1978b; Kroeber 1925). Some contemporary Gabrieliño identify themselves as descendants of the indigenous people living across the plains of the Los Angeles Basin and refer to themselves as the Tongva (King 1994, p. 12). This term is used in the remainder of this section in addition to the name "Gabrieleño" to refer to the precontact inhabitants of the Los Angeles Basin and their descendants.

The Gabrieleño/Tongva established large, permanent villages along rivers and streams and lived in sheltered areas along the coast. Gabrieleño/Tongva lands included the greater Los Angeles Basin and three Channel Islands—San Clemente, San Nicolas, and Santa Catalina—and stretched from the foothills of the San Gabriel Mountains to the Pacific Ocean. Archaeological sites composed of villages with various sized structures have been identified throughout the Los Angeles Basin. A total tribal population has been estimated of at least 5,000 (Bean and Smith 1978b, p. 540), but recent ethnohistoric work suggests a number approaching 10,000 seems more likely (O'Neil 2002). At least one Gabrieleño/Tongva village was located near Glendora: Ashuukshanga (also Azucsagna), located near the mouth of the San Gabriel River in present-day Azusa (McCawley 1996, p. 44). Within the permanent village sites, the Gabrieleño/Tongva constructed large, circular, domed houses made of willow poles thatched with tule, each of which could hold upwards of 50 people (Bean and Smith 1978b). Other structures constructed throughout the villages probably served as sweathouses, menstrual huts, ceremonial enclosures, and communal granaries.

Cleared fields for races and games, such as lacrosse and pole throwing, were created adjacent to Tongva villages (McCawley 1996).

The Gabrieleño/Tongva subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the tribe exploited mountains, foothills, valleys, and deserts as well as riparian, estuarine, and open and rocky coastal eco-niches. Like most native Californians, acorns were the staple food (an established industry by the time of the early Intermediate Horizon). Acorns were supplemented by the roots, leaves, seeds, and fruits of a variety of flora (e.g., islay, cactus, yucca, sages, and agave). Freshwater and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals, were also consumed (Bean and Smith 1978b, p. 546; Kroeber 1925, pp. 631–632; McCawley 1996, pp. 119–123, 128–131).

The Gabrieleño/Tongva participated in an extensive exchange network, trading coastal goods for inland resources. They exported Santa Catalina Island steatite products, roots, seal and otter skins, fish and shellfish, red ochre, and lead ore to neighboring tribes, as well as to people as far away as the Colorado River. In exchange, they received ceramic goods, deerskin shirts, obsidian, acorns, and other items. This burgeoning trade was facilitated by the use of craft specialists, a standard medium of exchange (Olivella bead currency), and the regular destruction of valuables in ceremonies, which maintained a high demand for these goods (McCawley 1996, pp. 112–115).

NAHC Sacred Lands File Search

A search of the NAHC SLF was requested on December 27, 2022 and conducted by Cultural Resources Analyst Cameron Vela on January 20, 2023 to determine the presence of any reported Native American cultural resources within the proposed Project site as listed in the NAHC maintained SLF (see Appendix D). The NAHC SLF records search results were positive. The NAHC identified 30 Native American individuals who would potentially have specific knowledge as to whether or not Native American cultural resources are identified within the proposed Project site that could be at-risk. To date, Dudek has not initiated contact with the individuals on the NAHC's contact list, in regard to the proposed Project site. Note: Sacred Land Files maintained by the NAHC represent a curation of “ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California” (nahc.gov 2021) provided by Tribal entities and Native American representatives. For various reasons, Tribal entities and Native American representatives do not always report sacred lands or TCRs to the NAHC; as such, the NAHC's SLF is not necessarily a comprehensive list of known TCRs and searches of the SLF must be considered in concert with other research and not used as a sole source of information regarding the presence of TCRs. Additionally, results of the SLF provided relate to the general regional area within and surrounding the proposed Project site and don't necessarily equate to the existence of resources within the specific area occupied by the proposed Project site.

Assembly Bill 52

AB 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. PRC Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American Tribe. A TCR is either:

- On the CRHR or a local historic register;
- Eligible for the CRHR or a local historic register; or

- 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 PRC Section 5024.1.

AB 52 formalizes the lead agency-tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project area, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, MND, or EIR by contacting those tribal groups who have previously provided formal written request for notification of projects under the agency's jurisdiction.

Section 1 (a)(9) of AB 52 establishes that "a substantial adverse change to a tribal cultural resource has a significant effect on the environment." Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to TCRs, the consultation shall include those topics (PRC Section 21080.3.2[a]). Finally, the environmental document, for which the tribal consultation is focused, and the mitigation monitoring and reporting program (where applicable), developed in consideration of information provided by tribes during the formal consultation process, shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

Assembly Bill 52 Consultation

The project is subject to compliance with AB 52 (PRC 21074), which requires consideration of impacts to TCRs as part of the CEQA process, and that the lead agency notify California Native American Tribal representatives (that have requested notification) who are traditionally or culturally affiliated with the geographic area of the proposed project. All NAHC-listed California Native American Tribal representatives that have requested project notification pursuant to AB 52 were sent letters by the City on September 27, 2022, via postal mail. The notification letters contained a project description, outline of AB 52 timing, an invitation to consult, a project site plan, and contact information for the appropriate lead agency representative. To date, two responses from the Yuhaaviatam of San Manuel Nation (formerly the San Manuel Band of Mission Indians) have been received by the City. Table 3.18-1 summarizes the results of the AB 52 process for the project.

Table 27. Assembly Bill 52 Native American Heritage Commission-Listed Native American Contacts

Native American Tribal Representatives	Response Received
Dan Little, Chief Intergovernmental Affairs Officer San Manuel Band of Mission Indians	No response received to date.
Lee Clauss, Director Cultural Resources Management Department San Manuel Band of Mission Indians	No response received to date.
Michelle Hickey, VP/Associate General Counsel San Manuel Band of Mission Indians	No response received to date.
Peter Mateo, Director of Tribal Planning Development San Manuel Band of Mission Indians	No response received to date.

Table 27. Assembly Bill 52 Native American Heritage Commission-Listed Native American Contacts

Native American Tribal Representatives	Response Received
Ryan Nordness, Cultural Resource Analyst Yuhaaviatam of San Manuel Nation (YSMN; formerly San Manuel Band of Mission Indians)	Email response received by the City on October 3, 2022: Acknowledged receipt of notification letter sent by the City that was received by the YSMN on October 1, 2022 and informed the City that Mr. Nordness would be the point of contact for the YSMN. Stated that the project is within Serrano ancestral territory. However, due to the nature of the project and location, the YSMN does not have any concerns and provided mitigation measures to be considered as part of the project permitting and planning and requested a final copy for review. The YSMN concluded consultation. Follow-up email response received by the City on October 31, 2022: Acknowledged receipt of notification letter sent by the City that was received by the YSMN on October 4, 2022. Stated that the project is within Serrano ancestral territory. However, due to the nature of the project and location, the YSMN does not have any concerns and provided language to be made part of the project conditions/[conditions of approval]/[notice to proceed].
Andrew Salas, Chairman Gabrieleno Band of Mission Indians	No response received to date.
Joseph Ontiveros, Cultural Resource Director Soboba Band of Luiseno Indians	No response received to date.

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)?*

Less-than-Significant Impact. As discussed in Section 3.5, no previously recorded archaeological resources of Native American origin or tribal cultural resources listed in the CRHR or a local register were identified within the proposed project site as a result of the SCCIC records. While the SLF record is positive, it is important to note that the SLF record is maintained at a public land survey system section level meaning the negative or positive result is respective of a general area covering approximately 1 square mile (640 acres) rather than the exact area of study and therefore, does not necessarily equate to the existence of resources within the specific area occupied by the project site. Additionally, the City notified California Native American Tribal representatives who are traditionally or culturally affiliated with the geographic area of the project pursuant to AB 52. No tribal cultural resources were identified as a result of information provided from consulting tribe. Therefore, the project would not adversely affect TCRs that are listed or eligible for listing in the state or local register. Impacts would be less than significant.

- 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Less-than-Significant Impact with Mitigation Incorporated. The project is subject to compliance with AB 52 (PRC 21074), which requires consideration of impacts to tribal cultural resources as part of the CEQA process and requires lead agencies to provide notification of proposed projects to California Native American Tribal representatives that have requested such notifications. While the City has not identified any TCRs within the project site that would warrant discretionary designation of a resource as a TCR through tribal consultation under AB 52, the City understands that there is a potential to encounter intact cultural deposits to exist within native soils (below 1 and 2 feet below ground surface). Moreover, given that the project site is within the Santa Ana River Watershed and a tributary of Warm Creek historically intersected the northwestern quadrant of the project site, there is a potential for the project site to be buried in alluvial and flood deposits. For these reasons, the City, in an abundance of caution, is requiring MM-TCR-1 to address the inadvertent discovery of unknown tribal cultural resources during project construction, in addition to MM-CUL-1, MM-CUL-2, and MM-CUL-3. With incorporation of these mitigation measures, impacts would be less than significant.

MM-TCR-1 Tribal Cultural Resources - Should pre-contact and/or historic-era cultural resources that are Native American in origin be discovered during project implementation, Native American Tribes that are traditionally associated with the project area and have consulted on the project, shall be contacted and be provided information regarding the resource. The resources will be treated consistent with the requirements outlined in MM-CUL-3 and in consultation with the notified tribes. Additionally, should the resource be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the retained archaeologist for the project, in coordination with the consulting Tribe(s), and all subsequent finds shall be subject to this Plan. This Plan shall allow for a Native American monitor to be present for the remainder of the project, should the consulting Tribe(s) elect to place a monitor on-site. 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 the City for dissemination to the consulting Tribe(s). The City and/or applicant shall, in good faith, consult with the consulting Tribe(s) throughout the life of the project.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, waste water 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 and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the waste water 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?	☐	☐	☒	☐
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 management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

- a) ***Would the project require or result in the relocation or construction of new or expanded water, waste water treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

Less-than-Significant Impact. The proposed project involves the construction of a warehouse building, paved parking areas, and landscape areas. The project site currently consists of undeveloped vacant land. Therefore, the proposed project may increase demand for water supply.

As part of the project, utility service lines, including those for water, wastewater, stormwater drainage, electric power, natural gas, and telecommunications services, would be extended from their current locations in the public ROW surrounding the project site for operation of the proposed warehouse building. The proposed project would include the addition of a domestic water line and a 2-foot sewer line connecting to existing utility lines within Sixth Street, as well as various underground pipes to convey stormwater to an

84-foot CMP infiltration system. In addition, existing aboveground utility lines on the eastern project boundary would be re-routed underground, consistent with the City's Municipal Code, Section 16.40.380.

Given that the activity of connecting utilities from their current locations within the public ROW would require ground disturbance and the use of heavy machinery associated with trenching, the connection of these utility services to the proposed warehouse building could potentially result in environmental effects. However, the extension of these utility lines is part of the proposed project analyzed herein. As such, any potential environmental impacts related to these components of the project are already accounted for in this IS/MND as part of the impact assessment conducted for the entirety of the project. No adverse physical effects beyond those already disclosed in this IS/MND would occur as a result of implementation of the project's utility system connections. Additionally, the project would constitute a nominal increase in utility usage, which has already been accounted for in growth projections for the City and by each utility provider. No modifications to utility infrastructure would be necessary outside of the immediate project area. As such, impacts associated with the construction or expansion of utility line connections would be **less than significant**.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less-than-Significant Impact. Domestic water would be provided to the project site by EVWD. EVWD provides domestic water for the City and for portions of both the City and County of San Bernardino. The primary water source for EVWD is groundwater from the Bunker Hill Basin. The Bunker Hill Basin has the capacity to provide 70,000 acre-foot per year of water from groundwater and surface water sources (City of San Bernardino 2005). The San Bernardino Valley Regional Urban Water Management Plan contains existing and projected water supplies for the region, including EVWD (SBVMWD 2021). Table 28 shows projected water supplies during single- and multiple-dry year conditions, which represents "worst-case" conditions during extended periods of drought when supplies would be reduced.

Table 28. Projected Multiple-Dry Year Supply and Demand Comparison (Acre-Feet)

Multiple-Dry Year Scenario	2025	2030	2035	2040	2045
First Year					
Supply Totals	26,676	26,676	26,676	52,972	52,972
Demand Totals	26,676	26,676	26,676	52,972	52,972
Difference (supply minus demand)	0	0	0	0	0
Second Year					
Supply Totals	26,676	26,676	26,676	52,972	52,972
Demand Totals	26,676	26,676	26,676	52,972	52,972
Difference (supply minus demand)	0	0	0	0	0
Third Year					
Supply Totals	26,676	26,676	26,676	52,972	52,972
Demand Totals	26,676	26,676	26,676	52,972	52,972
Difference (supply minus demand)	0	0	0	0	0
Fourth Year					
Supply Totals	26,676	26,676	26,676	52,972	52,972

Table 28. Projected Multiple-Dry Year Supply and Demand Comparison (Acre-Feet)

Multiple-Dry Year Scenario	2025	2030	2035	2040	2045
Demand Totals	26,676	26,676	26,676	52,972	52,972
Difference (supply minus demand)	0	0	0	0	0
Fifth Year					
Supply Totals	26,676	26,676	26,676	52,972	52,972
Demand Totals	26,676	26,676	26,676	52,972	52,972
Difference (supply minus demand)	0	0	0	0	0

Source: SBVMWD 2021.

Table 28 demonstrates that EVWD anticipates adequate supplies for years 2025 to 2045 under multiple dry year conditions based on current land use projections. However, in the unlikely event of a drought, a natural disaster such as earthquake, or a regional power outage, the San Bernardino Valley Municipal Water District has prepared a water shortage contingency plan for the region (SBVMWD 2021). This plan provides specific actions that should be taken to ensure critical water needs of the region are met during a period in which water supplies are cut by 50%. Based on the future and existing capacity and water management measures, it is anticipated there are sufficient water supplies to serve the proposed project. Therefore, impacts associated with water supplies would be **less than significant**.

- c) *Would the project result in a determination by the waste water 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?*

Less-than-Significant Impact. The City's sewer system is maintained by EVWD, which has joint powers with the City of San Bernardino to accept all sewage generated within EVWD's boundaries. The project would coordinate with EVWD to meet sewer requirements established by the Department of Health Services to ensure the continued sewer services in the City, which has the potential to be impacted with continued growth within the City. However, water recycling programs, such as the project's infiltration system, assist in reducing the amount of wastewater conveyed to the sewage system. The sewage from the City is treated at the San Bernardino WRP, operated by the San Bernardino City Municipal Water District (City of Highland 2006). The WRP treats residential and industrial wastewater generated in the City of San Bernardino, the City of Loma Linda, and EVWD (City of San Bernardino 2005). The WRP processes an average sewage flow of approximately 26 to 27 million gallons per day and has a total sewage capacity of 33 million gallons per day (City of Highland 2006).

The San Bernardino Municipal Water Department forecasts adequate capacity to treat wastewater in the upcoming years. As noted above in Section 3.19(a), the proposed project is consistent with the existing zoning designation established by the City. As such, anticipated wastewater generation for an industrial use has already been accounted for in growth projections for the City. Existing infrastructure is adequate to convey wastewater without requiring the expansion of the facilities. In addition, the project applicant would pay applicable connection fees and monthly charges that offset the need for incremental wastewater conveyance and treatment. Therefore, impacts associated with wastewater capacities would be **less than significant**.

EVWD recently constructed a new wastewater treatment plan, Sterling Natural Resources Plan, at the intersection of Del Rosa Avenue and Fifth Street. This new facility provides improved and expanded service to all sewer clients in the City.

d) *Would the project 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?*

Less-than-Significant Impact. Solid waste generated in the City is collected and transported by the City's contract waste hauler, Burrtec Waste Industries (City of Highland 2018). Solid waste from demolition and construction would be collected and sent to the East Valley Transfer and Recycling Materials Recovery Facility, located at 1150 and 1250 South Tippecanoe Avenue, San Bernardino, California 92408, where it is separated from recyclable materials. Solid waste is then shipped to the Mid-Valley Sanitary Landfill at 2390 North Adler Avenue in the City of Rialto. The California Department of Resources Recycling and Recovery (CalRecycle) publishes solid waste generation rates based on land use types. According to CalRecycle, manufacturing/warehouse uses generate 1.42 pounds of solid waste per 100 square feet per day (CalRecycle n.d.). Based on these generation rates, construction of the proposed 47,899-square-foot warehouse building could generate solid waste at a rate of approximately 1 ton of solid waste per day.²⁵

The Mid-Valley Sanitary Landfill currently has a daily permitted throughput of 7,500 tons a day and a remaining capacity of 61,219,377 cubic yards (CalRecycle 2019). As a result, solid waste generated by the proposed project would represent a nominal percentage of the collective maximum daily throughput permitted for this landfill. Therefore, impacts associated with permitted landfill capacity would be **less than significant**.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Less-than-Significant Impact. All collection, transportation, and disposal of solid waste generated by the project would comply with all applicable federal, state, and local statutes and regulations. The City contracts Burrtec Waste Industries for the residential and commercial refuse collection program, which is designed to efficiently collect trash, recyclables, and green waste and to assist the City in meeting mandated diversion goals established by the State of California. Solid waste is disposed of at the Colton, Mid-Valley, and San Timoteo landfills (City of Highland 2006).

Waste from construction activities, including demolition and construction, would comply with the City's requirement to submit and obtain an approved construction waste diversion plan to help divert construction and demolition waste from landfills, as outlined in Section 8.12.285 of the City's Municipal Code, and also to comply with mandates of CalRecycle. The City diversion requirement, as outlined in Section 16.40.400 of the City's Municipal Code, is 50%, which means that projects that involve construction and demolition (such as the proposed project) are required to divert 50% of the construction and demolition waste tonnage at a project site from landfills.

Burrtec Waste Industries operated five material recovery facilities in Southern California, which sort and process recyclables; the remaining waste is then taken to the nearby Mid-Valley Sanitary Landfill. As of the most recent capacity inspection completed in 2019, the remaining capacity at Mid-Valley Sanitary Landfill

²⁵ This estimate does not account for diversion of recyclables from the solid waste stream and, thus, should be considered a conservative projection.

currently has a maximum permitted throughput of 7,500 tons per day and a remaining capacity of 61,219,377 cubic yards (CalRecycle 2019).

As required by existing regulations, any hazardous materials collected on the project site during demolition, construction, or operational activities would be transported and disposed of by a permitted and licensed hazardous materials service provider at a facility permitted to accept such hazardous materials. Therefore, impacts associated with permitted landfill capacity and solid waste statutes and regulations would be **less than significant**.

3.20 Wildfire

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XX. WILDFIRE – 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?	☐	☐	☐	☒

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The project is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2008). In addition, the project site is currently composed of vacant land and is located in a developed portion of the City. The City's General Plan outlines major evacuation routes within the San Bernardino Valley as I-10, I-15, and I-215, and State Highways 30, 31, 60, 66, and 71 (City of Highland 2006). In the case of an emergency, Sixth Street and Del Rosa Drive may be used as evacuation routes, but these roads

are not explicitly outlined as evacuation routes by the City. As discussed in Section 3.9, Hazards and Hazardous Materials, the project would not significantly affect emergency response or evaluation activities. Therefore, **no impacts** associated with an emergency response or evacuation plan would occur.

- b) ***Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

No Impact. The project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2008). In addition, the project site is currently undeveloped and vacant within a developed portion of the City. Further, the project site is relatively flat and contains only limited amounts of ornamental vegetation associated with existing landscaping and does not contain extensive amounts of vegetation or wildfire fuel. Therefore, it is not anticipated that the project, due to slope, prevailing winds, and other factors, would exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Thus, the project would not expose people or structures to significant risk involving wildfires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, **no impacts** associated with wildfire would occur.

- c) ***Would the project 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?***

No Impact. The project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2008). In addition, the project site is currently undeveloped and located within a developed portion of the City that is not prone to wind hazard (City of San Bernardino 2005). The project would construct surface parking lots, new internal circulation roadways, and infrastructure for the proposed development. It is not anticipated that installation or maintenance of internal driveways would exacerbate fire risk, as the driveways would be surrounded by developed land. Further, the project site is in a predominately developed area and would connect to existing utilities. The project would not require installation or maintenance of other associated infrastructure such as fuel breaks, power lines, or other utilities that would exacerbate fire risk. As such, the project would not expose people or structures to significant risk involving wildland fires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, **no impacts** associated with wildfire would occur.

- d) ***Would the project 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?***

No Impact. The project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2007, 2008). As discussed in Section 3.7, Geology and Soils, and Section 3.10, Hydrology and Water Quality, the project would not result in significant risks associated with flooding, landslides, runoff, or drainage changes, and the project does not propose the use of fire (such as for a controlled vegetation burn) that would result in post-fire instability. Further, the project site is located within a developed portion of the City that is not susceptible to wildland fires, given its considerable distance from open, natural areas. Thus, the project would not expose people or structures to significant risk involving wildland fires,

exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, **no impacts** with wildfire would occur.

3.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
XXI. 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?	☐	☒	☐	☐

- 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?***

Less-than-Significant with Mitigation Incorporated. As described throughout this IS/MND, with the incorporation of the identified mitigation measures, the project would not degrade the quality of the environment, would not substantially reduce the habitats of fish or wildlife species, would not cause a fish or wildlife population to drop below self-sustaining levels, would not threaten to eliminate a plant or animal, and would not eliminate important examples of major periods of California history or prehistory. Therefore, impacts would be **less than significant with mitigation incorporated**.

- 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.)*

Less-than-Significant with Mitigation Incorporated. When evaluating cumulative impacts, it is important to remain consistent with Section 15064(h) of the CEQA Guidelines, which states that an EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Alternatively, a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable through mitigation measures set forth in an MND or if the project will comply with the requirements in a previously approved plan or mitigation program that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located.

The proposed project would potentially result in project-related air quality, biological, cultural and tribal cultural, and geological impacts that could be potentially significant without the incorporation of mitigation. Thus, when coupled with air quality, biological, cultural resources and TCRs, and geological impacts related to the implementation of other related projects throughout the broader project area, the project would potentially result in cumulative-level impacts if these significant impacts are left unmitigated.

However, with the incorporation of mitigation identified herein, the project's impacts to air quality, biological resources, cultural resources and TCRs, and geological resources would be reduced to less-than-significant levels and would not considerably contribute to cumulative impacts in the greater project region. In addition, these other related projects would presumably be bound by their applicable lead agency to (1) comply with all applicable federal, state, and local regulatory requirements; and (2) incorporate all feasible mitigation measures, consistent with CEQA, to further ensure that their potentially cumulative impacts would be reduced to less-than-significant levels.

Although cumulative impacts are always possible, the project, by incorporating all mitigation measures outlined herein, would reduce its contribution to any such cumulative impacts to less than cumulatively considerable; therefore, the project would result in individually limited, but not cumulatively considerable, **less-than-significant impacts with mitigation incorporated.**

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

Less-than-Significant with Mitigation Incorporated. As evaluated throughout this IS/MND, with incorporation of mitigation identified herein, all environmental impacts associated with the project would be reduced to less-than-significant levels. Thus, the project would not directly or indirectly cause substantial adverse effects on human beings. Impacts would be **less than significant with mitigation incorporated.**

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Michael Greene – Senior Acoustician
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Sabita Tewani – Transportation Specialist
Kelsey Bacon – GIS Specialist
Kathryn Landoe – Technical Editor
Laura Reed – Publications Specialist

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FIGURE 1

Project Location

6th St & Del Rosa Warehouse

SOURCE: Bing Aerial Maps 2022, Open Streets Map 2019

DUDEK 0 260 520 Feet

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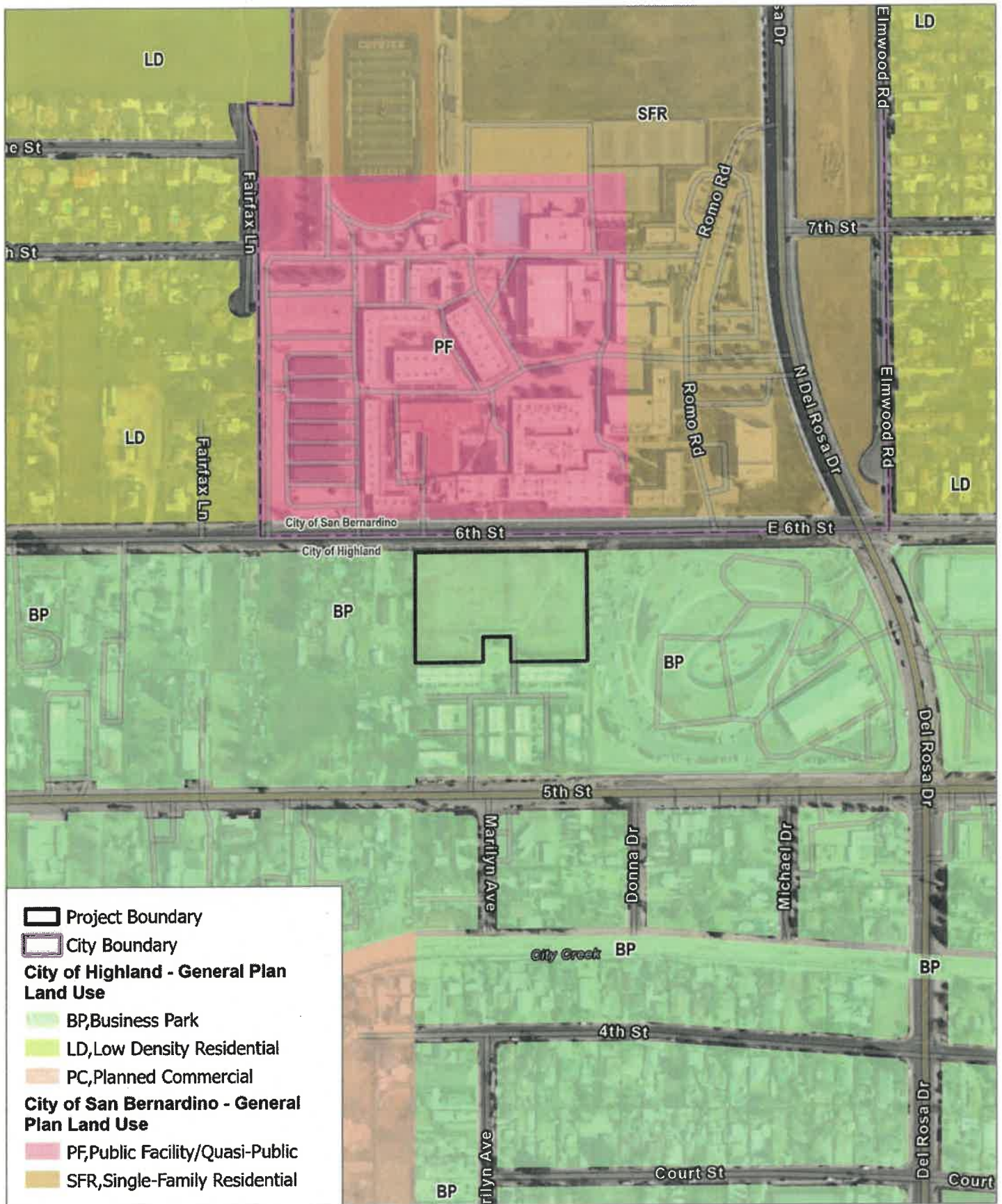
SOURCE: Bing Aerial Maps 2022, Open Streets Map 2019

FIGURE 2

Aerial Overview

6th St & Del Rosa Warehouse

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SOURCE: Bing Aerial Maps 2022, Open Streets Map 2019, City of Highland, City of San Bernardino

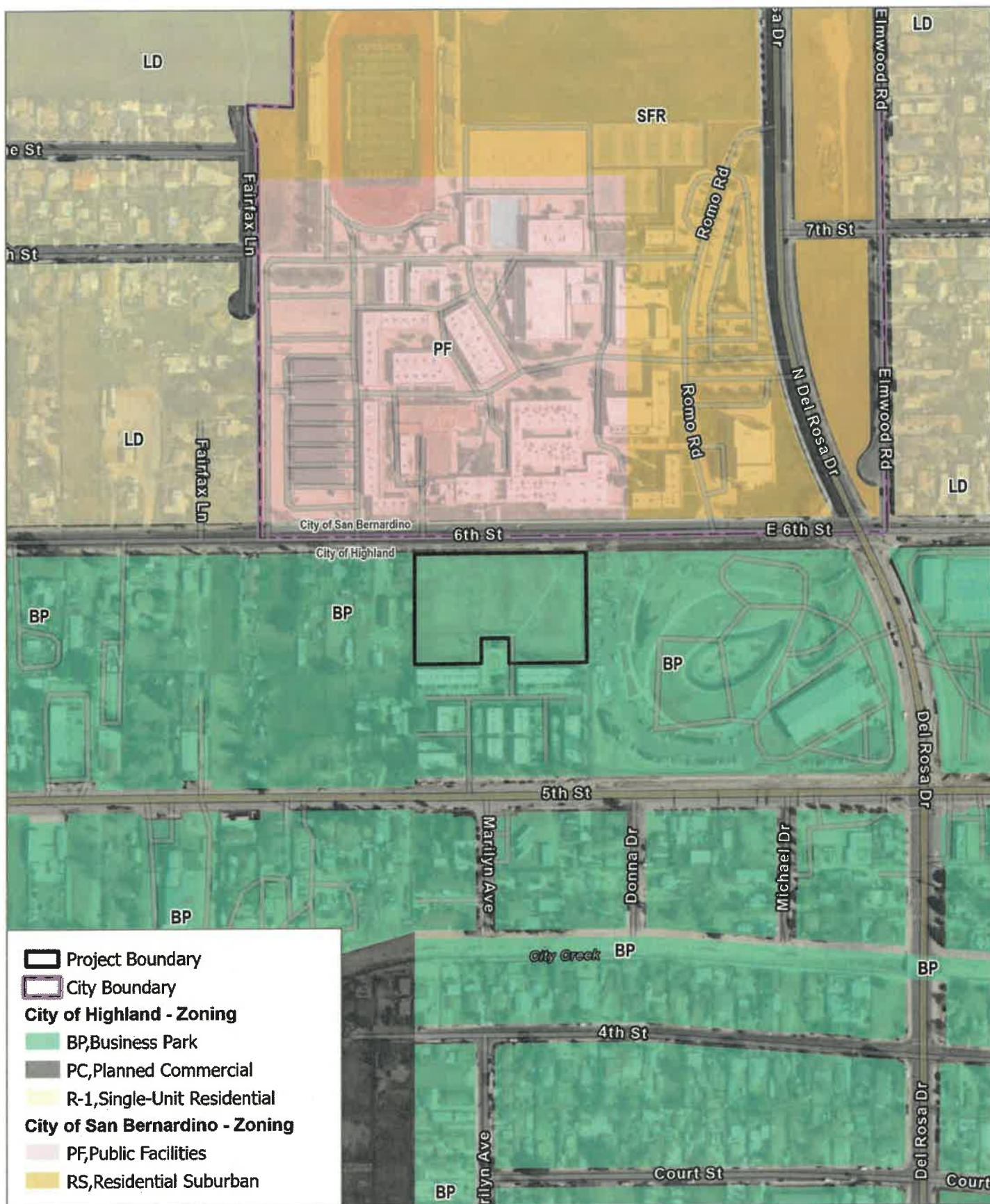
DUDEK 0 100 200 Feet

FIGURE 3

General Plan Land Use

6th St & Del Rosa Warehouse

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SOURCE: Bing Aerial Maps 2022, Open Streets Map 2019, City of Highland, City of San Bernardino

FIGURE 4

Zoning

6th St & Del Rosa Warehouse

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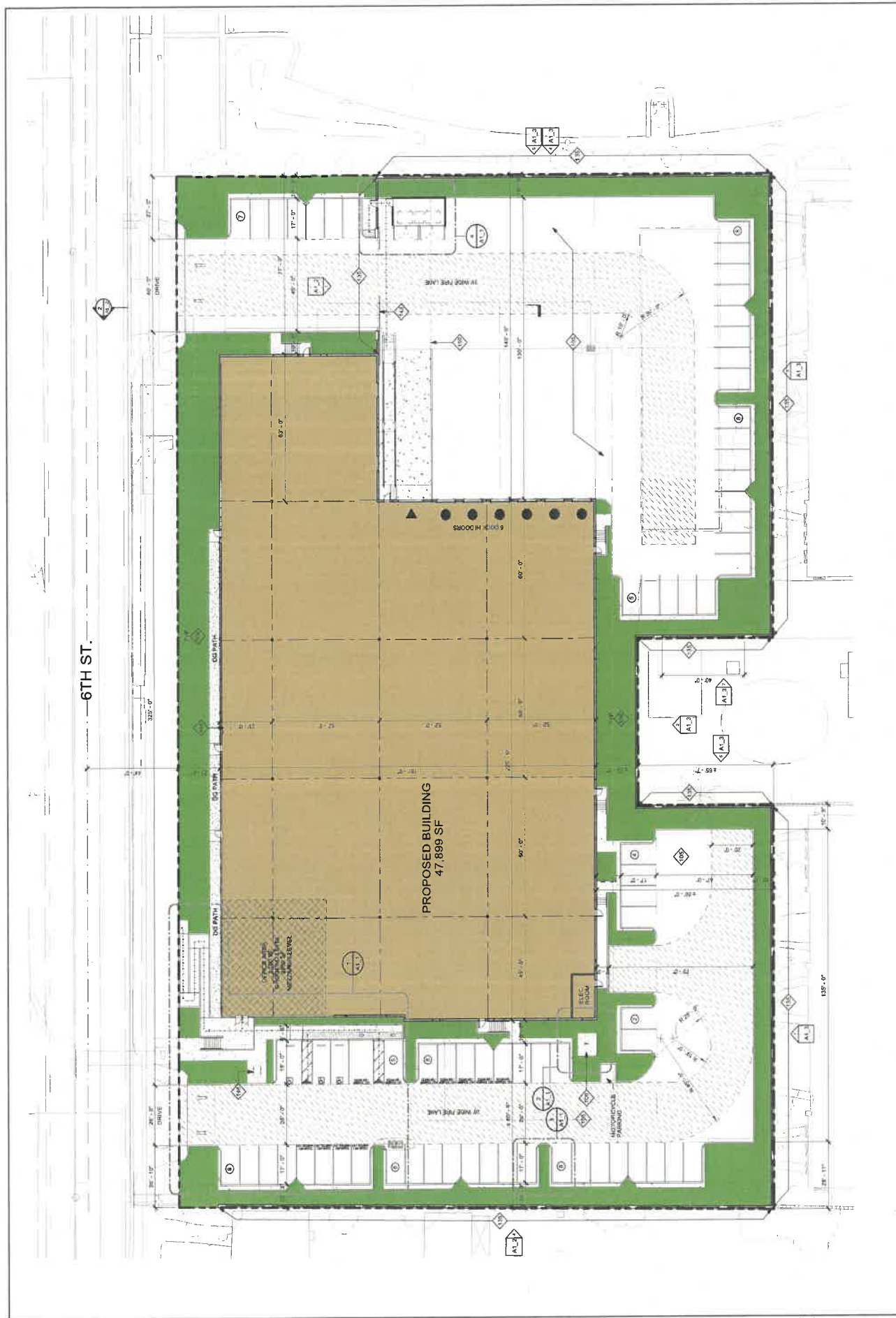
SOURCE: Bing Aerial Maps 2022, Open Streets Map 2019

FIGURE 5

Airport Gateway Specific Plan

6th St & Del Rosa Warehouse

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Source: Herdman, 2023

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Source: Herdman, 2023

DUDEK

FIGURE 8

Conceptual Rendering

6th Street and Del Rosa Drive Warehouse Project ISMND

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FIGURE 10

Noise Measurement Locations

6th St & Del Rosa Warehouse

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Appendix A-1

Air Quality, Greenhouse Gas Emission, and Energy Modeling Inputs and Outputs

Mitigation Monitoring and Reporting Program Initial Study/Mitigated Negative Declaration

Sixth Street and Del Rosa Drive Warehouse Project

APRIL 2023

Prepared for:



CITY OF HIGHLAND

27215 Base Line

Highland, California 92346

Contact: Angela Tafolla

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1 Introduction

The California Environmental Quality Act (CEQA) requires that a public agency adopting a Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)).

This Mitigation Monitoring and Reporting Program (MMRP) will be used by the City of Highland (City) to ensure compliance with adopted mitigation measures identified in the MND for the proposed Sixth Street and Del Rosa Drive Warehouse Project (project) located at the southwest corner of Sixth Street and Del Rosa Drive in Highland, California (project) when construction begins. The City, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for air quality, biological resources, cultural resources, geology and soils (paleontological resources), and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

City of Highland
Planning Department
27215 Base Line
Highland, California 92346

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2 Mitigation Monitoring and Reporting Program Table

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Air Quality				
MM-AQ-1: Construction Equipment Emissions Reductions. The following measures shall be incorporated into the project to reduce diesel particulate matter (DPM) health risk generated by construction equipment used for the project. Prior to the issuance of a grading permit, the following shall be incorporated into the grading plan and/or grading permit conditions: For off-road equipment with engines rated at 75 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Interim. An exemption from these requirements may be granted in the event that the applicant documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment. For example, if a Tier 4 Interim piece of equipment is not reasonably available at the time of construction and a lower tier equipment is used instead (e.g., Tier 3), another piece of equipment could be upgraded from a Tier 4 Interim to a higher tier (i.e., Tier 4 Final) or replaced with an alternative-fueled (not diesel-fueled) equipment to offset the emissions associated with using a piece of equipment that does not meet Tier 4 Interim standards. Before an exemption may be considered, the applicant shall be required to demonstrate that two	During construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
construction fleet owners/operators in the region were contacted and that those owners/operators confirmed Tier 4 Interim or better equipment could not be located in the region. To ensure that Tier 4 construction equipment or better would be used during the project's construction, the applicant will include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and California Air Resources Board or South Coast Air Quality Management District operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment.				
MM-AQ-2: Operational Forklifts. The project shall require all operational forklifts to be electric powered.	During operation	Project applicant	City of Highland	
Biological Resources				
MM-BIO-1: Avian Nesting Season Avoidance. Construction activities shall be avoided during the bird nesting season (generally February 1 through August 30) to ensure compliance with the federal Migratory Bird Treaty Act and California Fish and Game Code Section 3500 et seq. If avoidance of the nesting season is not feasible, then a pre-construction nesting bird survey shall be conducted by a qualified biologist within a maximum of 3 days prior to the start of construction in areas that could	Prior to and during construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
support tree-, shrub-, and ground-nesting birds to ensure that birds are not engaged in active nesting within 100 feet of the project's construction limits. If nesting birds are discovered during the pre-construction survey, then the qualified biologist shall identify an appropriate buffer where no ground-breaking activities are allowed to occur until after the birds have fledged from the nest. The active nest buffer size depends on the species' sensitivity to disturbance (typically up to 500 feet for raptors and 300 feet for passerines), and ongoing biological monitoring during construction may be required. Construction activities may take place in other areas on the project site, outside of the nest avoidance buffer. No construction activities may take place within the nest avoidance buffer unless authorized by an on-site monitoring biologist.				
Cultural Resources				
MM-CUL-1: Worker Environmental Awareness Program. Prior to the start of construction activities, all construction personnel and monitors shall be trained regarding identification and treatment protocol for inadvertent discoveries of cultural resources (archaeological and tribal) and human remains. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries of cultural resources and human remains. The purpose of the Worker Environmental Awareness Program training is to provide specific details on the kinds of materials that may be identified during ground-disturbing activities and	Prior to construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include but are not limited to work curtailment or redirection and the immediate contact of the site supervisor and archaeological monitoring staff.				
MM-CUL-2: Retention of an On-Call Qualified Archaeologist. A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified project implementation.	During construction	Project applicant and their construction contractor	City of Highland	
MM-CUL-3: Inadvertent Discovery Clause. In the event that potential archaeological resources (sites, features, or artifacts) are exposed during ground disturbance, all construction work occurring within 100 feet of the find shall immediately stop, and the qualified archaeologist that has been retained on call must be notified immediately to assess the significance of the find and determine whether additional study is warranted. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) 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. Depending upon the significance of the find under the California Environmental Quality Act	During construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
explain the importance of and legal basis for the protection of human remains and significant cultural resources. Each worker shall also be trained in the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include but are not limited to work curtailment or redirection and the immediate contact of the site supervisor and archaeological monitoring staff.				
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Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
(CEQA), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work (e.g., preparation of an archaeological treatment plan, testing, data recovery, or monitoring) may be warranted if the resource cannot be feasibly avoided. If monitoring is warranted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City of Highland for review. This report shall document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. 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 YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. The final report shall be submitted to the South Central Coastal Information Center. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. 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				

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall follow all required protocols according to California Public Resources Code, Section 5097.98.				
Geology and Soils				
MM-GEO-1: Geotechnical Investigation Report Recommendations. The property owner/developer shall implement all recommendations in the approved geotechnical investigation report for the proposed project during site preparation, grading, and construction, and compliance with the approved geotechnical investigation shall be verified in the field by a qualified representative. The property owner/developer shall demonstrate to the City of Highland's Building & Safety Department, Planning Department, and/or Public Works/Engineering Department staff that all or equivalent recommendations in the Geotechnical Engineering Investigation, Proposed Industrial Warehouse Development, South Side of 6th Street and West of Del Rosa Drive, Highland, California prepared by NorCal Engineering, dated June 9, 2022, or any updates to that report have been incorporated into the proposed project's design and grading plans.	During construction	Project applicant	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
MM-GEO-2: Discovery of Paleontological Resources. In the event that paleontological resources (i.e., fossil remains) are exposed during construction activities for the project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology's guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations shall be made in accordance with the Society of Vertebrate Paleontology's guidelines and shall be subject to review and approval by the City of Highland. Work in the area of the find shall only resume upon approval of a qualified paleontologist.	During construction	Project applicant	City of Highland	
Tribal Cultural Resources				
MM-TCR-1: Tribal Cultural Resources. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in MM-CUL-3, 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 resource be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the retained archaeologist for the project, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This	Prior to and during construction	Project applicant and their construction contractor	City of Highland	

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible for Monitoring	Date of Completion/ Notes
Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. 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 the City for dissemination to YSMN. The City and/or applicant shall, in good faith, consult with the YSMN throughout the life of the project.				

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STAFF REPORT

TO THE PLANNING COMMISSION

DATE: May 16, 2023

FROM: Lawrence A. Mainez, Community Development Director

PREPARED BY: Kim Stater, Assistant Community Development Director 

SUBJECT: Revisions to the City of Highland 6th Cycle 2021-2029 Housing Element in response to comments by the California Department of Housing and Community Development pursuant to Government Code Section 65585(h); Related to General Plan Amendment No. GPA-21-003 adopted on January 25, 2022.

LOCATION: City-wide

RECOMMENDATION: Staff recommends the Planning Commission adopt Resolution No. 2023-_____ recommending the City Council approve revisions to the 6th Cycle Housing Element.

PUBLIC NOTICE: As required by City Council Resolution, a Notice of Public Hearing was posted at the City's three designated posting locations, and on May 2, 2023, a legal ad was published in the San Bernardino Sun newspaper. In addition, the Notice was posted on the City's website and mailed to regional agencies and those who requested notice.

PREVIOUS ACTION: On January 25, 2022, the City Council adopted Resolution No. 2022-005, approving General Plan Amendment No. GPA 21-003 to Adopt the Sixth (6th) Cycle Housing Element as well as the Public Health, Safety, and Environmental Justice Element and amendments to the Circulation Element. No further action is needed on the Public Health, Safety and Environmental Justice Element or Circulation amendments.

PROJECT REVIEW: Staff provided a copy of the adopted Housing Element to the California Department of Housing and Community Development (HCD) for review pursuant to Government Code section 65585, subdivision (h). On April 14, 2022, HCD reported the results of its review (Attachment 1 - HCD Correspondence).

Subsequently, Staff and the City's housing consultant drafted revisions to the Housing Element to address all statutory requirements of State Housing Element Law noted in HCD's letter. Amendments were made to the body of the *Housing Element, Appendix C:*

Approved _____	Motion _____	Second _____	Agenda Item No. <u>4</u>
Denied _____	Ayes _____		File No. _____
	Noes _____		
Continue _____	Abstain _____		
	Absent _____		
 Recording Secretary		 Community Development Director	

Constraints and Zoning Analysis, Appendix D: Affirmatively Furthering Fair Housing Analysis, and Appendix E: Sites Analysis and Inventory. Many of the textual changes in the document are further refinement of existing programs, adding detailed descriptions and timeframes consistent with state law. The most notable new programs and amendments are:

- Elimination of the Crime-Free Multiple-Family Rental-Housing Program in compliance with fair housing requirements and the Federal Fair Housing Act (Program 2, page 8 of the Housing Element)
- Addition of a discussion regarding Group Homes in the “Special Needs” and “Residential Care Facilities” housing sections (Program 18, page 23 of the Housing Element)
- Amend the Zoning Code to remove subjective design review criteria and ensure an objective design review process for residential projects (Program 29, page 33 of the Housing Element)
- Rezone a combined area of at least 5 acres to increase multifamily residential options in moderate- and high opportunity/higher resources areas (Program 33, page 36 of the Housing Element)

All amendments are shown in “Track Changes” in the attached Housing Element and Appendices C, D, and E. Appendices A, B, and F are not attached as there are no proposed changes to these.

ENVIRONMENTAL REVIEW: Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the City Council adopted a Negative Declaration concurrent with adoption of the Housing Element on January 25, 2022. No further action is needed to make the proposed revisions.

PUBLIC COMMENT: On May 11, 2023, the draft revisions were posted to the City’s website and an email link was sent to all individuals and organizations requesting notice. HCD requires this notice be given 7 days in advance of submittal to HCD. No comments have been received.

Attachments:

1. HCD Correspondence dated April 14, 2022
2. Resolution No. 2021 - ____ Recommending the City Council approve revisions to the 6th Cycle Housing Element (Revised Housing Element, and Appendices C, D, and E attached)

ATTACHMENT 1

HCD Correspondence dated April 14, 2022

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



April 14, 2022

Lawrence Mainez, Director
Community Development Department
City of Highland
27215 Base Line
Highland, CA 92346

Dear Lawrence Mainez:

RE: City of Highland's 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Highland's (City) housing element adopted January 26, 2022 and received for review on February 14, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

The adopted housing element addresses most statutory requirements described in HCD's October 25, 2021 review; however, additional revisions are necessary to fully comply with State Housing Element Law (Article 10.6 of the Gov. Code), see enclosed Appendix.

~~For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), as the City failed to adopt a compliant housing element within 120 days of the statutory deadline (October 15, 2021), Program 5 (General Plan and Development Code Update) to rezone 3,392 units to accommodate the regional housing needs allocation (RHNA) must be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).~~

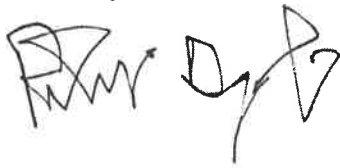
Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City meets housing element requirements for these and other funding sources.

Lawrence Mainez, Director
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For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf and http://opr.ca.gov/docs/Final_6.26.15.pdf.

HCD appreciates the City's effort throughout the course of the housing element review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Reid Miller, of our staff, at Reid.Miller@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul McDougall', with a stylized flourish at the end.

Paul McDougall
Senior Program Manager

Enclosure

APPENDIX CITY OF HIGHLAND

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks)*, available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Other Relevant Factors: The element provides some analysis of the "Crime Free" ordinance mentioned in Program 2, but it must specifically analyze the program's impact on affirmatively furthering fair housing (AFFH) throughout the City. While the element states that the Crime-Free Ordinance Program does not have an implication on affirmatively furthering fair housing in the City because it is not targeting specific groups or classes, the analysis does not analyze the ordinance including rental agreement requirements for potential disproportionate impacts to communities of color, lower-income households, persons with disabilities, and survivors of domestic abuse such as automatic eviction after a certain number of call for emergency/police service.

Sites Inventory: While the revised element includes some discussion on the site strategy, there is no discussion to discuss the magnitude of the impact of the strategy, including the number of units by income group relative to locations or neighborhoods within the City, including any isolation of the RHNA and then address whether sites exacerbate or improve segregation and integration. The analysis should also evaluate if there is any isolation of regional housing needs allocation (RHNA) for each component. Specifically, the element identifies most of the sites to meet the lower-income RHNA in neighborhoods west of Boulder which are characterized by lower-opportunity scores and high racial and ethnic concentrations. The analysis justifies this placement by stating that the sites inventory improves conditions by identifying sites to accommodate the moderate or above moderate income RHNA. As part of this analysis the element should identify actions to enhance housing mobility to higher resourced areas of the City, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization (including emphasis on concentrated areas of poverty) and displacement protection.

Goals, Priorities, Metrics, and Milestones: Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones. Action should also explicitly AFFH by, for example, targeting geographic areas of higher need or lower-income or housing opportunities in higher opportunity areas. Finally, actions must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization (including emphasis on concentrated areas of poverty) and displacement protection. Please see HCD's prior review for additional information.

2. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Design Review: The element includes additional information regarding the City's design review process, concludes that the process is not a constraint but does not analyze the potential impact of the subjective standards on approval certainty, cost, supply, timing, and other relevant factors. Specifically, the element should analyze the following review criteria:

- The design and layout of the proposed development will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments and will not create a traffic or pedestrian hazard.
- The design of the proposed development is compatible with the character of the surrounding neighborhood and will maintain a harmonious, orderly, and attractive development.
- The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture and color that will remain aesthetically appealing and will retain a reasonably adequate level of maintenance.

Housing for Persons with Disabilities:

Reasonable Accommodation: The element was revised to describe the typical finding for approval of a reasonable accommodation request. However, the element must analyze those finding to ensure that they do not potential constrain housing for persons with disabilities. In particular, the element must evaluate findings related to potential impact on surrounding uses, and physical attributes of the property and structures for consistency with fair housing requirements and current HUD/DOJ guidance.

Constraints on Housing for Persons with Disabilities: While the element was revised to include Housing Program 18 (Residential Care Facilities) to permit residential care

facilitates serving seven or more in at least one zone without discretion, it is unclear if this zoning modification is for licensed care facilities and if the City distinguishes unlicensed group homes from other types of housing. As a reminder zoning and standards should simply implement a barrier-free definition of family instead of subjecting, potentially persons with disabilities, to special regulations. Zoning code regulations that isolate and regulate various types of housing for persons with disabilities based on the number of people and other factors may pose a constraint on housing choice for persons with disabilities.

Crime Free Ordinance: While the adopted element revised Program 2 to provide further analysis on the impact of the City's "Crime Free" ordinance as a potential governmental constraint for housing for persons with disabilities, the program must still address the following:

- whether the program or ordinance applies to both renters and homeowners,
 - whether the program or ordinance is enforced against federally subsidized properties, or against housing that serves specific populations (e.g., people re-entering from contact with the criminal legal system or housing serving people with mental health or developmental disabilities), and
 - whether the program or ordinance requires or encourages property owners to conduct a criminal background check what conduct is covered by the ordinance/policy, and what locations of alleged criminal activity the ordinance covers (e.g., on the premises or off premises).
3. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality's planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*

Requests for Lower Density, Permit Times, and Efforts to Address Nongovernmental Constraints: The adopted element was largely not revised to meet this requirement. Please see HCD's prior review.

B. Housing Programs

1. *The Housing Element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

While the adopted element has been revised to include a descriptor in several programs identifying housing for extremely low-income (ELI) being of particular importance, it does not say how the City will incorporate the need for extremely-low income housing as it implements the programs. For example, the City could prioritize funding for projects that have a certain percentage of housing set-aside for ELI units, or could identify special incentives or concessions. Programs that should be modified to provide a specific commitment include Program 4 (Inclusionary Housing), Program 5 (Impact Fees), Program 20 (Affordable Housing Partnerships), and Program 22 (Collaborative Partnerships).

2. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding A2 and A3, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element must be revised, as follows:

Transitional and Supportive Housing: While the adopted element has been revised to address some of the concerns in HCD's October 25, 2021 review, it should be noted again that transitional and supportive housing must be permitted as a residential use in all zones and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone pursuant to Government Code section 65583(c)(3). While Program 19 includes a commitment to allow transitional housing in this manner, it must also include supportive housing.

3. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding A1, the element must include a complete analysis of AFFH. Based on the outcomes of that analysis, the element must add or modify programs to have clear timelines and quantifiable outcomes or metrics, and to enhance housing mobility strategies, encourage development of new affordable housing in high resource areas, improve place-based strategies to revitalize neighborhoods, and protect residents from displacement.

4. *Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent, as defined in Section 50053 of the Health and Safety Code, for very low, low-, or moderate-income households. For purposes of this paragraph,*

“accessory dwelling units” has the same meaning as “accessory dwelling unit” as defined in paragraph (4) of subdivision (i) of Section 65852.2. (Gov. Code, § 65583, subd. (c)(7).)

While the adopted element has been revised to add a program to include incentives to promote the creation and affordability of accessory dwelling units (ADU), the implementation timeline of Fall 2026 for the ADU incentive program, to have a beneficial impact on the planning period, should be revised with an earlier date in the planning period.

ATTACHMENT 2

Resolution No. 2023 - _____

**Recommending the CC Approve Revisions to the 6th Cycle Housing Element
(Revised Housing Element and Appendices C, D & E Attached)**

RESOLUTION NO. 2023 - ____

**A RESOLUTION OF THE PLANING COMMISSION OF THE CITY OF
HIGHLAND, CALIFORNIA, RECOMMENDING THE CITY COUNCIL
APPROVE REVISIONS TO THE CITY'S 6TH CYCLE 2021-2029
HOUSING ELEMENT IN RESPONSE TO COMMENTS BY THE
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY
DEVELOPMENT; GENERAL PLAN AMENDMENT NO. GPA-21-003**

APPLICANT: CITY OF HIGHLAND

RECITALS

WHEREAS, on January 25, 2022, the City Council adopted Resolution No. 2022-005 to approve the City's 6th Cycle 2021-2029 Housing Element in accordance with State Housing Law, California Government Code Sections 65585-6588;

WHEREAS, the Housing Element was reviewed by the California Department of Housing and Community Development (HCD) pursuant to Government Code Section 65585 (h) and HCD provided comments back to the City on April 14, 2022;

WHEREAS, the City of Highland determined it is appropriate and necessary to revise the Housing Element to comply with all statutory requirements of State Housing Element Law as noted in HCD's correspondence;

WHEREAS, these revisions have been drafted and made available to the public, public agencies and those requesting notice and are attached hereto; and

WHEREAS, a duly noticed public hearing was held before the Planning Commission on May 16, 2023, at which time all parties were given the opportunity to be heard; and

WHEREAS, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 21-003, adopting the City's 6th Cycle Housing Element, required a Negative Declaration that was approved by the City Council on January 25, 2022, per Resolution No. 2022-005; and

WHEREAS, the project proponent is the City of Highland, 27215 Base Line, Highland, CA 92346.

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

SECTION 1. The Planning Commission finds that all the facts set forth in the Recitals above are true and correct.

- SECTION 2. Based upon substantial evidence presented to the Planning Commission during the May 16, 2023, Public Hearing including public testimony and written and oral Staff Reports, the Planning Commission finds as follows:
- a. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Highland.
- SECTION 3. The proposed revisions to the 6th Cycle Housing Element will address all statutory requirements of State Housing Element Law and address outstanding items of concern by HCD.
- SECTION 4. The Planning Commission hereby finds that on January 25, 2022, the City Council adopted a Negative Declaration for the 6th Cycle Housing Element in compliance with the California Environmental Quality Act (CEQA), and no further review is necessary.
- SECTION 5. During preparation of the revisions, the Planning Agency provided opportunities for the involvement of citizens, public agencies, civic, educational, and other community groups, through public hearings and other means the City deemed appropriate.
- SECTION 6. Based on the foregoing Findings, the Planning Commission recommends the City Council approve revisions to the City's 6th Cycle 2021-2029 Housing Element related to General Plan Amendment No. 21-003, approved on January 25, 2022.

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 16th day of May, 2023.

Randall Hamerly, Chairman
Planning Commission

ATTEST:

Lawrence A. Mainez
Community Development Director



6. City of Highland 6th Cycle (2021-2029) Housing Element Update

April 2023 Revised Draft for Adoption

Redline Version

Housing Element

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1. Introduction

The Housing Element of the General Plan addresses the comprehensive housing needs in the City of Highland (City) for the 8-year planning period (2021–2029). It provides an analysis of the local housing needs for all income levels, details barriers to providing needed housing, and identifies a set of strategies for meeting the housing need within the planning period. Housing Elements are one of eight required components of a General Plan and are guided by State law, which requires all local governments to update their Housing Elements every 8 years. This is the 6th update to the City of Highland Housing Element (6th Cycle).

The Housing Element is a strategic vision and policy guide designed to help address the comprehensive housing needs of the City over an 8-year period (2021–2029 planning period). It defines the City's housing needs, identifies the barriers or constraints to providing needed housing, and provides policies to address these housing needs and constraints.

Recent amendments to housing and planning laws aim to address California's housing shortage, placing a substantial number of new requirements on the 6th Cycle Housing Element. Housing in California has become some of the most expensive in the nation, ranking 49th out of 50 states in homeownership rates and the supply of housing per capita. Only half of California's households are able to afford the cost of housing in their local regions, and every county and city across the State is required by law to adequately plan for their fair share of needed housing.

The City must adequately plan for its existing and projected housing needs, including its share of the Regional Housing Needs Allocation (RHNA), as identified by the State with input from the Southern California Association of Governments and local cities and counties. While the City does not build housing on property that is privately owned or owned by other government agencies, the State requires each local government to demonstrate where housing can reasonably be expected to be added within this cycle, and how the City will facilitate and incentivize its production. As identified by the 6th Cycle RHNA, the City must plan for 2,513 housing units, which are further broken down by income level.

The City's 6th Cycle RHNA targets are broken down by income level as follows:

- Extremely Low-Income = 309
- Very Low Income = 310 units
- Low Income = 409 units
- Moderate Income = 471 units

2. Housing Element Organization

The Housing Element identifies goals, policies, and programs to comprehensively address the housing needs of all current and anticipated residents at all income levels over the upcoming housing period from 2021 through 2029. The Housing Element is divided into chapters, and supporting documentation is included as appendices of the Housing Element.

Housing Element Content

- **Introduction** provides an overview of the Housing Element, its relationship to State law, the City's RHNA, and a section on the Housing Element's organization.
- **Public Engagement** describes the outreach process that was undertaken throughout the Housing Element update process, and the input received that informed the development of the Housing Element.
- **General Plan Consistency** details those policies identified throughout the elements of the General Plan that guided the policies set forth in the Housing Element to ensure that consistency is maintained throughout the General Plan.
- **Goals and Policies** specifies the City's plans for meeting the existing and projected comprehensive housing needs of Highland.
- **Program Implementation** identifies the specific actions that will be implemented to ensure that Highland's housing needs are met within the planning period.

Appendices

- **Appendix A - 5th Cycle Review** evaluates the efficacy of the 5th Cycle Housing Element; the progress in Housing Element implementation; and the appropriateness of the goals, policies, and programs.
- **Appendix B - Community Profile** assesses the housing need through detailed information on Highland's demographic characteristics and trends that influence supply and demand of various housing types.
- **Appendix C - Constraints and Zoning Analysis** details governmental and non-governmental constraints to the maintenance, improvement, and development of housing for all income levels.
- **Appendix D - Affirmatively Further Fair Housing Analysis** identifies disproportionate housing needs, including segregated living patterns, concentrated areas of poverty, disparities in access to opportunity, and displacement risk.
- **Appendix E - Sites Analysis and Inventory** describes the methodology by which the City can accommodate its RHNA targets, and provides an inventory of the sites identified to meet the housing need.
- **Appendix F - Community Engagement Summary and Results** provides the detailed results of the outreach conducted for the update to the Housing Element.

3. Public Engagement

The City conducted a robust public outreach program that engaged a broad spectrum of the community and stakeholders. Stay-at-home orders of 2020 and 2021 provided the City with opportunities to explore new avenues for public engagement and increased access for those who are traditionally not involved in the planning process. Outreach and formal engagement activities were held virtually across a variety of platforms, including an online survey, virtual community workshop, stakeholder interviews, public review period, study sessions, and public hearings.

The outreach conducted for the update to the Housing Element engaged a broad range of community members and stakeholders alike, including, but not limited to, public policy advocates and facilities providing services to people experiencing homelessness. The City cast a wide net to gain participation from all segments of Highland's interested parties. The extensive outreach process conducted for this Housing Element update contributed to a set of meaningful goals, policies, and programs that reflect Highland's housing needs and the priorities and needs of all of those in Highland, including those with special housing needs and lower-income populations. **Appendix F, Community Engagement Results**, provides a comprehensive summary detailing the outreach conducted as part of the update to the Housing Element, and corresponding materials.

4. General Plan Consistency

The California Government Code requires that a General Plan prepared by a local government contain an integrated, internally consistent set of goals, policies, and programs. The structure of this Housing Element is built on the same foundation upon which all other elements of the General Plan were formed. In addition, the Housing Element's goals complement those found in the other elements of the General Plan. Cohesive housing policies that are appropriate to Highland were designed through this coordination.

The City of Highland will maintain consistency as future General Plan amendments are processed by evaluating proposed amendments for consistency with all elements of the General Plan. Under State law, the General Plan requires an annual review and report to examine amendments and implementation status. In line with the other General Plan elements, the goals of the Housing Element aim to:

- meet existing housing needs,
- plan for future growth,
- protect and enhance Highland's neighborhoods, and
- provide new housing opportunities.

5. Goals and Policies

Goal 1: A preserved and enhanced housing stock within high-quality neighborhoods.

Policy 1.1: Facilitate neighborhood improvement and connect residents to housing rehabilitation programs that offer financial and technical assistance to lower-income households.

Policy 1.2: Encourage housing improvement, preservation, rehabilitation, and the replacement of substandard housing as a means to enhance quality of life in Highland.

Policy 1.3: Support housing and neighborhood quality through the enforcement of building and property maintenance standards, the education of landlords and tenants, and the inspection of properties.

Goal 2: A diverse range and adequate supply of housing types that align with the needs of all current and future Highland households.

Policy 2.1: Bolster the City's affordable housing supply through regulatory tools that encourage the development of and funding for quality lower- and moderate-income housing preservation and development.

Policy 2.2: Provide a transparent, timely, and cost-effective regulatory review process that facilitates housing development opportunities at all income levels.

Policy 2.3: Ensure new residential and mixed-use developments are adequately served by park and recreation, libraries, transportation, public safety, and other public services and facilities.

Policy 2.4: Encourage the development of a range of housing types in targeted areas of the City, such as inventoried vacant residential sites, Planned Development districts, Mixed-Use districts, special Policy Areas identified in the Land Use Element, and areas with access to resources and amenities.

Policy 2.5: Encourage innovation and creativity in housing development through regulations that increase flexibility in the development approval process and allow the use of construction materials and techniques that reduce the cost of housing and its impact on the environment.

Policy 2.6: Provide adequate outreach to residents to preserve the City's factory-built housing stock and protect residents from displacement.

Goal 3: A City with adequate sites and resources appropriate for accommodating a variety of housing types.

Policy 3.1: Establish higher-density nodes with increased housing capacity for a variety of housing types, including housing for lower-income households.

Policy 3.2: Ensure adequate capacity for the development of a range of housing types.

Policy 3.3: Expand the affordable housing stock and provide homeowners with an additional source of income by facilitating the construction of accessory dwelling units.

Goal 4: An affordable housing supply that equitably meets the needs of extremely low-, very low-, low-, and moderate-income households.

Policy 4.1: Improve quality of life for lower- and moderate-income Highland residents by increasing opportunities for the creation of lower-cost owner-occupied housing types and by providing housing assistance through the promotion of homeowner and renter assistance opportunities.

Policy 4.2: Provide regulatory and financial incentives to encourage and facilitate the development of affordable single-family, multifamily, and mixed-use housing.

Policy 4.3: Prohibit housing discrimination and other related discriminatory actions in all aspects affecting the sale or rental of housing based on race, religion, or other protected classifications.

Goal 5: A City with a broad range of housing types to meet the diverse needs of all Highland residents.

Policy 5.1: Provide the regulatory framework necessary to facilitate special housing needs in Highland.

Policy 5.2: Encourage development of accessible housing for all levels of ability through regulatory relief.

Policy 5.3: Create a continuum of care for those experiencing homelessness in Highland through establishing a housing plan for homelessness, including zoning districts allowing emergency shelters, low-barrier navigation centers, transitional housing, and permanent supportive housing.

Policy 5.4: Support innovative public, private, and nonprofit efforts in the development and financing of affordable housing and housing for those with special housing needs.

6. Program Implementation

Program 1: Homeowner Rehabilitation Program

Programs to assist eligible low-income homeowners to repair and improve their homes are critical for community preservation and revitalization efforts. Homeowner rehabilitation is offered through The Neighborhood Partnership Housing Services (NPHS), a mission-based organization, offers homeowner rehabilitation opportunities through the Renaissance Home Repair Loan Program. This loan is available to eligible households earning below 80 percent of the Area Median Income in the Inland Valley and provides up to \$25,000 per households to be used for financing home improvements, including health and safety repairs and energy efficiency upgrades.

The San Bernardino County Community Development and Housing Department refers interested residents in need of assistance to the NPHS program and provides a digital handout with home repair and rehabilitation program information on their website. The City's housing program website provides direct links to these County's resources and additional information to promote those opportunities to Highland residents. However, the City recognizes the need for a coordinated approach to address the needs of homeowners beyond what is provided by NPHS. As such, the City will take proactive steps to connect eligible households and identify home repair and improvement opportunities.

In addition, as a member of the County Consortium, the City chooses to receive yearly Department of Housing and Urban Development (HUD) grant funds through the County of San Bernardino (County). The use of the funds received from HUD are governed by the County's Consolidated Plan, which establishes goals that include rehabilitation of housing for persons who are elderly, have a disability, or are experiencing homeless, and the rehabilitation of existing affordable rental housing through repair and rehabilitation projects. As a member of the County Consortium, the City will continue to partner with the County of San Bernardino (County) to identify opportunities for increased funding for homeowner rehabilitation and the allocation of funds for rehabilitation through grant funds received from HUD. Further, the City will increase community awareness of available programs and refer interested residents to the County as well as directly to NPHS.

Objective(s)	<u>Explore the opportunity to establish a working relationship with NPHS through annual meetings to increase the number of loans provided to City residents. Provide technical support for grant pursuits such as letters of support.</u> <u>Engage in regularly scheduled meetings with County staff to discuss homeowner rehabilitation resources.</u> <u>Partner with County and establish annual meetings to identify funds for rehabilitation efforts through HUD grant opportunities and to seek and apply for</u>
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	funding through the annual pursuit of Permanent Local Housing Allocation (PLHA) Funds and through technical support with other grant pursuits where opportunities arise. • Post resources on City website and maintain up to date.
Timeframe	• Set up meetings with County staff by winter 2023 and continue ongoing engagement and coordination, including annual meetings to identify and allocate funds for rehabilitation through HUD grant opportunities. • Set up annual meetings with NPHS to identify and implement partnership opportunities by fall 2023. • Maintain resources on website ongoing throughout the planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund; HUD Grants Funds; PLHA Funds
Relevant Policies	1.1, 1.2, 1.3
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity; RECAPs, and/ or Integration/Segregation</u>
<u>Contributing Factor(s)</u>	<u>Lack of access to financial services for rehabilitation efforts.</u>
<u>Program/Action Type</u>	<u>Place-based Strategies to Encourage Community Conservation and Revitalization</u> • <u>Prioritize at least 20 percent of homeowner rehabilitation funds to accessibility upgrades needed for those who have disabilities, who are elderly, or are experiencing homeless, preventing the displacement of those with the highest need.</u> • <u>Establish annual meetings with NPHS to increase the number of loans provided to City residents and to connect at least 20 eligible households with NPHS to apply for a home repair loan throughout the planning period.</u>

Program 2: ~~Residential-Multiple-Family Rental Enhancement and Rehabilitation Program~~

~~The City's residential rental enhancement program, in conjunction with the Crime Free Multiple-Family Rental-Housing Program, provides technical assistance to rental property owners on how to maintain their rental property and ensure that the property is free from crime. This includes a checklist that rental property owners are required to submit prior to the issuance of a business license certificate to ensure the property is free from health and safety hazards. As part of the City's Crime Free Multiple-Family Rental-Housing Program, all multi-family properties with four or more rental units are currently required to comply with the program's requirements outlined in Chapter 5.34 (Multiple-Family and Other Rental Units) of the Municipal Code. The Crime Free Multiple-Family Rental-Housing Program is a County partnership run by the San Bernardino County Sheriff's Department. The sheriff department provides a free training on tenant screening and property safety measures as part of the program. However, as identified by the State Department of Housing and Community Development (HCD)¹, nuisance or crime free ordinances or programs are common zoning and land use barriers to affirmatively furthering fair housing. Therefore, to ensure consistency with fair housing requirements and the federal Fair Housing Act, the City will amend the Municipal Code to eliminate the provisions of the Crime Free Multiple-Family Rental-Housing Program ordinance.~~

~~The City will continue to provide this program to ensure that rental properties are maintained and that landlords have the resources they need to ensure their properties remain safe for tenants. The City will also add to tenant screening training to provide guidance on fair housing to ensure that tenant screenings do not have a disproportionate negative effect on protected groups. The City will expand access to trainings by posting training materials on the City's website.~~

~~Further, the City will explore opportunities to use the in-lieu inclusionary housing fee to fund lower-income rehabilitation for affordable multifamily developments in need of assistance.~~

Objective(s)	• Amend the Municipal Code to eliminate the provisions of the Crime Free Multiple-Family Rental-Housing Program ordinance in compliance with fair housing requirements and the federal Fair Housing Act. • Continue and expand upon the Residential Rental Enhancement Program to provide fair housing guidance through two trainings per year and by requiring all landlords to complete the trainings. • Post resources on City website. • Where possible, allocate inclusionary funds to affordable multifamily development.
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¹ California Department of Housing and Community Development. *Affirmatively Furthering Fair Housing Guidance for All Public Entities and for Housing Elements*, 2021.

Timeframe	—Amend <u>the Municipal Code</u> to eliminate Crime Free Multiple-Family Rental-Housing Program by December 2023. • Residential Rental Enhancement Program is an ongoing program and trainings are bi-annual. • Update website by winter 2023. • Annually evaluate opportunities to allocate funding.
Responsible Agency	• Police Department • Community Development Department
Funding Sources	General Fund
Relevant Policies	1.1, 1.2, 1.3
<u>Fair Housing Issue</u>	<u>Disproportionate Housing Needs, Including Displacement Risks</u>
<u>Contributing Factor(s)</u>	<u>Nuisance or crime free ordinances or programs</u>
<u>Program/Action Type</u>	<u>Protecting Existing Residents from Displacement:</u> • <u>Eliminate crime free multiple-family rental-housing program to ensure tenant protections that affirmatively further fair housing throughout the City.</u>

Program 3: Code Enforcement

The City implements a code enforcement program to assist property owners in addressing Building Code and Zoning Code violations. When the City identifies substandard housing, the City initiates a substandard lien that prohibits the sale of the property until the condition is mitigated. Further the City conducts windshield surveys within neighborhoods identified to receive Community Development Block Grant funding.

The City's 2017 Quality of Life Initiative accelerated proactive code enforcements by hiring two additional full-time code enforcement officers and one police officer. The City will further the Quality of Life Initiative by providing information to residents about how they can become code compliant without violations by detailing specific code compliance issues and options for how they can be resolved, targeted outreach as detailed in the program objectives, and will post information and resources regarding code compliance and property maintenance on the City's website.

Objective(s)	- Assist with bringing properties into compliance with the Zoning Code <u>through targeted outreach to households in low opportunity/lower resource areas², including extremely low-income households. Targeted outreach should may include annual multilingual mailers to lower-income properties in need of repair, with information on available resources on how issues can be resolved, including improvements through the use of grant funds such as CDBG and PLHA funds.</u> - Post resources for code compliance on the City's website and connect residents to such resources when the property is at risk of being noncompliant with the Zoning Code.
Timeframe	- Ongoing assistance to properties with code compliance issues. - Update City website by winter 2023.
Responsible Agency	Code Enforcement Division
Funding Sources	General Fund
Relevant Policies	1.1, 1.2, 1.3
<u>Fair Housing Issue</u>	<u>Disproportionate Housing Needs</u>
<u>Contributing Factor(s)</u>	<u>Lack of informational resources for residents who need to bring their property into compliance with the Zoning Code.</u>
<u>Program/Action Type</u>	<u>Place-based Strategies to Encourage Community Conservation and Revitalization</u> <u>Develop a code compliance webpage on the City's website with resources and contact information for assistance. Send updates to the City's listserv through annual e-news blasts.</u> <u>Develop and implement targeted outreach strategies, such as the mailers described in the program objectives, related to housing rehabilitation in lower-income areas, and target at least 80 percent of outreach in low opportunity/lower resource areas to increase community access to</u>

² Refers to census tracts with "High Segregation and Poverty" and "Low Resource" designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

	<u>resources and avoid displacement of lower-income households.</u> • <u>Track 100 percent of residential properties inspected by Code Enforcement and report on the number of residential properties that received assistance for opportunities to proactively assist property owners.</u>
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Program 4: Inclusionary Housing

The City's Land Use and Development Code's Inclusionary Housing Ordinance's aims to facilitate the development and availability of housing affordable to a broad range of households with varying income levels across the City. The Inclusionary Housing Ordinance requires that all new rental and for sale housing developments dedicate at least 15 percent of the units for provide affordable housing on or off site, dedicate land that is suitable for the construction of inclusionary units, or to pay an in-lieu fee that goes into the City's affordable housing preservation and construction fund. New rental housing projects must rent at least 10 percent of the units to very low-income households, with the remaining 5 percent of affordable units rented to low- or moderate-income households. The City will continue to implement the Inclusionary Housing Ordinance and will identify affordable housing preservation, rehabilitation, and construction opportunities for the expenditure of acquired funds, especially for funding opportunities for housing for extremely low-income households and households with special housing needs in high opportunity/ higher resource areas³.

Objective(s)	• Continue to implement the Inclusionary Housing Ordinance. • Allocate funding to the preservation, rehabilitation, and construction of affordable housing, <u>with a priority for projects that have at least 20 percent of housing set-aside for extremely low-income households in higher resource areas with access to amenities such as recreation, services, education, and other needs, especially for extremely low-income households, when available.</u>
Timeframe	Ongoing implementation of ordinance and allocation of funding, when available.
Responsible Agency	Community Development Department
Funding Sources	Inclusionary Housing Fee

³ Refers to census tracts with "High Resource" and "Highest Resource" designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

Relevant Policies	2.1, 2.4, 2.6, 4.1, 4.2, 5.1
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity</u>
<u>Contributing Factor(s)</u>	<u>Location and type of affordable housing</u>
<u>Program/Action Type</u>	<u>New Housing Choices and Affordability in Areas of Opportunity</u> • <u>Ongoing implementation of Inclusionary Housing Ordinance, which requires that 15 percent of all newly constructed dwelling units in residential developments projects be offered to and sold or rented to extremely low-, very low-, low- and moderate-income households, or payment of in-lieu fees where applicable.</u> • <u>Dedicate 100 percent of in-lieu housing fees collected for affordable housing development and programs.</u> • <u>Prioritize funding for projects that have at least 20 percent of housing set-aside for extremely low-income households in in higher resource areas with access to amenities such as recreation, services, education, and other needs.</u>

Program 5: Impact Fees

A development impact fee is a charge on new development to pay for the construction or expansion of offsite capital improvements that are necessitated by and benefit the new development. The City regularly reviews Development Impact Fees to ensure impact costs are appropriate to protect public services. The City will continue ongoing evaluation and updates to impact fees, as necessary, and will prioritize equitable infrastructure investments funded by development impact fees collected from new development by prioritizing at least 30 percent of improvements in low opportunity/lower resource areas. Further, the City will focus future fee assessments to analyze fees as they relate to affordable housing, and will evaluate opportunities to reduce fees for proposed affordable housing developments, especially those that serve extremely low-income households and households with special housing needs.

Objective(s)	• <u>Review-Annually, review</u> fees after the budget cycle. • Analyze fees for affordable housing, and reduce fees where feasible.
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	• <u>Prioritize at least 30 percent of capital improvement projects funded by development impact fees in low opportunity/lower resource areas.</u>
Timeframe	• <u>Bi-annually</u> • <u>Ongoing prioritization of projects throughout the planning period.</u>
Responsible Agency	Public Works City Engineering Department
Funding Sources	General Fund
Relevant Policies	2.1, 2.2, 2.5
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity and/or Segregation and Integration</u>
<u>Contributing Factor(s)</u>	<u>The availability of affordable housing or units in high resource areas.</u>
<u>Program/Action Type</u>	<u>Place-based Strategies to Encourage Community Conservation and Revitalization</u> • <u>The City will aim to equitably invest infrastructure improvements by prioritizing 30 percent of capital improvement projects funded by development impact fees in low opportunity/ lower resource areas.</u>

Program 6: Density Bonus

The City will review and amend the local Density Bonus Program Ordinance to ensure consistency with State requirements, and will amend the ordinance, where needed, including the provision of a bonus for student affordable housing, senior housing, and 100 percent affordable developments to further support extremely low-income households and households with special housing needs.

Objective(s)	Update Density Bonus Ordinance, consistent with State law.
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department Budget
Relevant Policies	2.1, 2.5, 3.1, 4.3, 5.1

Program 7: Housing Choice Voucher Referrals

The City will continue to support the Housing Authority of the County of San Bernardino's Housing Choice Voucher program (Section 8 Vouchers) by providing program information at City Hall and on the City's website. The Housing Choice Voucher program pays rental subsidies directly to rental property owners to benefit lower-income households. The City provides links on its website to the Section 8 Housing Choice Voucher program, and refers all inquiries to the Housing Authority. Further, the City will increase collaboration with the Housing Authority to assist in outreach to potential households and landlords who may participate in available programs.

Objective(s)	• Maintain relevant resources on the City website. • <u>Increased coordination with the Housing Authority of the County of San Bernardino through annual meetings</u> • <u>Refer interested residents and support the provision of 394 vouchers annually throughout the city and facilitate rent subsidies in high opportunity/ higher resource areas.</u>
Timeframe	Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.1, 4.1, 5.4
<u>Fair Housing Issue</u>	<u>Disproportionate Housing Needs and/or Segregation and Integration</u>
<u>Contributing Factor(s)</u>	<u>The availability of affordable housing or units in high resource areas.</u>
<u>Program/Action Type</u>	<u>Housing Mobility Strategies</u> • <u>Support the provision of 394 vouchers annually to facilitate rent subsidies for low-income, very low-income, and extremely low-income residents in high opportunity/ higher resource areas and increased access to amenities, such as recreation, services, education, and other needs.</u>

Program 8: By-Right Development on Previously Identified Housing Sites

Those qualifying sites identified in the Sites Inventory that were previously identified in prior housing cycles in accordance with the specifications of Housing Element law will be permitted by right where 20 percent of the total units in the development will be affordable to lower-income households, consistent with Assembly Bill (AB) 1397 (2017). All applicable sites included in previous cycle(s) are identified by Assessor's Parcel Number in Table 11, Sites Inventory Table, of **Appendix E, Sites Analysis and Inventory** (See Section 3.3, Sites Identified in Previous Housing Elements, of Appendix E, for additional details). The City will ensure that those uses eligible for by-right development will not be subject to any Conditional Use Permit, Planned Unit Development Permit, or other discretionary local government review or approval that would constitute a "project" as defined in Section 21100 of the Public Resources Code.

Objective(s)	Permit qualifying developments by-right in accordance with State requirements.
Timeframe	Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department Budget
Relevant Policies	2.1, 2.2, 2.4, 3.2
<u>Fair Housing Issue</u>	<u>Segregation and integration; Disproportionate Housing Needs</u>
<u>Contributing Factor(s)</u>	<u>The availability of affordable units in a range of sizes.</u>
<u>Program/Action Type</u>	<u>New Housing Choices and Affordability in Areas of Opportunity</u> • <u>Create the opportunity for by-right redevelopment of up to 1,511 residential units* of which a minimum of 20 percent must be affordable to lower-income households, including very low- and extremely low-income households.</u>
* Calculated based on maximum densities permitted of 30 dwelling units per acre and previously identified lower-income sites as identified in Table 11 of Appendix E, Sites Analysis and Inventory.	

Program 9: Developer Outreach and Transparency

The City will maintain current information on the City's website that is applicable for housing development project proposal requirements, including a current schedule of fees, exactions, applicable affordability requirements, all zoning ordinances, development standards, and annual fee reports or other relevant financial reports, consistent with the requirements of AB 1483 (2019).

Further, the City will continue to offer an optional pre-application conference and advertise the benefits through the City's website and the "Come Home to Highland" website. A pre-application conference allows the applicant to receive invaluable comments from City staff prior to submitting a plan, thus reducing the time and cost associated with permit processing.

Objective(s)	Maintain the City's website with the most current information, including the promotion of pre-application conference opportunities to make developers aware of available technical assistance and streamline the permit application process.
Timeframe	Ongoing through planning period
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.1, 2.2, 4.2, 5.1, 5.4

Program 10: Innovative and Efficient Housing

The City implements the most current California Green Building Standards Code. To further increase energy efficiency in housing, the City will coordinate with Southern California Edison and The Gas Company to obtain the latest information on energy-efficient building technology and will post information on the City's website to provide guidance and resources to property owners on energy-efficient strategies and retrofits.

Objective(s)	Update the City's website.
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.5

Program 11: Town Center, Base Line Corridor, and Victoria Avenue Corridor Policy Areas

The City of Highland supports regional efforts for an improved public transportation network and greater linkages between transportation land uses and housing. The City will continue to work with the Southern California Association of Governments, San Bernardino Associated Governments, Omnitrans, and neighboring communities to develop the Town Center, Base Line Corridor, and Victoria Avenue Corridor Policy Areas. The "Base Line Improvement Project" between Interstate 210 and Cole Street was completed in 2015. The City, in conjunction with the San Bernardino County Transportation Authority, will complete the widening of Base Line at the Interstate 210 interchange, with anticipated completion in 2022. Additionally, through

the Capital Improvements Program for the 2020/2021 through 2024/2025 Fiscal Years, the City is using funds from various sources, such as Measure I and CDBG, to carry out infrastructure improvements throughout the City, including in low opportunity/ lower resource areas. The infrastructure improvements include pavement management, traffic light and signal installation, and active transportation programs such as sidewalk, bikeways, and transit stop improvements. The City is also developing a Local Roadway Safety Plan (LRSP), which will include recommended investments and projects for the Base Line corridor. The City will prioritize applying for grants that would award them funding for Base Line corridor projects as recommended by the LSRP and continue prioritizing funds for improvements in lower and moderate resource areas. The City will continue coordination to ensure that future transit aligns with the City's vision for growth.

Objective(s)	• Coordinate quarterly meetings with appropriate agencies to coordinate land use and transportation planning and to advocate for the prioritization of projects that align with Highland's vision. • Prioritize capital improvements in lower and moderate resource areas and oversee the completion of the ongoing and planned projects within the planning period.
Timeframe	Establish quarterly meetings by July 2023.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.3, 2.4, 3.1
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity</u>
<u>Contributing Factor(s)</u>	<u>The availability of public transportation and lack of private/public investments in specific neighborhoods, including services or amenities.</u>
<u>Program/Action Type</u>	<u>Place-based Strategies to Encourage Community Conservation and Revitalization</u> • Prioritize at least 50 percent of capital improvements projects in lower and moderate resource areas through targeted infrastructure improvements. • Prioritize grant applications during the planning period that target funding for capital improvement projects or projects identified in the LSRP that are located in lower or moderate resource areas.

Program 12: Accessory Dwelling Units

The City has adopted a revised zoning ordinance to permit accessory dwelling units and junior accessory dwelling units in all zones that permit residential uses, consistent with State law, Government Code Section 65852.2. The City will further update the ordinance in response to recent changes in State law and submit the updated ordinance to HCD for their review and will incorporate amendments, as required by HCD. Further, the City will develop and adopt a program that incentivizes and promotes the creation of ADUs that can be offered at an affordable rent for extremely low-, very low-, low-, or moderate-income households or households with special housing needs (AB 671, 2019).

Objective(s)	Develop an affordable ADU incentive program <u>and update the City's ADU ordinance</u>.
Timeframe	Develop affordable ADU incentive program <u>and update the ADU ordinance</u> by fall 2026 <u>spring 2024</u>.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.1, 2.4, 3.3, 4.2

Program 13: Homeowner Assistance Programs

The City will support creative models of affordable property ownership and affordable housing preservation through methods such as community land trusts. The City will conduct outreach to housing non-profits and advocacy groups to improve coordination and increase publication of how residents can coordinate with nonprofits and advocacy groups to purchase properties.

The City will continue to provide resources to homeowners on the City's website to connect Highland residents with information on County homeowner assistance programs. This includes links on the City's website to resources on housing counseling services and other housing resources available through the County's Community Development and Housing department.

Objective(s)	<u>Establish a working relationship with NPHS through annual meetings to develop resources for residents on options for creative ownership housing models or homeowner assistance programs. Offer technical support for grant pursuits such as letters of support.</u> - Maintain resources on City website <u>with annual updates</u>.
Timeframe	<u>Meet with NPHS, or other nonprofits and community housing advocacy groups, on an annual basis.</u>

	• Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	4.1
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity</u>
<u>Contributing Factor(s)</u>	<u>Access to financial services or Regional Coordination</u>
<u>Program/Action Type:</u>	<u>Housing Mobility Strategies; Community Conservation and Revitalization</u> • <u>Meet with NPHS, or other nonprofits and community housing advocacy groups, on an annual basis to develop resources for residents on options for creative ownership housing models or homeowner assistance programs.</u>

Program 14: Priority Services

The City will coordinate with the East Valley Water District to ensure that proposed developments that include housing affordable to lower-income households are prioritized for the provision of water and sewer services. The City will provide a copy of the updated Housing Element and assist with the identification of sites for prioritization of services through the updates to the Water and Sewer System Master Plans in accordance with Senate Bill (SB) 1087 (2004).

Objective(s)	• Maintain a database of existing and proposed affordable housing developments. • Engage in the Water and Sewer System Master Plan updates.
Timeframe	Submit the Housing Element to the East Valley Water District within 1 month of Housing Element adoption.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department Budget
Relevant Policies	2.3, 2.4

Program 15: Fair Housing Mediation

The City partners with the Inland Fair Housing and Mediation Board (IFHMB) to provide fair housing services for its residents. The fair housing services provided by the IFHMB include

providing information, investigation, education, conciliation, and/or referral of housing discrimination complaints free of charge to individuals. It also involves fair housing workshops that are offered year-round to educate housing providers, tenants, homeowners, and financial and lending institutions on the key aspects of fair housing law. Further, IFHMB's mediation department provides information to landlords, tenants, mobile home park owners, and mobile home residents regarding their rights and responsibilities under the California Landlord and Tenant Laws, and facilitates negotiations between parties in housing-related disputes. The City will maintain this partnership and will provide information regarding available fair housing services on the City's website. Additionally, the City will provide annual staff trainings on available resources and steps to take in the event of a fair housing inquiry or complaint to ensure that residents are provided with timely services and referrals to IFHMB.

Objective(s)	• <u>Continue to maintain information on the City's website and send updates to residents through annual e-news blasts to the City's listserv. Ensure that content is culturally appropriate, and offered in multiple languages.</u> • <u>Continue to partner with IFHMB and coordinate annually to gather and analyze local data to inform fair housing priorities and opportunities.</u> • <u>Provide annual staff trainings on how to refer complaints and inquiries to IFHMB.</u>
Timeframe	Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.6, 4.3
<u>Fair Housing Issue</u>	<u>Fair Housing Enforcement and Outreach Capacity</u>
<u>Contributing Factor(s)</u>	<u>Lack of local fair housing outreach and marketing of resources.</u>
<u>Program/Action Type</u>	<u>Protecting Existing Residents from Displacement</u> • <u>Provide multilingual updates to the City's email listserv on fair housing resources and materials through annual e-news blasts.</u> • <u>Conduct annual staff trainings on available resources and steps to take in the event of a fair housing inquiry or complaint to ensure that residents are provided with timely referrals to IFHMB.</u>

Program 16: Affordable Housing Preservation Program

No affordable units within Highland are at risk of conversion to market rate during the 2021-2031 planning period. Therefore, the City's housing preservation efforts are focused on assisting homeowners who may be at risk of foreclosure. Subprime lending practices have resulted in numerous foreclosures throughout Highland. The City seeks to reduce foreclosures by providing educational information to its residents. The City will provide educational homeownership brochures and refer concerned homeowners and homebuyers to nonprofits such as NPHS and the Homeownership Preservation Foundation. Information will be made available at City Hall and on the City's website.

Additionally, the City will continue to monitor existing publicly assisted affordable housing and provide technical assistance for those that might convert to market rents and displace extremely low-, very low-, low-, and moderate-income tenants.

Further, the City will continue to refer residents to the County's website for information on housing advocacy groups, public agencies, and nonprofit organizations.

Objective(s)	• Continue to maintain up-to-date information on the City's website. • Maintain and monitor a list of affordable housing developments and year of possible expiration of deed-restriction or other assistance <u>for 100 percent of lower-income units, including extremely low-income units in the City.</u> • <u>Establish a working relationship with NPHS through annual meetings to ensure the continued preservation of affordable housing.</u>
Timeframe	Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	1.1, 1.2, 1.3, 2.1
<u>Fair Housing Issue</u>	<u>Disproportionate Housing Needs, Including Displacement Risks</u>
<u>Contributing Factor(s)</u>	<u>Availability of affordable units in a range of sizes</u>
<u>Program/Action Type</u>	<u>Protecting Existing Residents from Displacement</u> • <u>Maintain and monitor a list of affordable housing developments and year of possible expiration of deed-restriction or other assistance for 100 percent of lower-income units including extremely low-income units in the City.</u>

Program 17: Housing for Persons with Disabilities

Reasonable Accommodation Procedures –

The City has adopted a reasonable accommodation procedure that provides a process by which relief from land use, zoning, or building laws, rules, policies, practices, and/or procedures can be alleviated for those with disabilities, including persons with developmental disabilities. The City will amend the existing reasonable accommodation's criteria related to potential impact on surrounding uses, and physical attributes of the property and structure to ensure consistency with fair housing requirements and the federal Fair Housing Act. The amendments will ensure that the findings for approval of a reasonable accommodation request do not pose potential constraints for persons with disabilities. The City will promote this procedure by providing information on its website that is easily accessible.

Also, the City will continue to provide informational materials on Southern California Edison's Customer Assistance Program at City Hall and on the City's website. The program is designed to help persons with disabilities, including developmental disabilities, maintain low energy use. The program also targets low-income households, older adults, and non-English-speaking customers.

Further, the City will continue to refer individuals and families with developmental disabilities to the Inland Regional Center in San Bernardino. The Inland Regional Center is the largest nonprofit, State-funded social service facility in the State that focuses on persons with developmental disabilities. The City will provide a link to the Inland Regional Center's website on the City's website.

Additionally, to further opportunities for persons with disabilities and older adults with varying levels of ability, the City will ~~explore opportunities to connect~~ promote increased accessibility by connecting residents and developers to resources on increasing in-home accessibility. Resources may include information on design features that are accessible and safe for all people regardless of age, size, ability, or disability, allowing residents to age in place and reside in the neighborhood of their choice. The City will post materials on its website related to home retrofit guidance and accessibility in accessory dwelling units.

"Family" Definition –

"Family" definitions in zoning codes can directly impact housing choices for persons with disabilities. For example, definitions that regulate the number of people, or require occupants to be related have exclusionary effects. As such, The city will review its definition of "Family" the City will amend the Zoning Code's definition of "Family" to ensure it is a barrier-free definition consistent with fair housing requirements and the federal Fair Housing Act, and provide a broadened definition that provides zoning code occupancy standards specific to unrelated adults.

Objective(s)	- Update the City's website to provide accessibility resources. <u>If necessary, -amend the City's reasonable accommodations procedure and Zoning Code's definition of "Family" to ensure consistency with fair housing requirements and the federal Fair Housing Act.</u>
Timeframe	- Update website with accessibility resources by winter 2023. <u>Amend reasonable accommodations procedure and Zoning Code definition of "Family" by summer 2024.</u>
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	4.3, 5.1, 5.2, 5.4

Program 18: Group Homes and Residential Care Facilities

Per HCD's technical advisory⁴, group homes refer to any housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities. Group homes are further defined in HCD's technical advisory⁴ by state licensing requirements. Group homes that do not provide licensable services and do not require state licenses to operate are categorized as unlicensed group homes. These include, for example, group homes that provide peer support and limited services to residents but not the more extensive care and supervision that requires obtaining a license under state law. Group homes that do require state licenses to operate, such as those serving children, are categorized as licensed group homes, and include various subcategories of community care residential facilities defined in Health and Safety Code (Sections 1500 et seq. and 1569 et seq.).

Licensed Group Homes/ Residential Care Facilities –

The Health and Safety Code requires jurisdictions to allow licensed group homes serving six or fewer persons in single-family residential zones and to treat them the same as single-family homes. The City's Zoning Code defines all categories of licensed group homes as "Residential Care Facilities." To comply with the Health and Safety Code and state housing laws regarding licensed group homes, the City will update the Zoning Code's definitions and permitting processes to differentiate between Residential Care Facilities (licensed group homes) serving six or fewer residents and those serving seven or more residents. Additionally, the City will create

⁴ California Department of Housing and Community Development. *Group Home Technical Advisory*. 2022.

separate definitions and permitting processes for the two types of residential care facilities, and permit Residential Care Facilities (licensed group homes) those serving six or fewer persons by right in all single-family zones subject only to the generally applicable laws that apply to all single-family residences in accordance with the Welfare and Institutions Code and Health and Safety Code Section 5116 and permitting those serving seven or more in at least one zone without discretion.

Group Homes that Do Not Provide Licensable Services –

To comply with state housing laws regarding unlicensed group homes, jurisdictions must permit all unlicensed group homes that operate as single-family residences and that do not provide licensable services in single-family neighborhoods, subject only to the generally applicable, nondiscriminatory health, safety, and zoning laws that apply to all single-family residences. As such, the City will update the Zoning Code to permit unlicensed group homes in single-family zones, subject to the same laws that apply to all single-family residences to comply with state housing laws.

Objective(s)	• <u>The City will update the Zoning Code to differentiate between Residential Care Facilities serving six or fewer residents and those serving seven or more residents. Additionally, the City will create separate definitions and permitting processes for Residential Care Facilities (licensed group homes) serving six or fewer residents and those serving seven or more residents</u>the two types of residential care facilities, and permit those serving six or fewer persons in all single-family zones <u>subject only to the generally applicable laws that apply to all single-family residences</u> and permit those serving seven or more in at least one zone without discretion. • <u>The City will update the Zoning Code to permit unlicensed group homes in single-family zones, subject only to the generally applicable health, safety, and zoning laws that apply to all single-family residences in accordance with state housing law.</u>
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.4, 3.1, 3.2, 5.1

Program 19: Emergency Shelters, Transitional Housing, Permanent Supportive Housing, and Single Room Occupancy

The City will update relevant sections of the Zoning Code to assist in the development of housing for those with special housing needs and extremely low-income households and to ensure consistency with State law as it relates to supportive housing, emergency shelters, and transitional housing, as follows:

- Permit supportive housing by-right in residential zones that permit multifamily uses and mixed-uses zones that allow residential uses in accordance with AB 2162 (2018).
- Permit emergency shelters by-right in at least one zone and ensure that parking requirements accommodate the staff working in the shelter and do not require more parking than other residential or commercial uses within the same zone in accordance with AB 139 (2019).
- Permit transitional and supportive housing as a residential use in the same manner as other residential uses in the same zone subject only to those restrictions that apply to other residential dwellings of the same type in the same zone pursuant to Government Code section 65583(c)(3) in accordance with AB 139 (2019).

Additionally, the City will amend the Zoning Code to identify a process by which single-room occupancies (SRO) can be permitted to further increase housing opportunities for extremely low-income households.

Objective(s)	Amend the City's Zoning Code as detailed above and in conformance with State law.
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	5.1, 5.3

Program 20: Affordable Housing Partnerships Combined with Program 13 and 21

The City will support creative models of affordable property ownership and affordable housing preservation through methods such as community land trusts. Informational resources will be provided on the City's website to connect lower-income households, including extremely low-income households and those with special housing needs, to housing advocacy groups, public agencies, and nonprofit organizations in the event that opportunities for purchasing lower-income housing developments become available. The City will conduct outreach to housing advocacy groups to improve coordination and increase publication of how advocacy groups can assist residents.

Additionally, the City will continue to foster relationships with affordable housing property owners, tenants, and nonprofit organizations to assist in the long-term affordability of affordable developments.

Objective(s)	• Update the City's website. • Conduct outreach to increase collaboration among the City's partners.
Timeframe	• Website update by fall 2023. • Ongoing outreach through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	1.2, 4.1, 5.4

Program 201: Mobile Home Preservation

Consistent with the provisions of Government Code Section 65863.7, the City shall require the submission of a report detailing the impacts of any proposed conversion of an existing mobile home park. The report shall include a replacement and relocation plan that mitigates the impact upon the ability of the displaced residents of the mobile home park to be converted or closed to find adequate housing in a mobile home park, consistent with the requirements of State law. The report, as well as any adverse impacts on the housing supply, lower-income households, and on displaced persons, shall be considered before the change of use can be approved. Further, the City shall require the replacement of any lost units to ensure no net loss of the City's existing housing stock that is affordable to lower-income households, including extremely low-income households.

Objective(s)	• Require a report for each proposed conversion or closure. • Consider the findings of the report, as well as the impact on the existing housing supply, lower-income households, and displaced persons.
Timeframe	Ongoing through planning period.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	1.2, 2.6

Program 212: Collaborative Partnerships

The City has administered funds for a variety of affordable housing needs, such as construction costs, rent subsidies, and home improvement grants. Working in collaboration with other entities will help the City's resources go further and meet the needs of additional lower-income households, including households with special housing needs and extremely low-income households. The City will contact local affordable housing service providers on a yearly basis to discuss partnering/identify partnership opportunities, and will continue to seek financial assistance from other agencies.

In addition, the City will collaborate with affordable housing developer Wakeland Housing and Development Corporation to support the development of a new affordable senior rental housing project. The project will contain 89 new affordable units, including units affordable to extremely low-income, very low-income, and low-income households, and one manager's unit. The City will support the development of the extremely low-, very low-, and low-income units through an approximately \$4.5 million grant from the City of Highland Housing Authority (Highland Housing Authority) provided certain conditions are met, and a ground lease for the long-term lease of two Housing Authority owned parcels as further detailed in Program 30.

Objective(s)	• <u>Continue outreach to local affordable housing service providers to identify partnership opportunities, and offer funding application assistance.</u> • <u>Support the development of 89 new affordable rental units through a Housing Authority grant and long-term ground lease.</u> • <u>Update the City's website.</u>
Timeframe	• <u>Ongoing outreach throughout the planning period.</u> • <u>Meet with NPHS, or other nonprofits and community housing advocacy groups, on an annual basis.</u> • <u>Commit to providing a Housing Authority grant and long-term ground lease by spring 2024 that will facilitate the development of 89 new affordable rental units to be completed in the planning period.</u> • <u>Update website by winter 2023.</u>
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	4.1, 5.4
<u>Fair Housing Issue</u>	<u>Disparities in Access to Opportunity</u>

<u>Contributing Factor(s)</u>	<u>Access to financial services and lack of regional cooperation.</u>
<u>Program/Action Type</u>	<u>Housing Mobility Strategies and New Housing Choices and Affordability in Areas of Opportunity</u> • <u>Identify partnership opportunities and meet with affordable housing service providers and developers, nonprofit housing organizations, or local housing advocacy groups in the area on an annual basis.</u> • <u>Support the development of 89 new affordable senior rental units, including units affordable to extremely low-income, very low-income, and low-income households, in the planning period.</u> • <u>Provide an approximately \$4.5 million grant from the City of Highland Housing Authority (Highland Housing Authority) and a ground lease for the long-term lease of two Housing Authority owned parcels for the development of extremely low-, very low-, and low-income rental units.</u>

Program 223: Lot Consolidation Incentive

The City will provide a permit expedite incentive for lot consolidation for multifamily development on sites identified in the Housing Element as having the potential to accommodate lower- or moderate-income units, including those sites with potential for extremely low-income development and development to meet the needs of those with special housing needs, and will consider expanding this incentive to all lower-income and mixed-income residential and mixed-use developments.

Objective(s)	The City will amend the code to incentivize lot consolidation on specified sites, providing expedited development permit review <u>through priority processing for projects utilizing lot consolidation.</u>
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	General Fund
Relevant Policies	2.1, 2.4, 4.2

<u>Fair Housing Issue</u>	<u>Segregation and Integration and/or Disproportionate Housing Needs, Including Displacement Risks</u>
<u>Contributing Factor(s)</u>	<u>The availability of affordable units in a range of sizes and location and type of affordable housing due to historical land use and zoning laws.</u>
<u>Program/Action Type</u>	<u>New Housing Choices and Affordability in Areas of Opportunity</u> • <u>Provide an expedited development permit review through priority processing in exchange for lot consolidation for all qualifying* affordable multifamily development projects on moderate- or lower-income sites (including sites to accommodate extremely low-income units) that are identified in the Housing Element as having the potential to be consolidated as a single site*.</u> • <u>Target a 20 percent reduction in processing timelines for qualifying lot consolidation developments.</u>
* See sites 1-64 in Table 11 of Appendix E for sites identified to accommodate lower- or moderate-income units. Eligible sites identified as having the potential to be consolidated as a single site are denoted by a number and a letter in their Site ID.	

Program 234: Annual Progress Reports

The City will continue to report annually on the City's progress toward its 8-year RHNA housing production targets, the remaining housing capacity, and toward the implementation of the programs identified in the Housing Element to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development in accordance with the requirements of AB 879 (2017).

Objective(s)	• Track housing production, remaining capacity, and program progress. • Submit adopted Annual Progress Reports (APR) annually by April 1st.
Timeframe	Ongoing through planning period with annual reports.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	3.2

Program 245: No Net Loss

The City will use its development permit database to monitor development activity, proposed rezones, and identified capacity to ensure adequate remaining capacity is available to meet any remaining unmet share of the RHNA for all income levels throughout the entirety of the planning cycle, consistent with no-net-loss requirements as required under SB 166 (2017).

If, at any time during the planning period, a development project results in fewer units by income category than identified in the Sites Inventory (**Appendix E, Sites Analysis and Inventory**) for that parcel and the City cannot find that the remaining sites in the Housing Element are adequate to accommodate the remaining RHNA by income level, the City will, within 180 days, identify and make available additional adequate sites to accommodate the remaining RHNA.

Objective(s)	• Amend staff procedures to ensure all development proposals and rezone proposals are reviewed against the capacity identified for sites in the Sites Inventory (Appendix E). • Develop a methodology for tracking remaining capacity.
Timeframe	Tracking is ongoing and amendments to procedures will be implemented by winter 2023.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	3.2

Program 256: Fair Housing Outreach

The City will continue to contribute to the regional evaluation of discriminatory housing practices by participating in the County of San Bernardino Analysis of Impediments to Fair Housing. The Analysis of Impediments to Fair Housing identifies regulations or practices that may create an unequal housing environment in San Bernardino County communities. In addition to participating and updating the Analysis of Impediments, the City will evaluate the need to establish an Ad Hoc Fair Housing committee to provide policy recommendations to guide policies and programs in a manner that furthers fair housing.

Further, the City will administer all programs and activities related to housing and community development in a manner to Affirmatively Further Fair Housing by administering public investments and programs in a manner that promotes equity and affirmatively furthering developing a process that prompts the consideration of fair housing. Examples include the inclusion of a statement of fair housing and equity to ensure transparency in decisions on all staff reports for Planning Commission and City Council hearings. This also includes the evaluation of fair housing and equity criteria in the identification and prioritization of capital improvements to ensure investments are promoting increased access to resources and investment in communities with the greatest need.

Objective(s)	• Coordinate annual meetings with County of San Bernardino and fair housing agencies. • Continue to participate in the Analysis of Impediments to Fair Housing Choice. • Evaluate the need for an Ad Hoc Fair Housing Committee when updating the Analysis of Impediments. • Implement a procedure that prompts fair housing administration for all housing and community development decisions, <u>including capital investments.</u>
Timeframe	• By winter 2023. • Update to the City's Analysis of Impediments every 3 to 5 years.
Responsible Agency	Community Development Department/ Housing Authority
Funding Sources	Community Development Department/ Housing Authority
Relevant Policies	4.3, 5.4
<u>Fair Housing Issue</u>	<u>Fair Housing Enforcement and Outreach Capacity</u>
<u>Contributing Factor(s)</u>	<u>Lack of local and regional resources to support strong enforcement.</u>
<u>Program/Action Type</u>	<u>Housing Mobility Strategies and Protecting Existing Residents from Displacement</u> • <u>Implement a procedure that prompts fair housing administration for all housing and community development decisions, including capital investments to ensure investments are promoting increased access to resources and investment in communities with the greatest need.</u>

Program 267: Replacement Requirements

The City will mandate replacement requirements consistent with the Housing Crisis Act of 2019 for proposed housing developments on sites that currently have residential uses, or within the past 5 years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of low or very low income, subject to any other form of rent or price control, or occupied by low- or very low-income households.

Objective(s)	- Amend staff procedures related to the review and issuance of demolition and development permits. - Enforce replacement requirements in accordance with Government Code Section 66300.
Timeframe	Amend staff procedures by winter 2023, continue ongoing replacement requirements throughout the planning period.
Responsible Agency	Community Development Department/ Housing Authority
Funding Sources	Community Development Department/ Housing Authority
Relevant Policies	1.2, 2.1, 3.2

Program 278: Low-Barrier Navigation Centers

Low-Barrier Navigation Centers are housing first, low-barrier, service-enriched shelters focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. The City will amend the Zoning Code to permit the development of Low-Barrier Navigation Centers as a use by-right, without requiring a discretionary action, in mixed-use and non-residential zones that permit residential uses, consistent with AB 101(2019).

Objective(s)	Amend the Zoning Code, consistent with State requirements.
Timeframe	By winter 2023.
Responsible Agency	Community Development Department/Housing Authority
Funding Sources	Community Development Department/Housing Authority
Relevant Policies	5.1, 5.3

Program 289: Affordable Housing Streamlining

The City will ~~amend its Zoning Code to~~ provide an affordable housing streamlined approval process in accordance with State requirements for qualifying development proposals ~~under SB 35 (2017) streamlining~~. The City will ~~amend its~~ its internal ~~permitting~~ procedures to ~~ensure that staff has clear procedures and a streamlined ministerial approval process for responding to SB 35 proposals and for prioritizing qualifying SB 35 housing developments consistent with State law. include Senate Bill 35 (2017) streamlining in staff permitting process procedures.~~

Objective(s)	• <u>Process proposals for SB 35 permit streamlining consistent with State law.</u> • <u>Develop clear procedures and a streamlined ministerial approval process to assist staff in responding to SB 35 proposals and permit streamlining.</u> <u>Amend the Zoning Code and staff procedures, consistent with State requirements.</u>
Timeframe	• <u>SB 35 processing and</u> streamlining availability to be ongoing through planning period. • <u>Amendment to take place Internal permitting procedures and staff process</u> by winter 2023.
Responsible Agency	Housing Authority
Funding Sources	Housing Authority
Relevant Policies	2.1, 2.2, 4.2

Program 2930: Objective Design Standards

The City will increase transparency and certainty in the development process through objective design standards. Any new design standards developed and imposed by the City shall be objective without involvement of personal or subjective judgement by a public official, and shall be uniformly verifiable by reference to the City's regulations in accordance with the requirements of the Housing Crisis Act of 2019. Additionally, the City will amend the existing design review process to remove subjective criteria and standards and ensure objective Design Guidelines and Standards for residential projects requiring a Minor or Major Design Review. These standards will be equally applied and contain established exterior treatments, architectural elements, height, massing and corresponding color charts. These will be available to a project proponent upon initial contact with City Staff to help ensure reasonable expectations and quick processing.

Objective(s)	• Monitor Zoning Code amendments to ensure any new design standards are objective. • <u>Amend Zoning Code to remove subjective design review criteria and ensure an objective design review process for residential projects requiring minor or major design review.</u>
Timeframe	• Ongoing through planning period. • <u>Amend existing design review process by December 2023.</u>

Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	2.2, 2.5, 4.2

Program 301: Surplus Lands

The City will continue to identify and prioritize local surplus lands available for housing development affordable to lower-income households, including extremely low-income households and households with special housing needs, and report on these lands annually through Housing Element APRs in accordance with the requirements of AB 1486 (2019).

In addition, the City will support the development of 89 new affordable senior rental units, including units affordable to extremely low-income, very low-income, and low-income households, on an approximately 3.76-acre, two-parcel site owned by the Highland Housing Authority. The site, which was declared to be surplus land and notified for availability in December 2021 in accordance with the Surplus Land Act, will be leased to an affordable housing developer through a long-term ground lease with a below fair market value rent of approximately one dollar per year, or as determined in the Disposition and Development Agreement. The City will further facilitate the development of extremely low-, very low-, and low-income units on the surplus site through a grant from the Highland Housing Authority, as further detailed in Program 21. As of January 2023, the City is in an Exclusive Negotiation Agreement with the developer, and will act diligently during the negotiation period to move the project forward and facilitate development of the units affordable to extremely low-, very-low, and low-income senior households during the planning period.

Further, the City will continue to identify additional opportunities to facilitate the development of affordable homes, including those affordable to extremely low-income households, on surplus local public land utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in high opportunity/ higher resource areas.

Objective(s)	• Identify and track surplus City-owned sites. • Report on surplus lands annually through Housing Element APRs. • <u>Facilitate the development of 89 new affordable senior rental units on a surplus site, including units affordable to extremely low-, very low-, and low-income households, through a long-term ground lease with a below fair market value rent.</u> • <u>Identify opportunities to facilitate the development of affordable homes on surplus local public land</u>
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	<u>utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in high opportunity/ higher resource areas.</u>
Timeframe	• <u>Annually, throughout the planning period.</u> • <u>Facilitate the development of 89 new affordable senior rental units on a surplus site to be completed within the planning period.</u> • <u>Ongoing, throughout the planning period.</u>
Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	2.4, 3.2, 4.2
<u>Fair Housing Issue</u>	<u>Segregation and Integration</u>
<u>Contributing Factor(s)</u>	<u>Location and type of affordable housing</u>
<u>Program/Action Type</u>	<u>Housing Mobility Strategies; New Housing Choices and Affordability in Areas of Opportunity</u> • <u>Facilitate the development of 89 new affordable senior rental units on a local surplus site, including units affordable to extremely low-income, very low-income, and low-income households through a long-term ground lease with a below fair market value rent.</u> • <u>Identify opportunities to facilitate the development of affordable homes on surplus local public land utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in high opportunity/ higher resource areas.</u>

Program 312: Increased Transparency

The City will maintain information on the City's website that is applicable for housing development project proposal requirements, including a current schedule of fees, exactions, applicable affordability requirements, all zoning ordinances, development standards, and annual fee reports or other relevant financial reports in accordance with the requirements of AB 1483 (2019).

Objective(s)	• Ensure all relevant information is provided on the City's website. • Continue to update information as changes are made and as it becomes available.
Timeframe	Ongoing, throughout the planning period.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	2.4, 3.2, 4.2

Program 323: Reduced Parking Requirements

Large parking lots associated with religious institutions provide opportunities for partnerships that facilitate the development of housing for vulnerable populations, including extremely low-income households and those with special housing needs. The City will ensure that appropriate parking reductions apply to any development proposals that would eliminate religious-use parking spaces in exchange for housing developments, in accordance with the requirements of AB 1851 (2020).

Objective(s)	Amend the Zoning Code to identify a process by which parking requirements can be reduced for religious institutions in exchange for housing development.
Timeframe	By winter 2023.
Responsible Agency	Community Development Department
Funding Sources	Community Development Department
Relevant Policies	2.5, 3.2, 4.2, 5.4

Program 33: Strategically Enhance Access to Areas of Opportunity

While the City has identified an adequate supply of land to fully accommodate the City's 6th Cycle RHNA, the City will provide an additional buffer of sites to mitigate land use patterns of access to resources and opportunities, and patterns of segregation and integration. The City seeks to address these patterns by providing a range of housing opportunities in the City, including for residents with low and moderate incomes, older adults, people with disabilities, large families, female-headed households with children, and people experiencing homelessness. To make adequate provision for the housing needs of all segments of the community, the City must ensure equal and fair housing opportunities are available to all residents. The City will continue to advance fair housing through continued implementation of the following actions:

Allowing for the development of multifamily residential uses across the City can increase opportunities for existing and future residents to live where they choose. To increase geographic equity and opportunities for residents, the City will identify and rezone areas appropriate for medium and high residential densities, specifically in moderate- or higher resource areas based on the California Tax Credit Allocation Committee (TCAC) Opportunity Areas in Appendix D, Opportunity Map, or other appropriate data sources, with consideration for access to amenities, infrastructure, and/or public transit. The rezone will increase new housing choices, affordability, and upward mobility through access to opportunity and integration in historically segregated areas of affluence. The City will rezone at least 5 total acres in moderate and high opportunity/ higher resource areas. Rezoned sites will permit a maximum density of 30 dwelling units per acre, and will have adequate access to infrastructure.

Begin the rezone process by December 2023 by conducting outreach, analyzing opportunities, and completing a CEQA analysis to finalize the rezone by December 2025. Within one year of completing the rezone, work with property owners to proactively identify prime sites, notify affordable housing developers, or provide technical assistance for affordable projects.

<u>Objective(s)</u>	• Rezone sites to increase multifamily residential options in moderate- and high opportunity/ higher resource areas. Rezoned sites must meet the following criteria: a) located in moderate- or high opportunity/ higher resource areas³, based on the TCAC Opportunity Maps or other appropriate data sources; b) combined area of at least 5 acres; c) maximum density of 30 dwelling units per acre.
<u>Timeframe</u>	• Begin the rezone process by December 2023 by conducting outreach, analyzing opportunities, and completing a CEQA analysis to finalize the rezone by December 2025. • Within one year of completing the rezone, work with property owners to proactively identify prime sites, notify affordable housing developers, or provide technical assistance for affordable projects.
<u>Responsible Agency</u>	Community Development Department
<u>Funding Sources</u>	Community Development Department
<u>Relevant Policies</u>	2.3, 2.4, 3.1, 3.2
<u>Fair Housing Issue</u>	Disparities in Access to Opportunity; RECAPs, and/ or Integration/Segregation

<u>Contributing Factor(s)</u>	Land use and zoning laws; Location and type of affordable housing
<u>Program/Action Type</u>	Housing Mobility Strategies; New Housing Choices and Affordability in Areas of Opportunity: • Rezone sites to increase multifamily residential options on at least 5 acres and create the opportunity for 150 dwelling units in moderate- and high opportunity/ higher resource areas.

Appendix C: Constraints and Zoning Analysis

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HOUSING CONSTRAINTS

Various factors influence the ability of the City of Highland (City) to meet its housing goals. These include governmental constraints, such as land use regulations, and nongovernmental constraints, such as market and environmental factors. This appendix provides the requisite analysis of potential and actual market, governmental, and environmental constraints to the production, maintenance, and improvement of housing pursuant to State law.

1 Governmental Constraints

The General Plan Land Use Element sets forth land use designations to guide the location, type, and intensity or density of permitted uses of land. The Land Use and Development Code implements the General Plan by providing specific direction and development standards within each of the use categories. These land use controls can facilitate or limit certain types of development.

1.1 General Plan

State law requires that each city have a General Plan that establishes policy guidelines for future development. The City of Highland General Plan is a long-range policy document that lays out the framework for all future growth and development within the City. The City of Highland adopted a comprehensive update of its General Plan in 2006. The Land Use Element describes the land use policies and designations used to guide physical development of the City through the location, distribution, and density of uses. Predominately a residential community, almost 60 percent of the City's 11,948 acres of land is planned for residential development.

As shown in **Table 1**, the Land Use Element describes seven land uses allowing housing, including a historic preservation district and one mixed commercial, office, and residential land use designation. The Planned Development (PD) designation allows flexibility in development standards to encourage creativity and site-specific design. The Planned Development (PD) district is an opportunity for master planning without a Specific Plan, potentially providing a cost savings to the developer, buyer, and renter.

Table 1. Residential General Plan Land Uses		
Land Use Designation	Acres	Description
Agricultural/Equestrian	504	Rural and equestrian-oriented residential development at a maximum density of 2 units per acre.
Low Density	2,500	Single-family detached homes, including mobile homes, at a maximum density of 6 units per acre.
Medium Density	177	Small-lot single-family detached or attached housing, mobile homes, and multifamily housing at a maximum density of 12 units per acre.
High Density	46	Multifamily housing at a maximum density of 18 units per acre.
High Density Special	58	Multifamily housing from 20 to 30 units per acre.
Historic Village Residential	32	Low-density residential development within the Historic Village District at a maximum density of 6 units per acre.

Table 1. Residential General Plan Land Uses		
Land Use Designation	Acres	Description
Mixed Use	54	Horizontal and vertical mixed-use housing types at a maximum density of 18 units per acre.
Planned Development	3,708	Specific Plan areas in which housing types and densities may vary, but typically range from 5 to 12 units per acre.
Total	7,079	—

The program provided by the General Plan Land Use Element establishes 15 goals for future development within the City. These goals are intended to do the following:

- Plan for future growth
- Provide clarity in land use guidance
- Maintain a mix of development with urban, suburban, and rural character
- Create places for people to live, shop, work, learn, and recreate
- Protect and enhance Highland's neighborhoods
- Provide new housing opportunities
- Strengthen commercial opportunities
- Expand the employment base
- Ensure land use compatibility
- Preserve natural resources

The land use controls provided in the General Plan and Land Use and Development Code guide the development of new housing to meet existing and future needs, maintain the existing character, and improve neighborhoods and the housing stock.

1.2 Land Use and Development Code

Zoning regulations are intended to ensure that development does not negatively affect community health, safety, and welfare. The City's Land Use and Development Code regulates housing opportunities by establishing permitted uses and development standards. Several zoning districts respond to specific existing conditions, such as compatibility with the historic development in the original Highland Townsite, and appropriate design for busy transportation corridors.

Residential uses allowed in Highland are listed by Zoning District in **Table 2**. Uses permitted by right are indicated by the "P," conditionally permitted are indicated by the "C," and permitted uses that may require approval by the Community Development Director or designee are indicated by "SR." All permit types are defined in the Permit Approval Process Section.

New residential zoning districts, the Residential High-Density District (R-4), and the Residential High-Density Special Overlay (HDS) were established in the City's Land Use Development Code in 2011. These districts allow densities of 20 to 30 units per acre to facilitate the development of higher-density multifamily housing as part of a larger mixed-use community.

Table 2. Residential Uses Permitted by Zoning District											
Use	Agricultural Equestrian (A/EQ)	Single-Family Residential (R-1)	Two-Family Residential (R-2)	Multifamily (R-3)	Multifamily (R-4)	Residential High-Density Special (HDS)	Village Residential (VR)	Corridor Residential (R-2C)	Mixed Use		East Highland Village (EHV)
									Attached Mixed Use (MU)	Separated Multiple Use Project (MU)	
Single-Family Detached	P	P	SR	■	■	■	P	SR	■	SR	P
Single-Family Detached (2-4 units/parcel)	■	C	SR	SR	■	■	■	C	■	SR	■
Single-Family Detached (5+units/parcel)	■	■	C	C	SR	■	■	C	■	SR	■
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P
Single-Family Attached	■	■	C	SR	■	■	■	SR	C	SR	■
Multifamily Attached	■	■	C	C	SR	SR	■	C	C	SR	■
Mobile Home Subdivisions	SR	SR	C	C	■	■	■	■	■	■	■
Mobile Home Parks	■	C	C	C	■	■	■	■	■	■	■
Boarding or Rooming Houses (7+ persons)	■	■	C	C	C	C	■	C	■	■	■
Manufactured Homes (mobile homes with permanent foundation)	SR	SR	SR	SR	■	■	■	■	■	■	■
Board and Care Facility (7+ persons)	■	■	C	C	C	C	■	C	■	■	■

Table 2. Residential Uses Permitted by Zoning District

Use	Agricultural Equestrian (A/EQ)	Single-Family Residential (R-1)	Two-Family Residential (R-2)	Multifamily (R-3)	Multifamily (R-4)	Residential High-Density Special (HDS)	Village Residential (VR)	Corridor Residential (R-2C)	Mixed Use		East Highland Village (EHV)
									Attached Mixed Use (MU)	Separated Multiple Use Project (MU)	
Senior Independent Living	SR	SR	C	C	C	C	SR	C	C	C	SR
Senior Congregate Care/Assisted Living	■	■	C	C	C	C	■	C	C	C	■
Convalescent Care	■	■	C	C	C	C	■	C	C	C	■
Supportive and Transitional Housing ¹	SR	SR	C	C	C	C	SR	C	■	■	SR

Source: City of Highland Land Use and Development Code, 2020.

Notes:

■ = Not permitted in this district.

P = Permitted subject to a consistency assessment.

SR = Permitted subject to approval of staff review permit application.

C = Permitted subject to approval of a Conditional Use Permit application.

1: Emergency shelters (excludes transitional housing and permanent support type housing facilities) are permitted in the Business Park (BP) District subject to approval of a department review permit application.

Assisted living, live/work, multifamily dwellings, residential accessory structures, second units, senior housing, single-family dwellings, and townhomes are permitted by right in Planning Area 2 – Residential Villages and Planning Area 3 – Village Center of the draft Greenspot Village and Marketplace Specific Plan.

1.3 Permitting Process

Development review is the primary way to ensure that the construction of projects contributes in a positive manner to the community and quality of life. Residential development projects typically undergo several types of approvals. This section outlines the development review process for various types of housing (see Section 1.8.6, Processing Time, for average processing times for various project applications and reviews).

1.3.1 Single-Family Homes

Single-family detached homes are the most common housing type in Highland, making up approximately three-quarters of the entire housing stock. Single-family detached housing is permitted by right in four zoning districts (A/EQ, R-1, VR, and EHV), and permitted following staff review in two districts (R-2 and R-2C) and in separated multiple use projects in the MU District. Single-family attached housing, such as condominiums, is permitted in the R-2 zone with a Conditional Use Permit (CUP) and permitted in the R-2C and R-3 zones with a Staff Review Permit. Large single-family detached and single-family attached projects that require tract maps are ultimately reviewed by the Planning Commission. In 2009, the City merged the former Design Review Board with the Planning Commission in order to reduce the amount of time spent on design issues and to streamline the project approval process without diminishing quality. The Planning Commission now performs design review at the same time as other reviews that may be necessary depending on the permit at hand.

The City's Planning Division coordinates a pre-application meeting between a project's applicant and the Project Review Committee to provide applicants an early opportunity to present their project to the City before submitting a development application(s). This initial step has proven to be successful in the past because it discloses infrastructure or other issues that are more cost-effective to address early in the project design phase. Identifying potential issues prior to submitting a development application saves developers a significant amount of time and money. After the Planning Division determines the applications to be complete, they are routed to the Project Review Committee for their formal review and comments. Applications are also routed to utility companies and outside responsible agencies that have requested to be notified.

Once a project's environmental review and public comment process have been completed, the Planning Division provides a copy of all the comments to the applicant for review and discussion with the City's Project Review Committee. Once the comments have been reviewed by all parties, a public hearing before the City's Planning Commission is scheduled. The applicant is provided with a copy of the public hearing notice and staff report with conditions and findings of facts for their review. The conditions clearly outline all the requirements needed to record a final map, as well as any conditions related to the construction of the housing units that are necessary to ensure adequate public health, safety, and welfare.

1.3.2 Accessory Dwelling Units

Accessory dwelling units (ADUs) may be detached from or attached to the primary single-family dwelling unit. ADUs are capable of providing housing below market prices, and often meet the special needs of young persons, older adults, and people with disabilities. In accordance with Assembly Bill 1866 (Government Code Section 65852.2), the City amended the Land Use and Development Code to make permitting ADUs in single-family zones a ministerial action that does not require public notice, public

hearing, or discretionary approval. Understanding that ADUs provide opportunities for affordable housing without changing the City's small-town character, Highland facilitates the development of attached and detached ADUs by permitting them in all residential zones.

Most recently, the City amended the Accessory Dwelling Units and Junior Accessory Dwelling Units Ordinance (Section 16.44.180 of the City's Land Use and Development Code) in 2021 to comply with several updates consistent with State law, Government Code Section 65852.2. As part of **Program 12, Accessory Dwelling Units**, of the Housing Element, the City will [further update the ordinance in response to recent changes in State law and](#) submit the updated ordinance to the State Department of Housing and Community Development (HCD) for their review and will incorporate amendments, as required by HCD. Further, the City will develop and adopt a program that incentivizes and promotes the creation of ADUs that can be offered at an affordable rent for extremely low, very low, low, or moderate-income households or households with special needs (AB 671, 2019).

From 2015 to 2020, the City approved eight ADUs. Additionally, one ADU permit was placed on hold [by the applicant](#) and another ADU permit expired. Based on this record, the City assumes that two ADUs per year could be permitted during the planning period. As the City's older adult and college-age population increases, as is projected for the planning period, ADUs could help to provide housing for these populations as they can be an important housing resource for small, lower-income households.

1.3.3 Multifamily Housing

Multifamily housing, referred to as multiple-family, attached housing, makes up approximately 16 percent of the City's housing stock. Multifamily housing is currently conditionally permitted in the three multifamily zones (R-2, R-2C, R-3) and in attached mixed-use structures in the MU District. Multifamily housing is permitted following staff review in separated multiple use projects in the MU District, and permitted by-right in the R-4 zone and High-Density Special Overlay (HDS) subject to the City's Staff Review Permit. The CUP process is the City's opportunity to ensure compatibility with surrounding uses. The CUP process can occur concurrently with a Design Review (see Section 1.8, Permit Approval Process). Multifamily housing projects in the R-4 and HDS Districts are not subject to a CUP; however, they do require Major Design Review. The design review process considers the compatibility with design standards, such as setbacks, landscaping, and other basic aspects of project design, to ensure high-quality design.

The permitting procedure for a multifamily housing project is similar to that for a large, single-family detached or attached project. In the case of a hypothetical 50-unit multifamily project, the City's Planning Division will coordinate a pre-application meeting between the applicant and the Project Review Committee to identify potential issues that should be considered early in the planning and design process.

1.3.4 Mobile/Manufactured Housing

Single mobile home units placed on a permanent foundation, certified under the National Mobile Home Construction and Safety Standards Act of 1974 and constructed after October 1976, may be permitted on individual lots in the A/EQ, R-1, R-2, and R-3 zones, as specified in the City's Land Use and Development Code (Section 16.40.180, Mobile Home and Modular Home Requirements), following staff review approved by the Community Development Director. The review ensures that the units comply with State and local standards of the underlying zoning district. Mobile home subdivisions are permitted

under staff review in the A/EQ and R-1 zones, and conditionally permitted in the R-2 and R-3 zones, while mobile home parks are conditionally permitted in the R-1, R-2, and R-3 zones.

Pursuant to California Government Code Sections 65852.3 and 65852.7, certified mobile homes (manufactured homes) on a permanent foundation that are built to the United States Department of Housing and Urban Development Code are considered the same as single-family dwellings and are permitted on all lots zoned for single-family homes. Such housing is subject to the same requirements (e.g., planning, permitting, reviews) as site-built homes, except for certain architectural requirements. The Government Code specifies that a mobile home park shall be deemed a permitted land use on all land planned and zoned for residential land use as designated by the applicable general plan, provided, however, that a city may require a use permit. **Program 20**, Mobile Home Preservation, requires a report detailing relocation and displacement for any proposed conversion or closure of a mobile home park.

The Highland Land Use and Development Code defines manufactured housing as a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities, including travel trailers for floodplain management purposes, and provides guidelines for single mobile homes and modular homes or manufactured dwelling units within the City's Land Use and Development Code, including design feature requirements consistent with California Government Code Section 65852.3. The permitted uses table for residential districts in the Land Use and Development Code includes mobile home subdivisions and mobile home parks.

1.4 Special Needs Housing

1.4.1 Group Homes and Residential Care Facilities

Per HCD's technical advisory¹, group homes refer to any housing shared by unrelated persons with disabilities that provide peer and other support for their residents' disability related needs and in which residents share cooking, dining, and living areas, and may, in some group homes, participate in cooking, housekeeping, and other communal living activities. Group homes are further defined in HCD's technical advisory¹ by state licensing requirements. Group homes that do not provide licensable services and do not require state licenses to operate are categorized as unlicensed group homes. These include, for example, group homes that provide peer support and limited services to residents but not the more extensive care and supervision that requires obtaining a license under state law. Group homes that do require state licenses to operate, such as those serving children, are categorized as licensed group homes, and include various subcategories of community care residential facilities defined in Health and Safety Code (Sections 1500 et seq. and 1569 et seq.). The City's Zoning Code defines all categories of licensed group homes as "Residential Care Facilities." (See definition for Residential Care Facilities below.)

State law prevents cities from imposing overly restrictive regulations on community care facilities. The Health and Safety Code (Sections 1500 et seq.) requires that group homes serving six or fewer persons be (1) treated the same as any other residential use and shall be considered a residential use of property by a single family; (2) allowed in all residential zones; and (3) be subject to the same development

¹ California Department of Housing and Community Development. *Group Home Technical Advisory*, 2022.

standards, fees, taxes, and permit procedures as those imposed on the same type of housing in the same zone, and no CUP, zoning variance, or other zoning clearance shall be required that is not required of a family dwelling of the same type in the same zone. Local agencies must allow these licensed care facilities in any area zoned for residential use, and may not require licensed residential care facilities for six or fewer persons to obtain conditional use permits or variances that are not required of other family dwellings. Large residential care facilities (those with seven or more residents) are subject to local land use regulations and other restrictions such as conditional use permit requirements.

According to the City's Land Use and Development Code, a "residential care facility" (licensed group home) is a State-authorized, certified, or licensed facility that provides non-medical residential care, day treatment, therapeutic rehabilitative care, and adult day care, residential care for the elderly, transitional housing placement, substance abuse recovery or treatment facility, or foster family agency services for children or adults. According to the permitted uses table in the Land Use and Development Code, residential care facilities serving seven or more persons, called "Board and Care Facilities" in the uses table, are conditionally permitted in all multifamily zones (R-2, R-2C, R-3, R-4, and HDS) and commercial zones (CG, NC, PC, VC). The CUP process is outlined in **Section 1.8.4**, Conditional Use Permit. Requirements for discretionary permits may pose constraints to development but may be necessary for certain uses which could have an effect on the existing community. For example, Residential Care Facilities provide in-house treatment or rehabilitation programs on a 24-hour basis. These include drug and alcohol rehabilitation and recovery facilities. The Planning Commission will only deny a CUP if the required findings cannot be met. ~~Program 18, Residential Care Facilities, of the Housing Element includes an objective to amend the Zoning Code to permit residential care facilities serving six or fewer persons by right in all residential zones in accordance with the Welfare and Institutions Code Section 5116 and permit those serving seven or more in at least one zone without discretion.~~

However, to mitigate potential constraints to the development of group homes and ~~To~~ to comply with the intent of fair housing laws and ensure clarity in the permitting process, the Housing Element **Program 18, Group Homes and Residential Care Facilities**, will update the Zoning Code as follows:

Licensed Group Homes/ Residential Care Facilities –

The Health and Safety Code requires jurisdictions to allow licensed group homes serving six or fewer persons in single-family residential zones and to treat them the same as single-family homes. The City's Zoning Code defines all categories of licensed group homes as "Residential Care Facilities." To comply with the Health and Safety Code and state housing laws regarding licensed group homes, the City will update the Zoning Code's definitions and permitting processes to differentiate between Residential Care Facilities (licensed group homes) serving six or fewer residents and those serving seven or more residents. Additionally, the City will permit Residential Care Facilities (licensed group homes) serving six or fewer persons in all single-family zones subject only to the generally applicable laws that apply to all single-family residences in accordance with the Welfare and Institutions Code and Health and Safety Code and permit those serving seven or more in at least one zone without discretion.

Unlicensed Group Homes that Do Not Provide Licensable Services –

To comply with state housing laws regarding unlicensed group homes, jurisdictions must permit all unlicensed group homes that operate as single-family residences and that do not provide licensable services in single-family neighborhoods, subject only to the generally applicable, nondiscriminatory

health, safety, and zoning laws that apply to all single-family residences. As such, the City will update the Zoning Code to permit unlicensed group homes in single-family zones, subject to the same laws that apply to all single-family residences to comply with state housing laws.

~~to differentiate between residential care facilities serving six or fewer residents and those serving seven or more residents. The program will create separate definitions and permitting processes for the two types of residential care facilities, permit those serving six or fewer persons in all residential zones in which single-family homes are permitted, and permit those serving seven or more in at least one zone without discretion. This will ensure that licensed facilities (group homes/residential care facilities) are allowed in residential zones consistent with State law.~~

1.4.2 Boarding or Rooming Houses

Although a boarding or rooming house may provide housing to unrelated individuals, it is not considered a residential care facility. Highland's Land Use and Development Code defines a boarding or rooming house as a building containing a dwelling unit where lodging is provided with or without meals for compensation for seven or more persons. For six or fewer occupants, the City defers to requirements in the State's guidelines. A boarding or rooming house does not provide on- or off-site supportive services. Boarding or rooming houses are conditionally permitted in the R-2, R-2C, R-3, R-4, and HDS residential zones, and may not be located within 500 feet of the same use. Furthermore, to prevent a concentration of parolees, no more than one Federal, State, or juvenile justice parolee shall be allowed to live in boarding or rooming house at any one time, except if a boarding or rooming house has 10 or more dwelling units, then there may be one additional Federal, State, or juvenile justice parolee for every 10 dwelling units. The location and parolee restrictions were enacted in response to public concerns about boarding and rooming housing affecting community safety and welfare.

1.4.3 Senior Housing

With Highland's growing older adult population, it is important that a range of housing types located in well-resourced areas (e.g., near transit, jobs, parks) are available to serve their special needs. These can include housing such as smaller and more affordable units (including second dwelling units), senior housing, and various forms of care housing. Care housing that assists the special needs of older adults include senior independent living projects, residential care homes for older adults, congregate care, and convalescent care. Senior independent living projects are permitted with a Staff Review Permit in the A/EQ, R-1, VR, and EHV zones, and conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS) and the mixed use zone (MU). Congregate care and convalescent care homes are conditionally permitted in multifamily, mixed use, and commercial zones. Residential care facilities, which can include residential care facilities for older adults per the City's definition, serving seven or more persons, are conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS).

1.4.4 Emergency Shelters, Transitional Housing, and Permanent Supportive Housing

California Senate Bill (SB) 2 (Cedillo) was approved in 2007 with the goal to remove zoning barriers for emergency shelters and transitional and supportive housing, and provides direction in the ways in which local governments address housing for those experiencing homelessness or those at risk of homelessness. SB 2 is intended to strengthen existing Housing Element requirements to provide for the development of emergency shelters and transitional and supportive housing.

Emergency shelters are the first step in a continuum of care program designed to allow people experiencing homelessness a temporary place of stay. As defined by subdivision (e) of Section 50801 of the Health and Safety Code, emergency shelter means housing with minimal supportive services for persons experiencing homelessness that is limited to occupancy of 6 months or fewer by a person experiencing homelessness, and where no individual or household may be denied emergency shelter because of an inability to pay.

SB 2 requires jurisdictions to identify a zone where emergency shelters are a permitted use without a CUP or other discretionary action. The identified zone(s) must have sufficient capacity to accommodate the needs, regardless of the demonstrated need, and have sufficient capacity to permit at least one year-round emergency shelter. State law (Government Code Section 65583(a)(4)) limits the development standards and locational restrictions that can be applied to emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- the maximum number of beds or persons permitted to be served nightly by the facility;
- sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not
- require more parking for emergency shelters than other residential or commercial uses within the same zone;
- the size and location of exterior and interior onsite waiting and client intake areas;
- the provision of onsite management;
- the proximity to other emergency shelters, provided that emergency shelters are not required to be more than
- 300 feet apart;
- the length of stay;
- lighting; and
- security during hours that the emergency shelter is in operation.

Emergency shelters serving 25 persons or fewer are permitted in the business park (BP) employment zone subject to approval of a Staff Review Permit application. The BP designation allows for light industry, research and development, office uses, and business and commercial uses that support the employees and clients of the area, and commercial uses requiring large parcels. Should an emergency shelter be provided in the BP district, residents would benefit from access to public transit, retail uses, and regional employment growth in nearby businesses. Residents will also be connected to other areas of the community and adjacent cities by buses. The local bus transit service provider, Omnitrans, operates two routes that serve this area (Route 3 and Route 15). As outlined above, jurisdictions are permitted to limit the maximum number of beds or persons per shelter under State law. Regulating the number of beds or persons permitted, can potentially help prevent crowded shelter conditions. The importance of this was seen early in the Coronavirus (COVID-19) pandemic. Communities saw rapid transmission of COVID-19 in homeless shelters, particularly in congregate settings, where people shared living and sleeping spaces, sometimes in beds, cots, or bunks that were very close to one another². Further, as fully analyzed below, the 25 person limit does not constrain the City's ability to demonstrate

² <https://www.urban.org/urban-wire/winter-here-covid-19-limiting-shelter-capacity-what-will-it-mean-people-experiencing-homelessness>

that the zone where emergency shelters are allowed by right includes sufficient capacity to accommodate the need for emergency shelter identified in the most recent point-in-time count conducted before the start of the planning period.

There are approximately 270 acres in the City designated as BP, generally located along the southwestern City boundary. A total of 116 acres in the BP designation are vacant with an average parcel size of 0.74 acres. Given the development standards in the BP zone, including the minimum parcel size requirement, there are approximately 25 vacant sites that could potentially accommodate a multi-service facility. As discussed above, all of the sites are within a half mile of public transit lines and near existing commercial and business uses, providing access to opportunities. Taking into account the 25-person limit for emergency shelters, the 25 sites still provide a potential capacity for approximately 625 beds. Based on the 2020 point-in-time count described in **Appendix B**, Community Profile, there were a total of 78 unsheltered adults in the City, meaning that the City theoretically has more than sufficient capacity of sites to accommodate the need for emergency shelter.

As defined in California Government Code Section 65582(j), transitional housing includes buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no fewer than 6 months from the beginning of the assistance. Supportive housing is defined by California Government Code Section 56682(f) as housing with no limit on length of stay, that is occupied by the target population,³ and that is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Chapter 16.06, Definitions, of the City's Land Use and Development Code defines "supportive housing" and "transitional housing" per the definitions provided above. According to the permitted uses table in the Land Use and Development Code, supportive and transitional housing are permitted with a Staff Review Permit in the A/EQ, R-1, VR, and EHV zones and conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS).

To remove or mitigate constraints that may exist related to zoning or permits for supportive and/or transitional housing and to comply with Government Code Section 65583, transitional housing and supportive housing shall be considered a residential use of property and shall be subject to the same development standards and permitting processes as the same type of housing in the same zone and in compliance with the occupancy limitations of Title 24 of the California Code of Regulations. Under California Assembly Bill (AB) 2162, supportive housing meeting specific standards shall be a use by right in all zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. Additionally, no minimum parking may be required for units occupied by supportive housing residents if the development is located within 0.5 miles of a public transit stop.

The City updated its Land Use and Development Code in 2013 to comply with State law; however, there have been several updates to State law, as outlined above. As such, the Housing Element includes **Program 19, Emergency Shelters, Transitional Housing, and Permanent Supportive Housing, and Single**

³ "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5, commencing with Section 4500, of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, older adults, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and people experiencing homelessness.

Room Occupancy, to permit transitional and supportive housing consistent with State laws and to amend the City's Emergency Shelters Ordinance (Section 16.44.270, Emergency Shelters) to comply with parking requirements set forth by AB 139, Quirk-Silva. **Program 278, Low Barrier Navigation Centers**, includes an update to the Land Use and Development Code to provide, by-right, approvals exempt per the California Environmental Quality Act (CEQA) to Low-Barrier Navigation Centers⁴ meeting specific standards in areas zoned for mixed uses and nonresidential zones permitting multifamily uses, consistent with AB 101's requirements for Low-Barrier Navigation Centers.

1.4.5 Single-Room-Occupancy Units

Another potential source of housing for people experiencing homelessness or formerly experiencing homelessness are single-room-occupancy units. Single-room-occupancy units are very small, attached units intended for no more than one or two people. An agency or organization generally oversees the project and provides ongoing supportive services to promote self-sufficiency.

The City's Land Use and Development Code does not currently permit single-room occupancy units. Through **Program 19, Emergency Shelters, Transitional Housing, Permanent Supportive Housing, and Single Room Occupancy**, the City will amend the Zoning Code to identify a process by which single-room occupancies (SRO) can be permitted to further increase housing opportunities for extremely-low income households.

1.5 Facilitating Affordable Housing

1.5.1 Residential High Density Special (HDS) Overlay and Greenspot Village & Marketplace Specific Plan

The City established a Residential High Density Special (HDS) Overlay in 2011 on approximately 52 acres zoned as Planned Development (PD). The HDS Overlay allows the permitting of up to 650 multifamily units at a minimum density of 20 units per acre and a maximum density of 30 units per acre. The HDS Overlay area is generally bound by Greenspot Road on the south, Eucalyptus Avenue on the north, Boulder Avenue on the east, and the City Creek wash basin on the west. The 52 acres is now located entirely within the Greenspot Village & Marketplace Specific Plan area, adopted in 2013.

The Greenspot Village & Marketplace Specific Plan is a master-planned, mixed-use development located within the area identified in the City's General Plan Land Use Element as the "Golden Triangle Community Policy Area." The Specific Plan consists of three planning areas. Planning Area 1 allows for commercial uses; Planning Area 2 allows for residential uses; and Planning Area 3 permits a mix of residential, commercial, entertainment, governmental, and professional office uses. The total number of dwelling units between Planning Areas 2 and 3 may not exceed 800. Planning Areas 2 and 3 allow development at density ranges of 20 to 30 and 18 to 40 dwelling units per acre and permit 500 to 700 units and 100 to 300 units, respectively; within that limit, dwelling units may be transferred between Planning Areas 2 and 3. As of November 2021, there are approximately 37 acres of vacant land within Planning Areas 2 and 3, providing a generous amount of land available for residential development. As fully discussed in **Appendix E, Sites Analysis and Inventory**, the available vacant land coupled with the

⁴ "Low Barrier Navigation Center" is defined as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

higher densities permitted, purely residential uses and range in housing types allowed, and flexibility in standards and requirements afforded by the Specific Plan, remove and reduce constraints for residential uses and aim to facilitate affordable housing development.

1.5.2 Lot Consolidation Incentives

Lot consolidation can increase the efficiency of land use and create the critical mass needed for a quality multifamily housing project. The City has identified numerous vacant and underutilized parcels that have the potential to accommodate multifamily projects. Their development potential could be improved through lot consolidation.

Although the development community is aware of the inherent benefits of acquiring larger sites, the City seeks to promote this process. Through the implementation of **Program 22**, Lot Consolidation Incentive, of the Housing Element, the City is committing to providing expedited processing for the consolidation of lots identified in **Appendix E**, Sites Analysis and Inventory, as having the potential to accommodate lower-income households.

1.5.3 Inclusionary Housing Ordinance

The City's Land Use and Development Code's Inclusionary Housing Ordinance aims to facilitate the development and availability of housing affordable to a broad range of households with varying income levels within the City. It provides guidelines for the production of affordable housing at moderate-, low-, and very low-income levels; payment of an in-lieu fee; or dedication of land for affordable housing.

All new residential development projects within the City must dedicate at least 15 percent of the units for affordable housing. Restricted, for sale units must be sold to low- and moderate-income households. Rental projects must rent at least 10 percent of the units to very low-income households, with the remaining 5 percent of affordable units rented to low- or moderate-income households. In exchange for the construction of affordable units, the City allows unit size reduction and different interior finishes for affordable units, as long as they are of durable quality and consistent with the current California Building Code.

In lieu of constructing all or any affordable units on site, a developer may pay an affordable housing in-lieu fee of \$3,750 per unit to the City. In lieu of building inclusionary units, the developer may also choose to dedicate land within the City to the City. Dedicated parcels must be suitable for the construction of inclusionary units and equivalent or greater in value than what would be produced by applying the City's in-lieu fee to the project. All in-lieu fees are deposited in an inclusionary housing fund to be spent on affordable housing development and programs.

The City provides regulatory relief for developers of sites that cannot accommodate affordable units. If the City determines that providing on-site inclusionary housing is infeasible, the developer may construct affordable units on another site within the City prior to or concurrently with construction of the on-site project. Should a developer provide more affordable units than required by the inclusionary ordinance, the developer may transfer credit for those affordable units to their next project in Highland or to another developer. ~~However, the Inclusionary Housing Ordinance provides requirements that are inconsistent with the minimum density bonus and incentives outlined in the State's Density Bonus Law.~~ **Program 4, Inclusionary Housing**, of the Housing Element includes a program to continue the City's

Inclusionary Housing Ordinance to provide funding for affordable housing preservation, rehabilitation, and construction.

During the 2014–2021 Housing Element cycle, no inclusionary housing units were constructed. In lieu of construction, developers opted to pay the affordable housing in-lieu fee of \$3,750 per unit. As of January 2021, the current balance from in-lieu fees is \$569,000, and the funds have not yet been used for preservation or construction of affordable housing. However, the City plans on using the funds to construct new affordable units at the Housing Authority’s property at 7433 Central Avenue. The anticipated proposal will develop approximately ~~8990 to 110~~ affordable dwelling units on 3.75 acres.

1.5.4 Density Bonus

A density bonus is an entitlement to build additional residential units above the maximum number of units allowed per the Municipal Code in exchange for providing affordable housing specified by as Government Code Sections 65915–65918.

For projects consistent with the applicable affordable requirements, jurisdictions must grant one density bonus, and, if requested by the applicant, incentives or concessions, and waivers or reductions of development standards depending on the percentage of affordable units. Concessions and incentives include reductions in site development standards or a modification of Zoning Code or architectural design requirements, such as a reduction in setback or minimum square footage requirements, approval of mixed-use zoning, or other incentives or concessions that result in actual cost reductions. In accordance with State law, projects that meet the minimum criteria for a density bonus are entitled to at least one concession and may be entitled to as many as four concessions depending on the amount of affordable housing provided.

The City’s Land Use and Development Code (Section 16.40.090, Development Density) outlines the density bonuses and incentives or concessions that are available to affordable housing and qualifying residential projects; however, the City’s Density Bonus Ordinance, approved in 2013, is no longer in compliance with the State’s latest Density Bonus Law.

Under AB 2345 amending code Section 35915, which took effect on January 1, 2021, the maximum available density bonus for projects not composed exclusively of affordable housing increased from 35 to 50 percent. To receive the top bonus, a project must comply with unit replacement requirements and set aside at least 24 percent of units for low-income households, 15 percent of units for very low-income households, or 44 percent of for-sale units for moderate-income households. Bonuses between 35 and 50 percent will be granted on a sliding scale, while current affordability requirements to obtain a lesser bonus will remain unchanged. The City’s Density Bonus Ordinance does not meet the current State law maximum density bonus of 50 percent.

Program 6, Density Bonus, will update the City’s Density Bonus Ordinance to comply with the current State Density Bonus Law, including the provision for an increased bonus for 100 percent affordable developments and student affordable housing.

1.6 Residential Development Standards

The General Plan Land Use Element establishes the maximum density for housing and where it can generally be located within Highland. The Land Use and Development Code provides more specific residential development standards that determine building height, density, setbacks, parking, and other requirements. Development standards tailored to each zoning district and certain specific uses are provided to ensure quality design to protect the health, safety, and welfare of the public, as well as enhance the appearance of the community. Development standards improve the quality and livability of housing development in Highland.

Table 3 lists the minimum acceptable standards for development within the City's residential districts to ensure safe and attractive development without hindering the production of housing.

Table 3. Residential Development Standards

Standard	A/EQ	R-1	R-2	R-2C	R-3	R-4	HDS	VR	EHV
Maximum Density (units per acre)	2.0	6.0	12.0	9.0	18.0	Max: 30.0	Max: 30.0	6.0	6.0
Minimum Density (units per acre)	—	—	—	—	—	Min: 20.0	Min: 20.0	—	—
Minimum Building Site (net area in square feet)	20,000	7,200	7,200	43,560 (1 acre) ¹	10,000	43,560 (1 acre) ¹	43,560 (1 acre) ¹	7,200	5,000 ²
Minimum Lot Width	100 ft.	60 ft.	60 ft.	22 ft.	100 ft., 110 ft. for corner lots	None	None	100 ft.	50 ft.
Minimum Lot Depth	120 ft.	100 ft.	100 ft.	40 ft.	100 ft.	None	None	100 ft.	100 ft.
Minimum Front Setback	35 ft., but 65 ft. from street centerline	25 ft., but 55 ft. from street centerline	20 ft.	15 ft. at any given point, but an average minimum of 20 ft.	25 ft.	15 or 25 ft.	15 or 25 ft.	15	19 ft.
Minimum Interior Setback ³	10% of lot width	5 ft. and 10 ft.	5 ft. and 10 ft.	0 ft. for attached units and 3 ft. for detached units	10 ft.–15 ft.	15 ft. or 25 ft.	15 ft. or 25 ft.	An aggregate of 15 ft. compatible with adjacent setbacks	10% of lot width
Minimum Street Side Setback ³	15% of lot width	15 ft.	15 ft.	15 ft. at any given point, but an average minimum of 20 ft.	20 ft.	15 ft. or 25 ft.	15 ft. or 25 ft.	15 ft.	10 ft.
Minimum Rear Setback	35 ft.	20 ft.	20 ft.	10 ft. for 1- or 2- story units	15 ft.–20 ft.	15 ft.	15 ft.	20 ft.	10 ft.
Maximum Lot Coverage	30%	40%	40%	40%	60%	None	None	30%	30%

Table 3. Residential Development Standards									
Maximum Height	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	35 ft. or 2 stories, whichever is greater	35 ft. or 2 ½ stories, whichever is greater	55 ft. (4 stories and loft)	55 ft. (4 stories and loft)	Compatible with surrounding buildings	35 ft. or 2 stories, whichever is greater ⁴
Minimum Building Separation ⁵	15 ft.	10 ft.	10 ft.	0 ft. for attached units and 3 ft. for detached units	15 ft.	Per Uniform Building Code	Per Uniform Building Code	10 ft.	10 ft.
Minimum Dwelling Unit Size (square feet)	800	800	800	800	800	Studio: 425 1 bedroom: 650 2 or more bedrooms: 800	Studio: 425 1 bedroom: 650 2 or more bedrooms: 800	800	800
Standard	Mixed Use								
	Attached Mixed Use Structures			Separated Multiple Use Projects Attached		Separated Multiple Use Projects Detached			
Maximum Density (units per acre)	18			18		18			
Minimum Building Site (net area in square feet)	None			10,000		4,000			
Minimum Lot Width	None			80 ft.		50 ft.			
Minimum Lot Depth	None			100 ft.		80 ft.			

Table 3. Residential Development Standards			
Minimum Front Setback	0 ft. if public plaza of at least 400 square ft. and a minimum dimension of 15 ft. in each direction provided in front yard; 5 ft. if no public plaza provided in front yard	15 ft. average; 10 ft. minimum	10 ft.; 5 ft. for unenclosed porch
Minimum Interior Setback ³	None if adjacent to commercial or office uses; If adjacent to residential uses, then 10 ft. if 2 stories or less, and 15 ft. if 3 or more stories	15 ft. if adjacent to commercial; If adjacent to residential uses, then 10 ft. if 2 stories or less, and 15 ft. if 3 or more stories	5 ft.
Minimum Street Side Setback ³	None	15 ft.	10 ft.
Minimum Rear Setback	35 ft.	If adjacent to residential uses, then 10 ft. if 2 stories or less, and 15 ft. if 3 or more stories	15 ft.
Maximum Lot Coverage	30%	50%	40%
Maximum Height	35 ft. or 2½ stories, whichever is greater		
Minimum Building Separation ⁵	15 ft.	10 ft.	
Minimum Dwelling Unit Size (square feet)	One-bedroom = 600 sq. ft. Two-bedroom = 800 sq. ft. Three-bedroom = 1,000 sq. ft.	One-bedroom = 800 sq. ft. Two-bedroom = 1,000 sq. ft. Three-bedroom = 1,200 sq. ft. Four-bedroom = 1,400 sq. ft.	
Source: City of Highland Land Use and Development Code, 2020. ft. = feet; sq. ft. = square feet 1. R-2C parcels smaller than 1 acre in size may be developed if they cannot be consolidated with adjacent parcels and are either bordered on all sides by property zoned for non-R-2C uses, or bordered on three sides by roadways. 2. Lots may only be merged to meet minimum requirements. However, no lots shall be subdivided to meet minimum standards. 3: Except for development in the R-2C District, a minimum 10-foot setback shall be maintained for all two-story or higher elements. 4. Design of two-story unit buildings or additions within the East Highland Village (EHV) District shall be in compliance with Highland Municipal Code Chapter 16.16.040(F), East Highland Village Design Guidelines. 5: Minimum distance between buildings includes main dwellings and accessory structures. Within a planned development, building separations may be reduced to 0 feet, provided that fire walls are to Uniform Building Code standards and subject to review and approval of the Forestry and Fire Warden Department.			

1.6.1 Parking Requirements

Parking requirements must relate to the housing type to provide adequate and appropriately located parking facilities. Adequate parking for residential projects contributes to the value of a project, the safety of residents, its appearance, and livability. However, excessive parking standards that do not reflect actual parking demand can unduly increase development costs by reducing the potential land availability for additional units or project amenities. Cities statewide are also finding that parking is a contributing constraint to building affordable housing, reflective in the cost of one parking space.

Reductions in parking requirements are currently made possible through parking studies for senior housing types, and the Community Development Director may approve reduced parking requirements for projects that incorporate affordable units but do not qualify for density bonus incentives.

Additionally, **Program 32, Reduced Parking Requirements**, will provide a process by which parking requirements can be reduced for religious institutions in exchange for housing development. **Table 4** displays City residential parking requirements.

Table 4. Residential Parking Standards	
Use	Minimum Off-Street Requirements
Single-Family Detached ¹	Resident parking: 2 enclosed garage spaces Guest parking: If guest parking is not permitted on the street, then one visitor space per unit is required within 100 feet of each unit's frontage and cannot be tandem
Second Units	Resident parking: 1 additional off-street parking space, tandem allowed, allowed in the front yard setback
Single-Family Attached and Multifamily (R-2, R-2c, R-3) ^{2,3}	Resident Parking Studio: 1 covered or garage space assigned to each unit 1 bedroom: 1 covered or garage space, and .5 uncovered space 2 or more bedrooms: 1 covered or garage space and 1 uncovered space Guest parking: On-street parking can count for visitor parking if the spaces are within 250 feet of each unit's frontage, otherwise 0.5 uncovered space per unit is required
Multifamily (R-4) ^{4,5}	Resident Parking Studio and 1 bedroom: 1.5 per unit (at least 1 space within a garage or carport) 2 bedrooms: 1.9 per unit 3 bedrooms: 2.1 per unit 4 bedrooms: 2.4 per unit Guest parking: 0.3 spaces per unit
Senior Housing	Resident parking: 1 covered space per unit Guest parking: 0.25 space per unit (can be uncovered)
Senior Congregate Care ⁶	Resident parking: 0.5 covered spaces per unit or as determined by the Planning Commission. For multiple-family units, the parking shall be within 150 feet of the dwelling it serves Guest parking: 0.25 space per unit (can be uncovered)
Mobile Home Parks and Subdivisions	Resident parking: 2 spaces per unit, tandem allowed Guest parking: 1 space for each 5 units or fraction thereof
Model Home Complexes ⁷	3 spaces per model home plus 1 space per salesperson
Source: City of Highland Land Use and Development Code, 2020. 1: Within the VR district, no more than a two-car space and no less than a one-car space shall be provided within a garage, and the exterior garage door shall be a minimum of 45 feet from the front property line. 2: For R-2 and R-2C districts, covered spaces may be required to be in enclosed garage. If it is not adjacent, the garage shall be within 150 feet of the unit being served. 3: Covered spaces for apartment buildings are garage spaces. 4: Minimum of one parking space shall be covered within a garage or carport. 5: Guest spaces may be uncovered. 6: Applicant shall submit a parking study for reduced parking standards. 7: On-street parking adjacent to the model home complex may be counted toward the parking requirement if it is found that on-street parking will not impact residential parking and will not obstruct traffic flow.	

1.6.2 Building Codes

Building and safety codes regulate construction and design methods to protect public health, safety, and welfare. However, these codes have the potential to constrain the development of housing. Highland has adopted and enforces the 2019 California Building Code. Except for seismic standards and some additional requirements for fire hazards, the City's building codes do not impose additional requirements that would materially raise the cost of housing. These types of improvements are common for all cities in San Bernardino County.

Code enforcement is a critical component of retaining quality neighborhoods and residential structures. The City employs full-time building inspectors and code enforcement officers to examine properties. As part of the City's residential rental enhancement program, the owner or occupant of any residential rental unit may request that the City conduct both an interior and exterior inspection of said residential rental unit(s). Inspections may be based upon, but are not limited to, receipt of complaints from occupants, local agencies, or other third parties.

The City's rental inspection program includes a self-certification inspection process conducted by the owner of a residential rental unit, and subsequent right-of-way inspection from the public right-of-way to certify that health and safety, building code, and fire code violations do not exist on the rental unit. The program ensures rental housing is well-maintained, safe, and adequate for habitation. ~~Program 2, Residential Rental Program, The City~~ will continue to ~~educate~~ provide technical support to landlords and property owners about compliance with applicable City codes, ~~procedures of the Residential Rental Enhancement Program,~~ and ~~guidance on~~ how to notify code enforcement of any violations.

1.6.3 On- and Off-Site Improvements

The City of Highland requires that adequate access, landscaping, lighting, water, and sewer improvements accompany residential development or the expansion of existing residential projects. Typical off-site improvements include curb, gutter, and sidewalk installation, and the undergrounding of existing overhead utility lines. As a condition of approval, the City may require the dedication of improvements, such as rights-of-way, easements, and the construction of reasonable on- and off-site improvements, to serve the project. These types of improvements are common for all cities in San Bernardino County. Therefore, these on- and off-site improvement standards would not make it less financially feasible to build housing in one jurisdiction over another.

1.6.3.1 Streets

All residential projects must provide appropriate roadways consistent with the City's Circulation Element and adopted road standards.

Collector streets require a minimum 40 feet wide curb-to-curb and are, generally, 44 feet, curb-to-curb, within 66-foot rights-of-way. Residential local streets generally require a 36-foot-wide right-of-way. The City does not require infill projects to provide road improvements beyond those necessary for safe access. This reduces the cost of infill housing development, a savings that may be passed on to the future buyer or renter. For any area of the City, additional improvements, easements, and other dedications may be identified during Site Plan Review.

1.6.3.2 Curbs, Gutters, and Sidewalks

While much of west Highland is developed with curbs, gutters, and sidewalks, there are some infill sites without such amenities.

Greenfield sites on the east side are also often in need of such improvements. All new residential development is required to provide a public sidewalk system with curbs and gutters unless deemed unnecessary by the Planning Commission. Public sidewalks are adjacent to public streets and have a minimum width of 5 feet.

Interior walkway systems may have varying widths, with a minimum width of 4 feet unincumbered. The cost of these improvements increases development costs but are necessary to facilitate pedestrian access and movement in urban areas of the City, and to enhance the safety of pedestrian traffic.

1.6.3.3 *Water, Sewer, and Storm Drains*

Consistent with State law, MS4 Permits, San Bernardino County Hydrology Manual criteria, or local drainage master plan, as applicable, all projects must demonstrate the ability to meet water, sewer, and drainage requirements consistent with San Bernardino Flood Control District's Comprehensive Storm Drain Plan. Fees and infrastructure requirements are established by the East Valley Water District (EVWD) and similar for all communities in the region. Careful site design and location can reduce or mitigate the associated cost of these improvements. For example, vacant land in an infill area could provide affordable housing where there is existing and adequate water, sewer, and drainage infrastructure.

1.7 Development Fees

A variety of fees and assessments are charged by the City and other agencies to cover the cost of processing development permits and providing local services. These fees are necessary to ensure quality project review and to cover costs associated with the impact of new housing. Development fees and exactions increase the cost of development. These costs are passed down to the homeowner and renter, reducing the affordability of housing.

Community development and engineering fees are established to cover the cost of staff review. Without entitlement processing fees, the City would be unable to provide quality review of each project, resulting in inappropriate or inadequate development. These fees offset the City's development review costs and are not designed to increase the cost of development. The affordable housing fee is a per-unit fee that may be paid by the applicant in lieu of providing affordable housing, as discussed in Section 1.5.3, Inclusionary Housing Ordinance.

When processing a Major Design Review and CUP concurrently, the City provides relief to the applicant by only charging one deposit up-front. The City only takes a deposit for the CUP and applies any unused funds from the CUP deposit to cover the design review. This prevents the applicant from spending a financial resource earlier than necessary.

Development impact fees are charged on a per-unit basis to provide funds to offset the anticipated impacts of population growth. New housing, and therefore more residents, may result in an increase in vehicle trips, park usage, school enrollment, and emergency service calls. Development impact fees are carefully created to ensure that quality services and facilities are provided to Highland residents without unduly burdening development. The City annually reviews its development impact fees to ensure the fees are fair and adequate. **Table 5** shows fees charged for new housing projects in Highland.

Table 5. Residential Development Fees		
Fee	Single-Family Attached	Single-Family Attached/ Multifamily
Minor Project (three or fewer dwelling units)		
Community Development Fees		
Inclusionary Housing	\$3,750.00	\$3,750.00
Staff Review Permit	\$45.00	\$45.00
Minor Design Review – Fixed Fee	\$3,450.00	\$3,450.00
Minor Conditional Use Permit – Fixed Fee	\$1,425.00	\$1,425.00
Community Development Fees/Deposit Per Unit	\$8,670.00	
Engineering Fees ¹		
Parcel Map Review (≤4 lots) ²	\$5,300.00	\$5,300.00
Impact Fees		
Law Enforcement	\$276.23	\$436.83
Fire Suppression	\$981.10	\$318.42
Local Circulation System	\$4,582.61	\$3,058.86
Regional Circulation System	\$13,289.35	\$8,872.35
Regional Flood Control	\$1,068.24	\$457.13
General Facilities, Vehicles, and Equipment	\$1,224.67	\$1,224.67
Library	\$1,126.68	\$1,084.50
Community Center	\$1,404.31	\$1,351.22
Park Land Acquisition & Park Facilities Development	\$4,573.40	\$4,400.64
Total Fees Per Unit ³	\$37,196.64	\$29,874.61
Major Project (more than three units)		
Community Development Fees		
Inclusionary Housing	\$3,750.00	\$3,750.00
Major Design Review Deposit ^{2, 4}	\$8,500.00	\$8,500.00
Major Conditional Use Permit Deposit ^{2, 4, 5}	\$11,100.00	\$11,100.00 ⁵
Community Development Fees/Deposit Per Unit	\$23,350.00	
Engineering Fees ¹		
Parcel Map Review (≤4 lots) ²	\$5,300.00	\$5,300.00
Final Tract Map Review (≥5 lots) ^{2, 4}	\$15,300.00	\$15,300.00
Impact Fees		
Law Enforcement	\$276.23	\$436.83
Fire Suppression	\$981.10	\$318.42
Local Circulation System	\$4,582.61	\$3,058.86
Regional Circulation System	\$13,289.35	\$8,872.35
Regional Flood Control	\$1,068.24	\$457.13
General Facilities, Vehicles, and Equipment	\$1,224.67	\$1,224.67
Library	\$1,126.68	\$1,084.50
Community Center	\$1,404.31	\$1,351.22
Park Land Acquisition & Park Facilities Development	\$4,573.40	\$4,400.64
Total Fees Per Unit ³	\$72,476.64	\$65,154.61

Source: City of Highland Planning Division, 2020.

1. Some engineering fees not included, such as grading plan check and grading inspection, because fee is based on project specifics such as a dollar amount per cubic yard of soil moved.

2. RCS fully burdened hourly rate for all personnel involved, plus any out-of-pocket expenses for contract personnel, special equipment or supplies, other State or county fees applicable against an initial deposit.

3. Total fees per unit, including community development fees/deposit per unit, engineering fees, and impact fees listed in this table.

4. For projects that are deemed to be less complex after review by the DRC, the amount of the initial deposit can be reduced accordingly by the Community Development Director.

5. Major Conditional Use Permit Review Deposit will not be needed for projects on multifamily sites identified in the Housing Element as having potential to accommodate the lower-income Regional Housing Needs Allocation.

1.8 Permit Approval Process

Highland's permitting process is designed to ensure high-quality and aesthetically pleasing development that is compatible with adjacent uses and the City's rural charm. Development and design review fees, as well as the time these processes take, increase the cost of constructing new housing or rehabilitating existing units. To ensure that the permit approval process is not overly burdensome, the City established the "Come Home to Highland" program, which commits the City to being an active partner in providing housing. This program serves as an action plan for City staff to follow when reviewing all commercial and residential development projects. The program is intended to do the following:

- Improve and enhance Highland through the promotion of its residential lifestyle and family-oriented community
- Encourage housing maintenance, rehabilitation, development, and occupation
- Encourage cooperation between City government, local service providers, and residents in facilitating responsible growth

The City of Highland is committed to the following action plan to facilitate and streamline the development review process:

- The fees to process entitlement should be deposit, and an accounting of time by which staff processes the entitlement shall be provided to the project applicant within 30 calendar days of the project's conclusion.
- Pre-application meetings should be offered free of charge.
- Upon acceptance of an application for an entitlement, the Community Development Department and Public Works Department shall bring the application before the appropriate reviewing body within 90 days of acceptance, barring special environmental, traffic, or similar technical report requirements.
- Fixed fees for plan checking and inspection services upon the issuance of permits.
- First plan check shall take no more than 2 weeks, and if determined to take longer, staff shall notify applicant as to the reasons for the delay.

Three levels of decision-making bodies in the City govern the development review process: The Community Development Department, the Planning Commission, and the City Council.

Applicants are encouraged to submit a pre-application to meet with City staff to discuss a project prior to submitting a formal application. This process provides the applicant with an opportunity to make changes that will ultimately save time and money by having a complete application from the start. When an application is determined complete (within 30 days, as required by the Permit Streamlining Act), the Planning Division indicates whether or not a use requires discretionary review. The "Come Home to Highland" program guarantees that any request for an entitlement that requires approval by the Planning Commission be presented to the necessary body within 90 days of the application being deemed complete (excluding time for CEQA review). Limiting processing time reduces the impact of design review and other forms of discretionary review. There are several types of review necessitated by certain project characteristics, as described below.

1.8.1 Staff Review Permit

A Staff Review Permit is a review of the project use to ensure compatibility with the City's land uses and development standards. Approval is determined by the Community Development Director or their designee (typically the City's Planning Technician). The Staff Review Permit is processed concurrently with the Minor Design Review process, when applicable. Following a review of the application, the Community Development Director shall prepare a written decision which shall contain the findings of fact upon which said decision is based. A Staff Review Permit application may be approved in whole or in part, with or without conditions, if the following findings can be made:

1. The proposed use will be arranged, designed, constructed and maintained to be compatible with the character of the area as intended by the general plan, and is consistent with the goals, objectives, policies and programs of the general plan;
2. The proposed use is permitted within the applicable district, or specific plan, and complies with all applicable zoning provisions;
3. The proposed use, together with applicable conditions, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
4. The architecture and landscaping proposed observe community standards as described in the adopted general plan, ensuring visual relief protecting the character of adjacent development and providing an attractive environment for the public's enjoyment;
5. The proposed use would not result in significant impact to the environment;
6. All other state and federal permits have been obtained; and
7. The site is reasonably safe from flooding.

In approving a Staff Review Permit, the Community Development Director shall require that the use and development of the property conform with the approved site plan, architectural drawings and statements submitted in support of the application. Such conditions may include, but are not limited to, the following:

1. Setbacks, yard area and open spaces;
2. Fences, walls, and screening;
3. Parking, parking areas and vehicle ingress and egress;
4. Landscaping and maintenance of landscaping and grounds;
5. Regulation of signs;
6. Control of noise, vibration, odor and other potentially dangerous or objectionable elements;
7. Limits on hours of operation;
8. Time period for compliance with conditions of approval;
9. Perimeter roads and properly maintained fuel modification areas with fire hazard zones I and II; and
10. Other conditions as may be determined to assure that development will be in accordance with the intent and purposes of this title.

Modification or revision of an approved Staff Review Permit may be requested by the applicant. A modification or revision to an approved staff review permit may include, but shall not be limited to,

change in conditions, expansion, intensity, or hours of operation. The requested modification or revision shall be processed in the same manner as the original Staff Review Permit.

The Staff Review Permit approval by the Community Development Director or designee is final unless appealed to the Planning Commission. The Planning Commission's determination is appealable to the City Council.

The Staff Review Permit process is not found to be a constraint to development. It provides an objective and necessary process to ensure consistency with the City's General Plan and Zoning Ordinance and the public health, safety and welfare.

1.8.2 Minor Design Review

The Planning Division provides minor design review administratively for permitted housing projects with three or fewer units to ensure compliance with City's land use and development standards. The Planning Division makes standard findings regarding project design, which include compliance with adopted residential design standards and consistency with the City's General Plan Land Use Element and Community Design Element.

An application for minor design review is required for residential projects with three or fewer dwelling units, commercial, industrial and institutional projects not subject to design review which involve the issuance of a building permit for construction or reconstruction of a structure which meets one or more of the following criteria:

1. Structural additions which do not result in an increase of more than 50 percent of the floor area of the existing building;
2. The construction and/or placement of silos, satellite dishes, antennas, private water tanks, roof- or ground-mounted equipment visible from the public street or similar structures and equipment on existing developed properties as determined by the community development director;
3. Signs as required by Chapter 16.56 HMC;
4. Residential construction involving three or fewer dwelling units; or
5. Landscape plans for projects requiring minor design review.

The Community Development Director is authorized to approve or deny applications for design review and to impose reasonable conditions upon such approval, subject to the right of appeal. Conditions may include, but shall not be limited to, requirements for open spaces, screening and buffering of adjacent properties, fences and walls; requirements for installation and maintenance of landscaping and erosion control measures, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; grading requirements; regulation of hours of operation; establishment of development schedules or time limits for performance or completion of improvements; and such other conditions as the Community Development Director may deem necessary to ensure compatibility with surrounding uses; to preserve the public health, safety and welfare; and to enable the Community Development Director to make the findings necessary for approval. The Community Development Director may at his or her option refer any minor design review to Planning Commission for action. Any determination of the community development director may be appealed to the planning commission within 10 calendar days of the community development director action.

Design Review and Minor Design Review Criteria

The criteria for major and minor design review is based on the following:

1. The design and layout of the proposed development is consistent with the applicable elements of the general plan; any city design guidelines which may be established; and any adopted architectural criteria for specialized areas such as designated historic districts, theme areas, specific plans or planned developments.
2. The design and layout of the proposed development will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments, and will not create a traffic or pedestrian hazard.
3. The design of the proposed development is compatible with the character of the surrounding neighborhood and will maintain a harmonious, orderly and attractive development.
4. The design of the proposed development would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, texture and color that will remain aesthetically appealing and will retain a reasonably adequate level of maintenance.

Through Program 29, Objective Design Standards, the City will amend the major and minor design review criteria outlined above to remove potential constraints to development by ensuring objective design standards and criteria for residential projects requiring design review.

Design Review and Minor Design Review Findings

The Community Development Director shall make the following findings before approving a minor design review application:

1. That the proposed project is consistent with the general plan or specific plan;
2. That the proposed use is in accordance with the objectives of this title, and the purposes of the land use district in which the site is located;
3. That the proposed use is in compliance with city design and landscape standards and criteria; and
4. 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.

Adjacent property owners shall be notified by mail of the date, time and nature of the design review at least 10 days prior to the public meeting. Any determination of the Community Development Director may be appealed to the Planning Commission within 10 calendar days of the Community Development Director action.

These findings are consistent with those permitted in accordance with 65589.5(d) and are necessary to ensure consistency with the City's General Plan and Zoning Ordinance. Through **Program 29, Objective Design Standards**, the City will ensure that any newly developed design standards are objective, consistent with the requirements of SB 330, 2019. Further, through **Program 8, By-Right Development on Previously Identified Sites**, the City will adopt an ordinance to permit eligible developments without discretionary action. Further, as detailed in **Program 19, Emergency Shelters, Transitional Housing, and**

Permanent Supportive Housing, and Single Room Occupancy, and **Program 27 Low-Barrier Navigation Centers**, the City will ensure that these uses are permitted as detailed, without discretionary action.

1.8.3 Major Design Review

Major Design Review applies to new housing projects consisting of four or more units. Major Design Review is performed by the Planning Commission. Major Design Review provides the Planning Commission with an opportunity to assess a project for consistency with the applicable elements of the City's General Plan and design guidelines, and identify potential design issues that may detract from the aesthetics, health, and safety of neighborhoods. These projects will be reviewed for consistency with the design and development standards provided in the Land Use and Development Code, General Plan Land Use Element, and Community Design Element. Planning Commission review takes place during the time period the development application is routed for agency comments and/or the CEQA process, thus minimizing overall processing time for the project. Planning Commission approval is final unless appealed to the City Council.

An application for design review by Planning Commission is required for all commercial, industrial, institutional, and residential projects of four or more dwelling units involving the issuance of a building permit for construction or reconstruction of a structure which meets the following criteria:

1. New construction on vacant property;
2. Structural additions which are equal to 50 percent or more of the floor area of existing on-site buildings;
3. Reconstruction projects which are equal to 50 percent or more of the floor area of existing buildings;
4. Signs as required by the sign regulations, Chapter 16.56 HMC;
5. Projects involving a substantial change or intensification of land use, such as the conversion of an existing residential structure to an office or commercial use;
6. Outdoor storage areas;
7. Landscape plans for projects requiring design review; or
8. Major public works projects, as feasible.

Planning Commission is authorized to approve or deny applications for design review, and to impose reasonable conditions upon such approval, subject to the right of appeal. Conditions may include, but shall not be limited to, requirements for open spaces, screening and buffering of adjacent properties, fences and walls; requirements for installation and maintenance of landscaping and erosion control measures, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; grading requirements; regulation of hours of operation; establishment of development schedules or time limits for performance or completion of improvements; and such other conditions as Planning Commission may deem necessary to ensure compatibility with surrounding uses; to preserve the public health, safety and welfare; and to enable Planning Commission to make the findings necessary for approval.

The Planning Commission shall make the following findings before approving a major design review application:

1. That the proposed project is consistent with the general plan or specific plan;
2. That the proposed use is in accordance with the objectives of this title, and the purposes of the land use district in which the site is located;

3. That the proposed use is in compliance with city design and landscape standards and criteria; and
4. 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.

Property owners within 300 feet of the project shall be notified by mail of the date, time and nature of the design review at least 10 days prior to the public meeting.

These findings are consistent with those permitted in accordance with California Government Code Section 65589.5(d) and are necessary to ensure consistency with the City's General Plan and Zoning Ordinance.

No housing development application has ever been denied in the City as a result of the City's design review process, and the City has not found the process to pose any constraints on housing supply and affordability in the City, including the required findings as outlined above. However, through **Program 29, Objective Design Standards**, the City will amend the major and minor design review criteria outlined in Section 1.8.2, to ensure objective design standards and criteria for residential projects requiring design review, which help remove potential constraints to development by providing reasonable processing times and expectations. Additionally, through implementation of Program 29, the City will ensure that any newly developed design standards are objective, consistent with the requirements of SB 330, 2019. Further, through **Program 8, By-Right Development on Previously Identified Sites**, the City will permit eligible developments without discretionary action. Further, as detailed in **Program 19, Emergency Shelters, Transitional Housing, ~~and~~ Permanent Supportive Housing, and Single Room Occupancy**, and **Program 27 Low-Barrier Navigation Centers**, the City will ensure that these uses are permitted as detailed, without discretionary action.

1.8.4 Conditional Use Permit

The CUP process is the City's opportunity to ensure compatibility with surrounding uses, and this review can occur concurrently with Major Design Review. The existing Land Use and Development Code requires a CUP for multifamily projects, with the exception of single-family attached duplex, triplex, and fourplex housing in the R-3 and R-2C zones permitted by Staff Review Permit; multifamily attached projects in the R-4 or HDS districts; and multifamily uses on multifamily sites identified in the Housing Element. In the case of the R-4 and HDS, only a Design Review Process is required.

The Planning Commission is responsible for reviewing all applications that require a CUP and the design review of a project. Typical findings for CUP approval include consistency with the goals, policies, and objectives of the General Plan; suitability of the site for the proposed use or development; and adequacy of water, sanitation, and utilities. Following a review of the application, the Planning Commission shall prepare a written decision which shall contain the findings of fact upon which such decision is based. The Planning Commission, or City Council on appeal, may approve a conditional use permit application in whole or in part, with or without conditions, only if all of the following findings of fact can be made in an affirmative manner:

1. 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;

2. The proposed use would not impair the integrity and character of the district in which it is to be established or located;
3. The site is suitable for the type and intensity of use or development which is proposed;
4. There are adequate provisions for water, sanitation, and public utilities and services to ensure public health and safety;
5. The proposed use will not be detrimental to the public health, safety, or welfare, or materially injurious to properties and improvements in the vicinity; and
6. The proposed use would not result in a significant effect on the environment.

In granting a conditional use permit, the Planning Commission, or the City Council on appeal, shall require that the use and development of the property conform with a site plan, architectural drawings, or statements submitted in support of the application, or with such modifications thereof as may be deemed necessary to protect the public health, safety, and general welfare and to secure the objectives of the general plan. The Planning Commission, or the City Council on appeal, may also impose such other conditions as may be deemed necessary to achieve these purposes, including, but not limited to, the following matters:

1. Requirements for setbacks, yard areas, and open spaces.
2. Fences, walls, buffers, and screening.
3. Parking, parking areas, and vehicular ingress and egress in addition to the minimum requirements of Chapter 16.52 HMC.
4. Landscaping and maintenance of landscaping and grounds.
5. Regulation of signs.
6. Control of noise, vibration, odors, and other potentially dangerous or objectionable elements.
7. Limits on hours of operation or duration of approval.
8. Time period within which the proposed use shall be developed.
9. Requirements for street improvements and dedications.
10. Building design and elevations.
11. Such other conditions as may be determined to assure that development will be in accordance with the intent and purposes of this title.
12. Reasonable guarantees of compliance with required conditions, such as a deed restriction or requiring the applicant to furnish security in the form of money or surety bond in the amount fixed by the administering agency.
13. Requirements for periodical review by the planning commission, and such other conditions as the planning commission may deem necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare, and to enable the commission to make the findings required by this subsection.

Revisions or modifications of conditional use permits may be requested by the applicant and shall be processed in the same manner as the original conditional use permit. Further, the Planning Commission may periodically review, modify, or revoke a conditional use permit to ensure that it is being operated in a manner consistent with conditions of approval or in a manner which is not detrimental to the public health, safety, or welfare, or materially injurious to properties in the vicinity. If, after review, the commission deems that there is sufficient evidence to warrant a full examination, then a public hearing

date shall be set. At such public hearing, the planning commission may modify or revoke the permit pursuant to the provisions of Section 16.08.220, Revocation of Permits, of the Land Use and Development Code.

Design review is based on criteria included within the General Plan Land Use Element and Community Design Element. The CUP (with Major Design Review) process typically takes 9 to 12 weeks, not including the time required by CEQA if an Environmental Impact Report is necessary.

1.8.5 General Plan Amendment/Zone Change

Projects requiring a General Plan Amendment or zone change require review by the Planning Commission and approval by the City Council, regardless of proposed use. However, the City typically reduces the timeframe for this legislative step by processing, where feasible, the discretionary permits at the same time. Alternatively, the City provides a process for a variance, which may reduce any unnecessary hardships related to requests to deviate from current zoning requirements. Approval to grant a variance is determined by the Community Development Director. A variance may be granted based on the following findings:

1. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary hardship not otherwise shared by others within the surrounding area or vicinity;
2. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties in the vicinity and under the same zoning classification;
3. That the strict interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the same zoning classification;
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and under the same zoning classification;
5. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and
6. That the granting of the variance is consistent with the objectives and policies of the general plan and the intent of this title.

In approving a variance, reasonable conditions of approval may be imposed. The following conditions of approval for a variance may include, but shall not be limited to:

1. Requirements for open spaces, fences, walls, and screening buffers; requirements for landscaping and erosion control measures, including maintenance thereof;
2. Requirements for dedications and street improvements;
3. Regulation of vehicular ingress and egress and traffic circulation; and
4. Regulation of hours of operation, and such other conditions deemed necessary to ensure compatibility with surrounding uses, to preserve the public health, safety, and welfare, and to enable the reviewing authority to make all the findings required above.

The City's variance process is not found to be a constraint, and instead provides for equity in use of property and can prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain zoning regulations.

1.8.6 Processing Time

Developmental review is the primary way to ensure that new residential projects reflect the community's goals and contribute to improving local quality of life. The time it takes to obtain permits from the City can affect overall project cost, and therefore impact the cost of housing and the success of development in the community.

Highland values the time and money of its development applicants. The City reduced its processing times through enforcement of the "Come Home to Highland" program, which commits the City to establishing fixed fees for several forms of review, and ensures that a discretionary permit application is brought to the appropriate review body within 90 days of the application completeness determination.

Table 6 shows the average processing times for various project applications and reviews.

Table 6. Permit Processing Times	
Type of Application	Timeframe (days)
Zone Change	90
Tentative Tract or Parcel Map	90
Conditional Use Permit	90
Variance Review	45
Lot Line Adjustment	60
Staff Review (Design/Use)	5–10
Minor Design Review	45
Major Design Review	60–90

1.8.7 Special Business License Provisions: Crime Free Multiple-Family Rental-Housing Program

The Crime Free Multiple-Family Rental-Housing Program is a partnership with the County, property managers, owners, landlords and residents. The program is run by the San Bernardino County Sheriff's Department with the goal of reducing crime through community partnerships and pro-active steps to improve the quality of life for the community. The programs consist of three phases towards making a property a safer living environment for the tenants. The phases must be completed under the supervision of the local sheriff's station. Property managers and owners can become individually certified after completing training in each phase and the property can become certified when all phases are completed. ~~The program applies to any property that contains four or more rental units that are being rented out for residential dwelling purposes.~~

The program aims to increase community participation, provide accountability for property owners, and lower maintenance costs. The program phases improve public safety for tenants, property owners, and the community. Phase I of the program includes free classroom instruction, which includes establishing fair screening and the legal rights and responsibilities of owners and managers. Phase II of the program includes a property survey. Staff from the local sheriff's station conducts an inspection of the property using Crime Prevention Through Environmental Design (CPTED) principles. CPTED is a nationally accepted multi-disciplinary approach to deterring criminal behavior through environmental design. The property survey is strictly an on-premise inspection.

As outlined in Section 5.34.020 of the Highland Municipal Code (Special business license provisions – Crime free multiple-family rental-housing program), prior to obtaining a valid City business license, the owners or operators of any property that contains four or more rental units (or rental spaces) that are

being rented out for residential dwelling purposes must comply with all of the following crime free multiple-family rental-housing program requirements:

- Complete a crime free multiple-family rental-housing program seminar to be provided by the Highland police department (“seminar”); and
- Include a crime free lease or rental agreement addendum (“addendum”) or clause in the lease or rental agreement similar to the crime free lease or rental agreement addendum in any leases or rental agreements that are executed, modified or extended after the effective date of the ordinance codified in this chapter. The city clerk shall maintain a sample addendum form for use by businesses subject to the provisions of this chapter.

The program applies to any property that contains four or more rental units that are being rented out for residential dwelling purposes, and does not target specific groups or classes. However, to mitigate any potential impacts on affirmatively furthering fair housing throughout the City, the City is going to amend the Municipal Code to eliminate the Crime Free Multiple-Family Rental Housing Program ordinance and corresponding program requirements as outlined in **Program 2, Multiple-Family Rental Program**.

~~When a property that is subject to the program is transferred to a new owner, the new owner or operator shall complete the seminar within three months after the transfer of the rental property, or as soon as the seminar is conducted, whichever time is later.~~

~~When a property that is subject to the provisions of the program changes operators, the new operator shall complete the seminar within three months after the transfer of operations, or as soon as the seminar is conducted, whichever time is later. Any owner or operator of property with four or more units that are being rented out for residential purposes shall complete the seminar once every three years.~~

~~The crime free multiple-family rental-housing program is a crime prevention program designed to reduce crime, drugs, and gang activities on the subject rental properties. At the seminar, the program coordinator shall provide, at no cost, samples of the addendum and, if applicable, shall review any clauses within actual leases with the city attorney’s office to determine if the clause is similar to the addendum provisions designed to make criminal activity a lease or rental agreement violation. The owner or operator shall have the authority under the clause or addendum to initiate an eviction proceeding as specified in California state law.~~

~~Through **Program 2, Residential Rental Enhancement and Rehabilitation Program**, the City will continue to provide health and safety hazard checks for landlords, ensuring that tenants are not subject to substandard housing and the City will also continue to provide landlord trainings to ensure property safety measures are taken. **Program 2** further enhances upon this existing program to incorporate fair housing training for landlords. This will expand upon the City’s Crime Free Multiple-Family Rental Housing Program, to ensure that this program is implemented through the lens of fair housing, providing fair housing services for residents and landlords.~~

1.9 Housing for Persons with Disabilities

Effective on January 1, 2002, SB 520 amended Housing Element law and Government Code Section 65008 to require localities to analyze the constraints on housing for persons with disabilities. The City’s adopted building codes (including the 2019 California Building Code, California Existing Building Code,

and California Residential Code [Title 24]) require that new residential construction comply with the Federal Americans with Disabilities Act (ADA). Highland has the authority to enforce state accessibility laws and regulations (California Code of Regulations Title 24) when evaluating new construction requests. ADA provisions include requirements for a minimum percentage of units in new development to be fully accessible to people with physical disabilities. Compliance with provisions of the Federal ADA is assessed and enforced by Highland's Building Official. **Program 17** of the Housing Element will provide resources for information on home retrofits and accessibility in ADUs to increase the supply of units available for people with disabilities.

1.9.1 Reasonable Accommodation

The City of Highland understands the importance of reducing barriers to provide adequate housing for persons with disabilities. Chapter 16.40 in the Land Use and Development Code provides a formal process for requesting reasonable accommodations for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies, and procedures. A reasonable accommodation refers to actions that a city takes to modify land use and zoning regulations affecting housing for people with disabilities. A reasonable modification is typically a structural change made to existing premises so that a person with a disability can fully use the premises.

Requests for a reasonable accommodation are submitted on an application provided by the Community Development Department, or in the form of a letter. Requests are reviewed by the Director of Community Development and written determination is provided by the director or their designee within 45 days that either grant, grant with modifications, or deny a request for reasonable accommodation.

Written determinations to grant or deny a request for reasonable accommodations shall be based on the following findings:

- a. Whether the housing, which is the subject of the request, will be used by an individual with disabilities under the Federal Fair Housing Act and the California Fair Employment and Housing Act.
- b. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Federal Fair Housing Act and the California Fair Employment and Housing Act.
- c. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.
- d. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use and zoning.
- e. Potential impact on surrounding uses.
- f. Physical attributes of the property and structures.
- g. Alternative reasonable accommodations which may provide an equivalent level of benefit.

In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings outlined above. A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to the Planning Commission in compliance with Section 16.08.210, Appeals, the Land Use and Development Code.

~~These findings are not found to be a constraint and are necessary Findings to ensure consistency with the City's General Plan and Zoning Ordinance are necessary and not found to be a constraint. However, the City will amend the reasonable accommodation findings related to potential impact on surrounding uses, and physical attributes of the property and structure to remove potential constraints for housing designed for persons with disabilities, and to ensure consistency with fair housing requirements and the federal Fair Housing Act as part of Program 17, Housing for Persons with Disabilities.~~ Through **Program 17, Housing for Persons with Disabilities**, of the Housing Element, the City will also continue to provide a process by which relief from land use, zoning, or building laws, rules, policies, practices, and/or procedures can be alleviated for those with disabilities, including persons with developmental disabilities. Furthermore, the City will promote this procedure by providing information on its website that is easily accessible.

The City Land Use and Development Code's handicapped parking requirements are established by, and intended to be identical to, the requirements established by the State of California. Residential projects providing handicapped spaces are required to locate the spaces as close to building entrances as possible and to follow Citywide regulations in terms of size, striping, and signage. Handicapped parking standards for residential uses are not different from parking standards for other uses.

1.9.2 Group Homes and Residential Care Facilities

Group homes and residential care facilities are often a resource for persons with a disability in need of special care. Large residential care facilities serving seven or more persons, called "Board and Care Facilities" in the uses table, are conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS), and conditionally permitted in commercial zones (CG, NC, PC, VC). The City does not have any occupancy restrictions based on relatedness or family ties in any land uses or zoning designations. See additional use details in **Section 1.4.1, Group Homes and Residential Care Facility**.

Program 18, Group Homes and Residential Care Facilities, is proposed to amend the Zoning Code as detailed in Section 1.4.1, to ensure compliance with housing law and fair housing requirements to remove constraints on and prevent discrimination against group homes, and affirmatively further fair housing in the City. ~~to permit residential care facilities serving six or fewer persons by right in all residential zones in accordance with the Welfare and Institutions Code Section 5116 and permit those serving seven or more in at least one zone without discretion.~~

1.9.3 Senior Housing and Facilities

Other forms of housing that may assist persons with a disability include senior independent living projects, residential care homes for older adults, congregate care, and convalescent care. Senior independent living projects are permitted with a Staff Review Permit in the A/EQ, R-1, VR, and EHV zones, and conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS) and the mixed use zone (MU). Congregate care, assisted living, and convalescent care homes are conditionally permitted in multifamily, mixed use, and commercial zones. Residential care facilities, which can include residential care facilities for older adults per the City's definition, serving seven or more persons, are conditionally permitted in multifamily zones (R-2, R-2C, R-3, R-4, and HDS).

2 Market Constraints

This section identifies those non-governmental market factors and other financial factors that may affect the cost of new housing. Market constraints to the development of residential housing include the cost of land, the cost of construction, and financing. Changes in the financial markets, changes in construction material costs, and other factors all affect the feasibility of developing new housing in the City. This section discusses land costs, construction costs, and financing issues. Although these factors may create barriers to building housing, the City has less control over but can influence or help support the production of affordable housing. While the City was unable to identify additional factors subject to local control directly related to land, labor, or material costs and/or financing that would significantly reduce the cost for housing, the City will continue to implement the Inclusionary Housing Ordinance through implementation of **Program 4, Inclusionary Housing**, of the Housing Element, and will identify affordable housing preservation, rehabilitation, and construction opportunities for the expenditure of acquired funds, especially for funding opportunities of housing for extremely low-income households and households with special needs. In addition, the City recognizes that land use incentives, such as the State Density Bonus law zoning designations that offer higher allowable densities, and lot consolidation incentives, can aid in reducing development costs and support the production of affordable housing. See **Section 4, Analysis of Local Efforts to Remove Constraints and Facilitate Affordable Housing**, for further analysis related to policies and programs set forth in the 6th Cycle Housing Element that aim to incentive development and address potential non-governmental constraints.

Furthermore, the City is committed to continue participating in and promoting regional and State programs that address non-governmental market constraints by providing a range of financing options for low- and moderate-income homebuyers and owners. **Program 13, Homeowner Assistance Programs**, of the Housing Element commits the City to promoting the County homeowner assistance programs and resources on the City's website, and through **Program 1, Homeowner Rehabilitation Program**, the City will promote the homeowner rehabilitation repair loan opportunities offered through the Neighborhood Partnership Housing Services and strive to improve coordination with the County to identify opportunities for increased funding for homeowner rehabilitation.

2.1 Availability of Financing

2.1.1 Construction Financing

Construction financing costs affect the feasibility of building new housing. During the housing boom of the late 1980s, it was not uncommon for developers to receive construction loans for 100% or more of a project's estimated future value. Following the housing market downturn of the early 1990s, however, financial institutions tightened regulations for construction loans, often requiring developers to put up at least 25 percent of the project value. These trends continue today, meaning that developers must usually supply at least 25 percent of the project value upfront, and perhaps more if the total cost is more than 75 percent of the estimated value of the project.

Although there is no hard threshold for how much required upfront equity is too much before a residential project would be infeasible, the higher the proportion of equity required, the more unlikely that a developer would proceed with the project. Not only would it require more up-front cash, but higher equity contribution means a project must be able to achieve an even higher value at completion in order to generate the cash flow needed to meet acceptable cash-on-cash returns. These trends are anticipated to continue during the planning period.

2.1.2 Mortgage Financing

Although recent economic conditions have seen housing prices increase and interest rates remain low, buying a house or refinancing a mortgage is getting tougher, as banks raise requirements such as minimum credit score. Loan applicants with short credit history, lower incomes, self-employment incomes, or other unusual circumstances have had trouble qualifying for loans or are charged higher rates. This economic barrier could disproportionately affect lower-income, non-White borrowers, making it harder for them to close on a loan, especially as a result of the Corona virus pandemic and resulting economic fallout. The economic fallout has resulted in the unemployment rate increase in the City from 3.8 percent in 2019 to 8 percent as of November 2020, making it more difficult for unemployed, underemployed, lower-income borrowers, and other groups who historically have found it the most difficult to get a loan to get a fair loan.

The Home Mortgage Disclosure Act requires many financial institutions to maintain, report, and publicly disclose loan-level information about mortgages. This requirement applies to all loan applications for home purchase, improvements, and refinancing, whether financed at market rate or with government assistance. These data help show whether lenders are serving the housing needs of their communities, they give public officials information that helps them make decisions and policies, and they shed light on lending patterns that could be discriminatory.

Table 7 summarizes the disposition of loan applications submitted to financial institutions in 2019 for home purchase, refinance, and home improvement loans in Highland. The loan outcome information in the table includes the proportion of applications that were approved, were denied, or were incomplete or withdrawn by the applicant.

Table 7. Disposition of Home Loans (2019)				
Loan Type	Total Applicants	Percent Approved ¹	Percent Denied	Percent Other ²
Government-Backed Purchase	426	74.9%	8.5%	16.7%
Conventional Purchase	661	73.4%	7.3%	19.4%
Refinance	1,845	58%	16%	25.9%
Home Improvement	182	35.2%	51.1%	13.7%
Total	3,114	62.3%	15.2%	22.5%
Source: 2019 Home Mortgage Disclosure Act Lending Activity MSA/MD by Census Tract Data				
¹ Approved includes loans approved by the lenders whether or not accepted by the applicant.				
² Other includes loan applications that were either withdrawn or closed for incompleteness.				

2.1.2.1 Home Purchase Loans

In 2019, a total of 426 households applied for government-backed loans (Federal Housing Administration, Farm Service Agency/Rural Housing Service, and Department of Veterans Affairs) in Highland. Of those applications, 75 percent were approved, and 8 percent were denied. More households applied for conventional loans to purchase homes in Highland, with a total of 661 applications. A total of 73 percent of the conventional loan applications were approved, and 7 percent were denied.

2.1.2.2 Refinance Loans

The highest number of applications received were for refinance loans, likely because many homeowners are looking to swap out their old mortgages for new loans at record-low rates. A total of 1,845 households in Highland applied for a home refinance loan in 2019. Of those applications, only 58 percent were approved, 16 percent were denied, and 26 percent were either withdrawn or closed for incompleteness.

2.1.2.3 Home Improvement Loans

In 2019, a total of 182 household applied for home improvement loans in Highland. This is the lowest number of applications, but had the highest percentage of applications denied. Of the total applications, 51 percent of home improvement loans were denied by lending institutions and 35 percent were approved. One of the most important factors that lenders evaluate when reviewing an application is the applicant's debt-to-income ratio, which indicates how much income the monthly debt takes up. Most home improvement loans applicants may have high debt-to-income ratios from their mortgage loan, which may explain why it is harder to qualify for the additional financing.

2.2 Construction Costs and Construction Labor Shortage

Residential construction continues to face limiting factors, including concerns over regulatory cost burdens, an ongoing labor skills shortage, and higher costs and longer delivery times for building materials. Factors that affect the cost of building a house include the type of construction, materials, site conditions, finishing details, amenities, structural configuration, and project characteristics, such as the type and quality of the unit.

On average, 60 percent of the final cost of a single-family home is attributed to construction costs. According to the U.S. Census Bureau's Annual Characteristics of New Housing Survey, the average contract price per square foot of new contractor-built single-family houses averages approximately \$158 per square foot.

One indicator of construction costs is building valuation data compiled by the International Code Council. The unit costs compiled by the International Code Council include foundation work, structural and nonstructural building components, electrical, plumbing, mechanical, and interior finish material. The data is a national average and does not take into account any regional cost differences, nor include the price of the land upon which the building is built, so it should be taken into account that these national averages are lower than those in California, and that high construction costs lead to higher rents and home prices in the State, which are also some of the highest in the nation. According to the latest building valuation data release in 2019, the national average for development costs per square foot for apartments and single-family homes in 2019 were as follows:

- Type I or II, R-2 Residential Multifamily: \$148.82 to \$168.94 per square foot
- Type V Wood Frame, R-2 Residential Multifamily: \$113.88 to \$118.57 per square foot
- Type V Wood Frame, R-3 Residential One- and Two-Family Dwelling: \$123.68 to \$131.34 per square foot
- R-4 Residential Care/Assisted Living Facilities generally range from \$143.75 to \$199.81 per square foot

In general, construction costs can be lowered by increasing the number of units in a development, until the scale of the project requires a different construction type that commands a higher per-square-foot cost. Apartments of three stories or fewer achieve an economy of scale, provided that the building has

typical amenities and no structured parking. Mobile homes are significantly less expensive, as are precision or factory-built housing products.

Labor costs also greatly contribute to construction costs. They are generally two to three times the cost of construction materials. A 2019 study for Smart Cities Preval found that California lost about 200,000 construction workers since 2006. Many lost their job during the recession and found work in other industries. Pre-pandemic, the industry already faced this historic shortage of skilled labor, and the labor gaps might get even larger, especially in states like California.

2.3 Land Costs

The cost of raw, developable land creates a direct impact on the cost for a new home and is considered a possible constraint. Land costs, when compared with projected rents and sales prices of housing, affect the feasibility of construction. A higher cost of land raises the price of a new home, which typically makes the cost of land a major factor in determining the cost of developing housing. Land costs are influenced by many variables, including supply, demand, location, site constraints, and the availability of public utilities and other infrastructure. Based on available land for sale as of January 2021, the average cost of undeveloped land in Highland is approximately \$167,000 per acre for single-family zoned developable parcels and \$440,000 per acre of multifamily zoned developable parcels.

In addition to the basic cost of land, the holding cost is also a consideration in the price of housing. Holding costs vary depending on interest rates for acquisition and development loans. Interest rates are beyond the control of local jurisdictions. However, land holding costs can be lessened by reducing processing times for building permits in most jurisdictions. Therefore, developers sometimes seek to obtain approvals for the largest number of lots allowable on a parcel of land.

2.4 Requests for Housing Developments at Reduced Densities

State law requires the Housing Element to include an analysis of requests to develop housing at densities below those anticipated in the sites inventory. The realistic capacity for sites identified as appropriate to accommodate lower-income units in the sites inventory were calculated based on the minimum densities permitted, ~~and can~~ As a conservative estimate of capacity calculations, the sites analysis estimated realistic capacity for all sites identified to accommodate the City's lower-income RHNA based on the minimum permitted density of 20 dwelling units per acre in the City's R-4 zoning designation and Greenspot Village & Marketplace Specific Plan. This does not limit the ability of a project to be built at the higher densities allowed under either the zoning designation or the General Plan. However, requests to develop housing must adhere to the minimum density requirements for those identified sites which are the same densities anticipated in Appendix E. therefore-Additionally, as they are the minimum densities permitted, it can be reasonably anticipated that some sites will be developed at densities above those anticipated in the sites inventory as property owners will strive for densities above the minimums, assuming developers can earn greater profits for construction on the same parcel of land.

One quarter of units identified to accommodate the moderate and/ or above moderate-income RHNA are identified in zones that do not require a minimum density. However, a large portion of the sites to accommodate the RHNA have pending projects in varying zones that have been included based on their approved densities (see Section 4.1, Planned, Approved, and Prospective Projects, of Appendix E for a detailed overview of residential development in the pipeline and approved densities). Using this recent development trend data from eight approved pipeline projects, the projects reached approximately 66

percent of their maximum development capacity (calculated as a percent of their approved densities over their maximum densities permitted), including one development at 100 percent of the maximum density permitted under the zoning designation, two developments at 77 and 74 percent of the maximum densities permitted under their respective zoning designations, and two developments at 66 percent of the maximum densities permitted under their respective zoning designations. This development capacity was used to calculate the anticipated densities in the analysis for moderate and above-moderate income units on vacant and underutilize sites. Based on the numerous pipeline projects detailed in Appendix E that surpassed those density assumptions, it is reasonable to assume that projects will not request to develop housing at densities below those anticipated in the analysis and will not constitute a constraint to development. In addition, the City's development review team proactively and upon request works closely with applicants to evaluate potential parking and/or landscape coverage reductions to help increase density. When appropriate, Planned Development documents and Specific Plans are also promoted as a means of increasing density with the benefit of increasing amenities, such as park and recreation facilities. In addition, the viability of a Density Bonus application is also considered as a means to increase the density of potential projects in the City.

As identified in **Program 24, No Net Loss**, the City will monitor development activity compared to remaining capacity identified in the Sites Inventory and the City's remaining Regional Housing Needs Allocation (RHNA) throughout the 6th Cycle to ensure there are adequate sites to accommodate the RHNA. In addition, while the City has identified an adequate supply of land to fully accommodate the City's 6th Cycle RHNA, the City will provide an additional buffer of sites by rezoning sites to increase multifamily residential options in moderate- and high opportunity/ higher resource areas through implementation of Program 33, Strategically Enhance Access to Areas of Opportunity.

2.5 Length of Time between Project Approval and Applications for Building Permits

State law requires an analysis of the length of time between receiving approval for housing development and submittal of an application for building permit.

Residential projects in Highland are reviewed by the Community Development Department and Building and Safety Department. On average, the time is between 5 to 10 days for the approval of smaller residential projects of 3 or less units, after approval of for a housing development entitlement of 4 or more units. The length of time between approval from the City for an entitlement and when the applicant applies for a building permit is typically between two (2) and ten (10) months depending on the applicant and the availability of financing, as there is no processing or review required of the City between receipt of approval for a housing development and application for a building permit, rather it is the project applicant's responsibility to apply for needed permits. Once an applicant has received all necessary approvals and has submitted the application for their building permits which comply with all applicable regulations, the submittal of a completed application and plans for building permits it takes approximately 1 month to obtain a building permit for residential projects of 3 or less units, after submittal of a completed application and plans for building permits which comply with all applicable regulations it takes and approximately 1 ½ months to obtain a building permit for residential projects of 4 or more units.

As such, the length of time between receiving approval for a housing development and submittal of an application for building permits has not constituted an impediment to development; however, the City has committed to several program in the Housing Element that shows local efforts to remove potential

nongovernmental constraints for the development of housing for all income levels and the construction of that housing including **Program 28, Affordable Housing Streamlining**, which will provide an affordable housing streamlined approval process in accordance with State requirements for qualifying development proposals that provide affordable units under SB 35 (2017) streamlining, and will ensure clear procedures and a streamlined ministerial approval process to assist staff in responding to SB 35 proposals and permit streamlining amend the Zoning Code and staff procedures to be consistent with State requirements related to the SB 35 streamlining processes. The City will also implement **Program 29, Objective Design Standards**, through which the City will amend the major and minor design review criteria previously outlined, to remove potential constraints to development by ensuring objective design standards and criteria for residential projects requiring design review and increase overall certainty in the development process. In addition, several programs in the Housing Element aim to facilitate the overall construction of the City's share of the regional housing need including **Program 22, Lot Consolidation Incentive**, **Program 30, Surplus Lands**, and **Program 33, Strategically Enhance Access to Areas of Opportunity**.

3 Environmental Constraints

Environmental constraints can limit or affect the type of housing and density of housing development in a community. These constraints can include natural resources, hazards, or lack of sufficient infrastructure capacity. However, Highland is an urbanized community with the majority of the City's infrastructure already in place. Environmental and infrastructure constraints do not pose a significant constraint to housing production.

3.1 Environmental Features

3.1.1 Biological Resources

Due to urbanization and growth, habitat is limited to the undisturbed areas of the northeast. Native habitats within the developed part of the City are few and include annual grasslands with nonnative grasses, disturbed areas with sparse amounts of native species, and landscaped areas. There are plant and wildlife communities within the City, many associated with the watercourses that traverse the City and drainage in the canyons of the foothills and mountains. The City is located north of the Upper Santa Ana River Wash Habitat Conservation Plan; however, the City itself is not within a Habitat Conservation Plan area or other plan area protecting biological resources. Biological resources are regulated and protected by Federal (U.S. Fish and Wildlife Service) and State (California Department of Fish and Wildlife) regulations, and the County of San Bernardino. Federal and State regulations require environmental review of proposed discretionary projects. Costs, resulting from fees charged by local governments and private consultants needed to complete the environmental analyses, and from delays caused by mandated public review periods, also add to the cost of housing. However, the presence of such regulations is required to preserve the environmental and ensure environmental quality for Highland residents.

3.1.2 Archaeological Resources

There are several sites north of the City and specific areas that have been designated as archaeologically sensitive areas with a high probability for discovery of archeological resources if disturbed by development. One of the Native American tribes closely associated with the City of Highland is the San Manuel Band of Mission Indians. To preserve archaeological resources and the history of the San Manuel Band of Mission Indians, the City's approach to preservation is through a site-by-site analysis

using the development review process. Such analysis is required by State law through CEQA and involves archival research, field reconnaissance/survey, and preparation of a Cultural Resources Report. If resources are identified within areas of proposed housing developments, the individual project applicant would work with the City and a qualified archaeologist to determine the proper mitigation for the site in question. As with biological resources, such analysis would add to the cost of housing; however, it is required to avoid significant impacts to archaeologically sensitive sites.

3.1.3 Water Resources

Water is provided to Highland by the EVWD through groundwater, surface water, and imported water. Water providers in Southern California face the challenge of growing demand and uncertainty of supply. The Urban Water Management Plan Act requires water providers to evaluate supplies during normal year, single dry year, and multiple dry year scenarios; existing baseline water use; targets for future water use; demand management measures implemented or planned for implementation; water shortage contingency planning; and notification with other water agencies. It is estimated that the EVWD would experience a 7 percent increase in demand from 2020 to 2030. Assuming conservation behaviors continue among the population, and the EVWD continues to identify new, cost-effective ways to supply water, Highland should be able to supply the water needed for the City's anticipated growth.

3.1.4 Energy Conservation

Rising energy costs, dependence on fossil fuels, and increasing evidence of the adverse impacts of climate change have provoked the need in California and nationwide to improve energy management strategies. Although California has always been a leader in energy conservation, recent regulations specifically target energy independence and greenhouse gas emissions. In 2006, the State Legislature adopted the Global Warming Solutions Act of 2006, which created the first comprehensive, State regulatory program to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050. Promoting energy conservation has become a consistent theme in California's regulations.

Highland understands that energy efficiency can greatly reduce the impact of residential development and provide cost savings for its residents. On a regulatory level, the City enforces the State Energy Conservation Standards (California Code of Regulations Title 24). These standards incorporated into the City's Building Code provide a great deal of flexibility for individual builders to achieve a minimum "energy budget" with various performance standards. These requirements apply to all new residential and commercial construction and to remodeling and rehabilitation construction only where square footage is added. Compliance with Title 24 of the California Administrative Code on the use of energy-efficient appliances and insulation has reduced energy demand stemming from new residential development.

Residential development in Highland is evaluated for energy efficiency during the plan review process. Every residential project must submit calculations per model showing compliance with Title 24. The applicant must describe the type of heating system and maximum capacity, and provide the make, size, and model number for all air conditioning units, furnaces, and water heating equipment. More energy efficiency could be encouraged through an incentives program.

The City of Highland educates the development community and residents through informative materials made available in public buildings, the City's website, and the General Plan Open Space and Conservation Element. Part of this effort is promoting energy efficiency in existing structures through rehabilitation and appliance replacement, and in new development through incentive programs provided by utility companies. The City also has policies that encourage energy conservation and

housing objectives. For example, infill development discussed in the Housing Element and Land Use Element encourages housing development opportunities without creating sprawl. The 2014–2021 Housing Element updated the Land Use and Development Code to include the Residential HDS Overlay, permitting such multifamily units by-right. Additionally, multifamily housing types within the R-4 zone is permitted by-right. The HDS and R-4 zoning are located within urbanized portions of the City. These development types are consistent with State goals to encourage compact, walkable, and energy-efficient neighborhoods.

3.2 Environmental Hazards

Environmental hazards affecting housing development and resident safety include extreme heat, flooding, geologic hazards (landslides/slope instability, earthquakes, and liquefaction), and wildfires. These hazards provide the greatest threat to the built environment. Development should be carefully controlled in potentially hazardous areas. The City of Highland Safety Element, which provides policy guidance about environmental constraints, was updated in 2021 and covers all of the areas within the land inventory.

3.2.1 Flooding

Flood risk is dispersed across Highland but is most centralized in the southern portion of East Highland just south of Greenspot Road and along City Creek. This area has a 1 percent chance of flooding annually, which is also known as a 100-year flood zone. Much of the area south of Greenspot Road and along City Creek is zoned as Open Space and Agricultural/Equestrian. This aids in allowing for natural drainage during extreme rain events. Highland has adopted special standards, such as minimum building elevations, flood proofing, and anchoring, for development in flood-prone areas. Any housing sites identified in the Housing Element that may be located in a 100- or 500-year floodplain, or other flood hazard zone, will be developed in accordance with strict regulations to properly mitigate flooding hazards in accordance with the floodplain management standards of the Highland Municipal Code (Chapter 16.76).

3.2.2 Landslides/Slope Instability

Steep slopes can experience landslides, debris flows, mudslides, and erosion. These effects impact where development can occur throughout the City and can result in damages to existing development. Areas at high risk of landslides include the northern and eastern areas due to their proximity to steep slopes and the rock strength in these areas. The City has regulations in place to reduce the potential for slope failure, erosion, and mudslides when new development is proposed in areas subject to geological risks.

3.2.3 Earthquake

Like the entire Southern California region, the City of Highland is within an area of high seismic activity. It can be expected, therefore, that a significant seismic event will occur in the City. The timing and magnitude of such an event cannot be predicted, although planning efforts for emergency response must be predicated on the certainty of such an event. North and south branches of the San Andreas Fault, a known active fault, run through Highland. The San Jacinto Fault is approximately 4.5 miles southwest of the City. The City's Safety Element requires residential development to be set back a minimum of 50 feet from active and potentially active fault lines. The Safety Element includes other policies to increase mitigation measures and further study possible geologic- and seismic-related hazards.

3.2.4 Liquefaction

Liquefaction may damage structures on saturated, granular soils, such as silt or sand, during an earthquake. These geologic conditions are typical in valley regions within Highland. Areas at risk of liquefaction due to soil composition and heightened exposure to runoff cover nearly all of southeastern Highland, as well as western Highland. Detailed soils engineering investigations would be necessary in those areas where future development is proposed within liquefaction areas in order to further evaluate the liquefaction potential, and to further define the potentially affected areas of the City. However, because of the site-specific nature of geologic hazards, existing geologic conditions are not expected to adversely impact development within Highland. In addition to existing building codes and regulations, site-specific geologic reports would recommend any necessary mitigation measures, if required, to reduce potential hazards associated with liquefaction.

3.2.5 Wildfire

The City of Highland's building codes require new housing to include fire sprinkler systems to protect residents and property. Wildland fires are a present threat, as there are large expanses of undeveloped hillsides in and adjacent to Highland. Most of the City of Highland is built in fire-risk areas due to the proximity to forestland to the north and east of City limits. The most northeastern portions of Highland are located in very high fire risk areas, while much of the central and southern portions of Highland are high fire risk areas. Precautions, such as fuel modification zones, vegetation maintenance, and most importantly perimeter fire roads, help protect Highland's natural and developed areas from wildfire. The California Department of Forestry and Fire Protection provides fire prevention and suppression services to the City and unincorporated areas east of the City. Additional wildland fire protection services are provided by the U.S. Forest Service on National Forest lands adjacent to the City.

3.3 Adequate Infrastructure Capacity

The City of Highland contains both developed and largely undeveloped residentially zoned areas. In developed areas, the existing infrastructure system is sufficient to support Highland's population, but water and sewer are limited in undeveloped areas within the City. However, infrastructure in currently unserved areas will be planned and constructed as necessary to serve new development. These improvements are typically dedicated to the City, which is then responsible for maintenance and/or improvement.

Future housing growth is focused in commercial areas around existing bus stops that are served by existing sewer and water lines. All development plans in Highland must be coordinated with the EVWD to meet wastewater disposal and treatment requirements established by the California Department of Health Services. Development impact fees will allow the water and wastewater districts to provide necessary connections and services.

3.3.1 Dry Utilities

The California Public Utilities Commission is responsible for regulating the electric, natural gas and telecommunication industries excepting cable television. Southern California Edison provides electricity to the City. Southern California Edison has a local office in the City of Redlands and operates a substation in the City. Electrical facilities are expected to keep pace with anticipated demand in the City. The Southern California Gas Company provides natural gas to the City. The Southern California Gas Company has local offices in the City of San Bernardino and the City of Redlands. The availability of natural gas is based on current conditions of gas supply and regulatory policies. The Southern California

Gas Company has no current plans for significant improvement or expansion plans for the City and anticipates that an ample supply of natural gas can be provided to the City. Important telecommunication systems are available to the City's residents, including cable, high-speed Internet, and wireless communication. Refer to the City's Public Services and Facilities Element of the General Plan for additional information.

There is sufficient existing or planned dry utilities supply capacity, including electricity, natural gas, cable, and telephone, to accommodate the City's regional housing need and sites identified for the planning period (see **Appendix E** for Sites Inventory details).

3.3.2 Sewer System

The EVWD provides sewer services to the City and has a joint powers agreement with the City of San Bernardino to accept all sewage generated by the City. Although the sewer system is adequate for existing development in Highland, continued growth has the potential to impact the capabilities of the sewer system. Developers must coordinate with the EVWD to meet sewer requirements. The EVWD has adopted the 2019 Sewer System Management Plan. As required by Order No. 2006-0003, Statewide General Waste Discharge Requirements, the Sewer System Management Plan will undergo review and revisions through internal audits every 2 years. The Statewide General Waste Discharge Requirements also require an agency to have a System Evaluation and Capacity Assurance Plan. This component involves preparing and implementing a Capital Improvement Program that will provide the hydraulic capacity of key sewer systems for dry-weather peak-flow conditions, as well as appropriate design storm or wet-weather events. The 2019 Sewer Master Plan identifies projects in prioritized order for pipelines showing capacity deficiency in the future planning horizon. After completing the projects identified in the 2019 Sewer Master Plan, the City's sewer system will operate with adequate capacity.

The sewage from the City flows in a general direction from northeast to southwest toward the San Bernardino Water Reclamation Plant located at 299 Blood Bank Road in the City of San Bernardino. This plant is operated by the San Bernardino City Municipal Water Department, Water Reclamation Division. The plant processes an average sewage flow of approximately 26 to 27 million gallons per day (mgd) from the City of San Bernardino, the City, and other areas. The plant has a total sewage capacity of 33 mgd. Expansion or construction of a new wastewater treatment facility to meet the demands of the 2021–2029 Housing Element update is not required.

3.3.3 Water System

The City's water supply sources are local groundwater, surface runoff from natural watershed and drainage areas, and imported water. The EVWD manages the water supply through a system of pipelines, wells, reservoirs, pumping stations, and a treatment plant. This system includes approximately 19 active wells, 2 inactive wells, 18 reservoirs, and 26 booster stations all located on 39 different plant sites.

The water distribution and transmission network varies considerably throughout the City. Transmission lines (16 to 24 inches in diameter) transport large quantities of water from one area to another. Major transmission lines are located in parts of Victoria Avenue, Sterling Avenue, Del Rosa Drive, Tippecanoe Avenue, Church Street, Weaver Street, 9th Street, Base Line, Pacific Street, Highland Avenue, and 5th Street. Distribution lines (3/4 inches to 20 inches in diameter) deliver water to individual dwelling units. Major streets have the larger distribution lines whereas secondary or local streets have progressively smaller lines.

The 2019 Water System Master Plan provides guidance for the expansion of the current water system based on planned development. Potential infill growth resulting from new zoning and land use regulations would be accounted for in future Water System Master Plan updates. Additionally, the 2019 Water System Master Plan evaluates the existing distribution system and its facilities to size future improvements. A water supply analysis was performed to determine whether available water sources are sufficient to meet water demand for the EVWD under normal and emergency operations. It was determined that EVWD will have a total deficiency of approximately 18.0 mgd of storage capacity and 13.44 mgd for supply under the build-out demand. Improvement projects identified would address system deficiencies and increased water demands.

4 Analysis of Local Efforts to Remove Constraints and Facilitate Affordable Housing

During the 5th Cycle Housing Element planning period, the City made strides to reduce constraints to development that are within the City's purview since the Housing Element was last updated in 2013. Reductions to constraints during the 5th Cycle planning period were as follows:

- Updates to the Land Use and Development Code to comply with State law regarding transitional and supportive housing.
- The Greenspot Village & Marketplace Specific Plan adoption in 2013, providing a generous amount of land available for residential development, including up to 800 residential units, and a mix of residential, commercial, entertainment, governmental, and professional office uses.
- Amended the Land Use and Development Code to make permitting ADUs in single-family zones a ministerial action that does not require public notice, public hearing, or discretionary approval.

During the 6th Cycle review of governmental and non-governmental constraints, the following areas were identified as imposing potential constraints to housing development, including housing affordable to lower-income households and for special needs groups including persons with disabilities.

Updates to State Law

Most recently, the City amended the Accessory Dwelling Units and Junior Accessory Dwelling Units Ordinance (Section 16.44.180 of the City's Land Use and Development Code) in 2021 to comply with several updates consistent with State law, Government Code Section 65852.2. As part of **Program 12, Accessory Dwelling Units**, of the Housing Element, the City will submit the updated ordinance to HCD for their review and will incorporate amendments, as required by HCD. Further, the City will develop and adopt a program that incentivizes and promotes the creation of ADUs that can be offered at an affordable rent for extremely low, very low, low, or moderate-income households or households with special needs (AB 671, 2019). Other areas in the Land Use and Development Code which may pose a constraint to development as they are not up to date with current State law include, Emergency shelter parking requirements, by-right approvals for Low-barrier Navigation Centers, and density bonus requirements for affordable housing. However, through **Program 19, Emergency Shelters, Transitional Housing, and Permanent Supportive Housing, and Single Room Occupancy**, the City will permit transitional and supportive housing consistent with State laws and amend the City's Emergency Shelters Ordinance (Section 16.44.270, Emergency Shelters) to comply with parking requirements set forth by AB 139, Quirk-Silva. Through **Program 27, Low Barrier Navigation Centers**, the City will update the Land Use and Development Code to provide, by-right, approvals exempt per the California Environmental Quality Act (CEQA) to Low-Barrier Navigation Centers meeting specific standards in areas zoned for mixed uses and nonresidential zones permitting multifamily uses, consistent with AB 101's requirements for Low-Barrier Navigation Centers. As mentioned, the City's Density Bonus Ordinance, approved in 2013, is no longer in compliance with the State's latest Density Bonus Law. **Program 6, Density Bonus**, will update the City's Density Bonus Ordinance to comply with the current State Density Bonus Law, including the provision for an increased bonus for 100 percent affordable developments and student affordable housing.

Residential Care Facilities - Licensed and Unlicensed Group Homes

~~Another potential governmental constraint identified is related to the development of residential care facilities. While the City's Land Use and Development Code includes a definition and permit requirements for Residential Care Facilities serving seven or more persons, referred to as "Board and Care facilities" it does not differentiate or include provisions for residential care facilities for 6 persons or fewer. This is a constraint to the development of residential care facilities for 6 or fewer persons as local agencies must permit these facilities as follows: (1) the same as any other residential use and shall be considered a residential use of property by a single family; (2) allowed in all residential zones; and (3) be subject to the same development standards, fees, taxes, and permit procedures as those imposed on the same type of housing in the same zone. The Health and Safety Code requires jurisdictions to allow licensed group homes serving six or fewer persons in single-family residential zones and to treat them the same as single-family homes. The City's Zoning Code defines all categories of licensed group homes as "Residential Care Facilities." To comply with the Health and Safety Code and state housing laws regarding licensed group homes, the City will update the Zoning Code's definitions and permitting processes to differentiate between Residential Care Facilities (licensed group homes) serving six or fewer residents and those serving seven or more residents as part of Program 18, Group Homes and Residential Care Facilities.~~

According to the permitted uses table in the Land Use and Development Code (see Table 2), a residential care facility for seven persons or more (Board and Care Facilities) are conditionally permitted in all multifamily zones (R-2, R-2C, R-3, R-4, and HDS) and commercial zones (CG, NC, PC, VC). Requirements for discretionary permits may be necessary for certain uses which could have an effect on the existing community; however, they may also pose constraints to development. As such, **Program 18, Group Homes and Residential Care Facilities**, of the Housing Element includes an objective to amend the Zoning Code to permit Residential Care Facilities (licensed group homes) serving six or fewer persons in all single-family zones subject only to the generally applicable laws that apply to all single-family residences in accordance with the Welfare and Institutions Code and Health and Safety Code and permit those serving seven or more in at least one zone without discretion. ~~permit residential care facilities serving six or fewer persons by right in all residential zones in accordance with the Welfare and Institutions Code Section 5116 and permit those serving seven or more in at least one zone without discretion.~~

Group Homes that Do Not Provide Licensable Services –

Further, to remove constraints to the development of housing for persons with disabilities and to comply with state housing laws regarding unlicensed group homes, the City will update the Zoning Code as part of Program 18 to permit unlicensed group homes in single-family zones, subject to the same laws that apply to all single-family residences to comply with state housing laws.

Lot Consolidation

The City has identified numerous vacant and underutilized parcels that have the potential to accommodate multifamily projects, as detailed in **Appendix E**. To mitigate potential constraints that may exist related to lot consolidation for development projects relying on multiple lots to create one site, the City will provide a development permit expedite incentive through priority processing for projects utilizing ~~for~~ lot consolidation for multifamily development on sites identified in the Housing Element as having the potential to accommodate lower- or moderate-income units, including those sites with potential for

extremely low-income development and development to meet the needs of those with special needs, through implementation of **Program 223, Lot Consolidation Incentive**, of the Housing Element.

Single Room Occupancies (SROs)

Another potential governmental constrain is related to the development of SRO units which impact extremely low-income households. The Land Use and Development Code does not currently permit SRO units. As such, through **Program 19** of the Housing Element, the City is committing to amend the Zoning Code to identify a process by which SRO units can be permitted to further increase housing opportunities for extremely low-income households.

Market Constraints

Non-governmental constraints are generally market driven and outside the control of local government; nonetheless, the City can take action to help alleviate some of these constraints in the form of regulatory relief and increased certainty in the development process. For example, **Programs 21, Collaborative Affordable Housing Partnerships**, and **Program 245, No Net Loss**, are related to market demand and promoting developer interest to build affordable housing. Through **Program 201, Mobile Home Preservation**, the City will require a report detailing relocation and displacement for any proposed conversion or closure of a mobile home park. This ensures that residents of mobile homes, which are typically lower-income households, are not displaced from the City and that housing stock for lower-income households remains in the City. Through **Program 245, No Net Loss**, the City will monitor development activity compared to remaining capacity identified in the Sites Inventory and the City's RHNA to ensure there is adequate capacity for lower-income households. Similarly, through **Program 1, Homeowner Rehabilitation Program**, the City will partner with the County to refer residents to a loan available to eligible households earning below 80 percent of the Area Median Income in the Inland Valley which provides up to \$25,000 per households to be used for financing home improvements, including health and safety repairs and energy efficiency upgrades. This helps ensure the longevity of the City's housing stock.

Other programs in the Housing Element aimed to incentive development and address potential non-governmental constraints include:

- **Program 4, Inclusionary Housing**, which requires that all new housing developments provide affordable units on site or off site, or to pay an in-lieu fee that goes into the City's affordable housing preservation and construction fund.
- **Program 8, By-Right Development On Previously Identified Housing Sites**, will permit sites in the Sites Inventory, that were previously identified in accordance with the specifications of Housing Element law, to be developed by right where 20 percent of the total housing units in the development will be affordable to lower-income households consistent with State Assembly Bill (AB) 1397 (See Section 3.3, Sites Identified in Previous Housing Elements, of Appendix E, for additional details).
- **Program 1320, Homeowner Assistance Programs Affordable Housing Partnerships**, the City will support creative models of affordable property ownership and affordable housing preservation through methods such as community land trusts.
- **Program 21, Collaborative Partnerships**, the City will contact local affordable housing service providers to discuss partnering and will continue to seek financial assistance from other agencies.

and support the development of extremely low-, very low-, and low-income units through an approximately \$4.5 million grant from the City of Highland Housing Authority (Highland Housing Authority).

- **Program 29, Objective Design Standards**, the City will amend the major and minor design review criteria outlined above to remove potential constraints to development by ensuring objective design standards and criteria for residential projects requiring design review.
- **Program 30, Surplus Lands**, the City will identify and prioritize local surplus lands available for housing development affordable to lower-income households, including extremely low-income households and households with special needs and facilitate the development of new affordable rental units on a surplus site through a long-term ground lease with a below fair market value rent.
- **Program 31, Increased Transparency**, the City will maintain information on the City's website that is applicable for housing development project proposal requirements, including a current schedule of fees, exactions, applicable affordability requirements, all zoning ordinances, development standards, and annual fee reports or other relevant financial reports to ensure the development process is clear.
- **Program 33, Strategically Enhance Access to Areas of Opportunity**, while the City has identified an adequate supply of land to fully accommodate the City's 6th Cycle RHNA, the City will identify and rezone areas appropriate for medium and high residential densities, specifically in moderate- or higher resource areas. Allowing for the development of multifamily residential uses across the City can increase opportunities for existing and future residents to live where they choose. Therefore, through implementation of **Program 33**, the City can increase geographic equity and opportunities for residents, and provide an additional buffer of sites by rezoning sites to increase multifamily residential options in moderate- and high opportunity/ higher resource areas.

Further details can be found in the Housing Element, Program Implementation subsection.

5 Quantified Objectives

Based on the City's needs, resources, constraints, and programs outlined in the Housing Element, **Table 8, Summary of Quantified Objectives for 6th Cycle (2021-2029)** summarizes the quantifiable objectives for the 6th Cycle. The quantified objectives estimate the number of units likely to be constructed, rehabilitated, or conserved/preserved by income level during the planning period. The quantified objectives do not represent a ceiling on development, but rather set a target goal for the City to achieve.

Table 8. Summary of Quantified Objectives for 6th Cycle (2021-2029)				
Income Category	6th Cycle RHNA	New Construction	Rehabilitation	Conservation/ Preservation
Extremely Low	309	309	0	0
Very Low	310	310	0	0
Low	409	409	0	0
Moderate	471	471	0	0
Above Moderate	1,014	1,014	0	0
TOTALS	2,513	2,513		0

Appendix D: Affirmatively Furthering Fair Housing Analysis

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1. Introduction

Fair housing occurs when individuals of similar income levels have the same range of housing choice available to them in the same housing market regardless of their characteristics as protected under local, State, and Federal laws. It is important to the City of Highland (City) that its citizens have fair housing choice, free from discrimination on the basis of race/ethnicity, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act, California Government Code Section 65008, and other State and Federal fair housing and planning laws. In 2018, Assembly Bill 686, Affirmatively Further Fair Housing, amended Sections 65583 and 65582.2 of the California Government Code to require a public agency to administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing.

From freeway expansion to discriminatory housing loan practices, historically underserved communities across the nation have experienced decades of housing disinvestment and infrastructure underinvestment. Many racially and ethnically segregated communities have been left with higher rates of air pollution, poverty, unemployment, educational attainment, and health risks. State and Federal laws, such as the Fair Housing Act, have established pathways for local jurisdictions to create more diverse and equitable communities, but reversing decades of discriminatory policies at all levels of the public and private sectors is complex, and many challenges to equitable development remain. The Housing Element seeks to affirmatively further fair housing by identifying segregated living patterns and barriers to fair housing, designating sites for affordable housing in areas of opportunity, and implementing programs that aim to replace segregated living patterns and transform racially and ethnically concentrated areas of poverty. Siting lower-income housing in high-resource areas is only part of the solution to improve fair housing. Cities must also plan for the needs of lower-income individuals and households through methods such as accessibility of jobs, transportation, educational opportunities, and health services.

This section serves as an assessment of fair housing practices in the City pursuant to California Government Code Section 65583(c)(9). Housing Elements are required to include the following:

- A summary of fair housing issues in the jurisdiction and an assessment of the jurisdiction's fair housing enforcement and outreach capacity
- An analysis of available Federal, State, and local data and knowledge to identify integration and segregation patterns and trends, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs within the jurisdiction, including displacement risk
- An assessment of the factors that contribute to the fair housing issues identified in the analysis
- An identification of the jurisdiction's fair housing priorities and goals, giving highest priority to the greatest contributing factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance
- Measurable strategies and actions to implement the fair housing priorities and goals in the form of programs to affirmatively further fair housing

2. Analysis of Impediments to Fair Housing Choice

The City intends to affirmatively further fair housing choice and promote equal housing opportunity in accordance with requirements in State Fair Housing and Housing Element law and Federal law. To achieve this, the City identifies impediments to fair housing choice and works to remove these impediments through this Affirmatively Furthering Fair Housing Analysis. In addition, in March 2015, the County of San Bernardino (County) adopted the County of San Bernardino Analysis of Impediments to Fair Housing Choice.

The Analysis of Impediments presents a demographic profile of the region, assesses the extent of housing needs among specific income groups, and evaluates the availability of a range of housing choices for residents. The Analysis of Impediments also analyzes the conditions in the private market and the public sector that could limit the range of housing choices or impede a person's access to housing.

3. Housing Element Outreach

While outreach and community engagement have always been important, in recent years significant strides have been made in technology and level of effort regarding engagement. Past engagement may not always have had multiple forms of media, meaning that in-person public meetings were the primary form of engagement, with surveys and stakeholder interviews and other types of engagement taking a back seat. In-person public meetings are not always the most accessible for multiple reasons. If a meeting is at only one specific time, or if it is only offered in English, it can create participation barriers for those who may be unable to attend at the specified time or location, or people without proficiency in English.

Engagement related to the Housing Element has attempted to be comprehensive while in the context of the COVID-19 pandemic. An online survey was used to engage residents on local housing needs and concerns. Stakeholder interviews were conducted via telephone, where public meeting participants were invited to share their thoughts in a one-on-one setting. Results of the interviews provided a better understanding of housing needs, priorities, opportunities, and constraints. All virtual meetings were held in English and Spanish to foster participation across demographics, as 34.7 percent of the population is Spanish-speaking. Virtual meetings were open to the public and were recorded and made available for public viewing after the event as well. Because the virtual meetings were conducted to allow participants to practice social distancing, participants had the option of joining through their computers or tablets, or using a call-in number if they did not have access to the internet. Virtual meetings were also streamed onto Facebook, which allowed for post-meeting comments to be submitted. In addition, the outreach was held in the evenings, outside of working hours. An extensive outreach process contributes to a set of meaningful goals, policies, and programs that will reflect the City's housing needs and the priorities and needs of all of those in the City, including those with special needs and lower-income populations.

Please refer to **Appendix F, Community Engagement Summary and Results**, for a full summary of outreach material and outreach conducted as part of the Housing Element update.

4. Assessment of Fair Housing

4.1. Fair Housing Enforcement and Outreach Capacity

This section discusses the fair housing services available to residents in the City and the corresponding organizations that provide fair housing services available to both providers and consumers of housing, as well as the nature and extent of fair housing complaints received by the fair housing provider. In general, fair housing services include investigating and resolving housing discrimination complaints; discrimination auditing and testing; and education and outreach, such as disseminating fair housing information through written materials, workshops, and seminars.

The City coordinates with the Inland Fair Housing and Mediation Board (IFHMB's) to provide fair housing services for its residents. Services provided by IFHMB include providing information as it relates to fair housing, investigation, education, conciliation, and/or referral of housing discrimination complaints free of charge to individuals. It also involves fair housing workshops that are offered year-round to educate housing providers, tenants, homeowners, and financial and lending institutions on the key aspects of fair housing laws.

According to the California Department of Employment and Fair Housing, between the calendar years of 2013 and 2021, there were a total of 3 housing cases in the City. One of these was filed based on discrimination to national origin. Of the 3 cases, 2 were documented as failure to respond and 1 was documented as no valid issue. None of the cases filed in the City were based on sex orientation, disability, race, familial status, religion, and color. There are no known fair housing lawsuits in the City. Through this contract with the IFHMB, the City is able to effectively disseminate fair housing issues, provide resources and educational material through community outreach and other fair housing services provided to the residents of the City.

At the County level, there were 12 total cases in 2020. Of these 12 cases submitted to the Office of Fair Housing and Equal Opportunity (FHEO), 2 were for racial bias, 8 were for disability, and 1 for familial status. Information regarding the validity of the cases or resolution count is not available.

Additional organizations that offer fair housing services and are available to the residents of the City include the following:

- U.S. Department of Housing and Urban Development
- California Department of Fair Employment and Housing
- Housing Authority of the County of San Bernardino
- Inland Fair Housing and Mediation Board
- Inland Counties Legal Services, Inc.

The IFHMB is a private nonprofit agency that serves the County and parts of Riverside and Imperial Counties. IFHMB is funded by grants and awards and serves as an intermediary to assist individuals in resolving issues related to housing discrimination, homeownership, rental complaints, and disputes in court. Other services include foreclosure prevention counseling and senior services. IFHMB also provides fair housing outreach materials for public and private agencies' use in English, Spanish, and Chinese. These resources provide individuals with definitions and examples of housing discrimination, fair housing as it

relates to sex discrimination, and a social media fair housing toolkit. Their website also provides online resources such as links to COVID-19 housing and food resources, rental assistance, and eviction moratorium updates.

The Housing Authority of the County of San Bernardino (HACSB) provides rental assistance to low-income families by housing families in HACSB-owned or managed properties or through subsidized housing assistance to a landlord who rents their home to an assisted family. According to HACSB, they serve over 25,000 persons most of whom are seniors, individuals with disabilities, veterans, and children. In addition to housing, HACSB provides resources such as food assistance, education for youth, senior resources, a family self-sufficiency program, and a landlord participation incentive program.

Inland Counties Legal Services, Inc. (ICLS) is a nonprofit organization providing legal services to low-income persons residing in the County and Riverside County. ICLS's housing work focuses on both increasing affordable and quality housing, and helps people stay in their homes. In addition to their housing and legal services, ICLS also offers educational workshops such as small business assistance.

Specific to the City, the City will make all reasonable modifications to policies and programs to ensure that people with disabilities and or special needs groups, including low-income groups, have an equal opportunity to enjoy all of its programs, services, and activities. In addition, the following resources are available to the City's residents:

- CA COVID-19 Rent Relief -Housing Is Key. Will help income-eligible households pay rent and utilities, both for past due and future payments. The federal Consolidated Appropriations Act of 2021 provides funding to support the program and tenant (renter) protection laws signed by the current Governor, Governor Newsom.
- Emergency Housing Voucher Program. This new program is available to families in the County and Riverside County who are experiencing homelessness or at risk of being homeless; are fleeing domestic or dating violence, sexual assault. Applicants must be referred by a partner agency in the continuum of care or the county's Coordinated Entry System. Inland Counties Legal Services, Inc. website provides more information and resources related to this program.
- California Free Legal Answers. This program is offered by LawHelpCA.org and is available to California residents. Residents may submit a legal question relating to COVID-19 and receive guidance from a lawyer free of cost.
- Operation Grace. This program provides housing including rental assistance, emergency shelter and permanent supportive housing as well as programs to families at risk of losing their housing. They also work with housing partners to provide homeless prevention services.

Housing Element Programs

The City is in compliance with existing fair housing laws and regulations. The City recognizes the effect that discrimination has in limiting housing choice and equal opportunity in renting, selling, and financing housing. The City offers fair housing information and links to the IFHMB and additional housing resources on the City's website, Housing Programs webpage.

Through programs in the housing element, the City will continue to provide resources to fair housing enforcement and outreach, as well continue to partner with IFHMB for fair housing enforcement in the City (**Program 15, Fair Housing Mediation**). The City is committed to furthering fair housing and in addition

to providing services for enforcing fair housing related issues, the City will also continue to actively participate in the Analysis of Impediments to Fair Housing to evaluate discriminatory practices in the County. Through **Program 25, Fair Housing Outreach**, the City is making a diligent effort to address fair housing issues in the City by evaluating the need to establish an Ad Hoc Fair Housing committee to provide policy recommendations to guide policies and programs in a manner that furthers fair housing. In addition, the City will administer public investments and programs related to housing and community development in a manner to Affirmatively Further Fair Housing, including identifying and prioritizing capital improvements in a manner that ensures investments are promoting increased access to resources and investment in communities with the greatest need. Through **Program 2, Multiple-Family Rental Program**~~Residential Rental Enhancement and Rehabilitation Program~~, the City will mitigate potential impacts on affirmatively furthering fair housing throughout the City by amending the Municipal Code to eliminate the provisions of the Crime Free Multiple-Family Rental-Housing Program ordinance and corresponding program requirements. ~~provide outreach services and incorporate fair housing training for landlords.~~

Crime Free Multiple-Family Rental-Housing Program

The Crime Free Multiple-Family Rental-Housing Program is a partnership with the County, property managers, owners, landlords and residents. The program is run by the San Bernardino County Sheriff's Department with the goal of reducing crime through community partnerships and pro-active steps to improve the quality of life for the community. The programs consist of three phases towards making a property a safer living environment for the tenants. The phases must be completed under the supervision of the local sheriff's station. Property managers and owners can become individually certified after completing training in each phase and the property can become certified when all phases are completed. The program applies to any property that contains four or more rental units that are being rented out for residential dwelling purposes. (Refer to Section 1.8.7 of Appendix C – Constraints and Zoning Analysis, for additional guidelines and requirements.)

~~The program aims to increase community participation, provide accountability for property owners, and lower maintenance costs. The program phases improve public safety for tenants, property owners, and the community. Phase I of the program includes free classroom instruction, which includes establishing fair screening and the legal rights and responsibilities of owners and managers. Phase II of the program includes a property survey. Staff from the local sheriff's station conducts an inspection of the property using Crime Prevention Through Environmental Design (CPTED) principles. CPTED is a nationally accepted multi-disciplinary approach to deterring criminal behavior through environmental design. The property survey is strictly an on-premise inspection.~~

This program's main point of focus and concern is regarding the safety of tenants and safety issues across the board of all applicable projects. The program applies to any property that contains four or more rental units that are being rented out for residential dwelling purposes, and does not target specific groups or classes. ~~the board of all projects over four rental units that are being rented out for residential dwelling purposes. Therefore, the City has determined that implementation of the Crime-Free Ordinance Program does not constitute a constraint on providing housing for all income levels throughout the community, and does not have an implication on affirmatively furthering fair housing in the City because it is not targeting specific groups or classes. However, to mitigate any potential impacts on affirmatively furthering fair housing throughout the City, the City is going to amend the Municipal Code to eliminate the Crime~~

Free Multiple-Family Rental Housing Program ordinance and corresponding program requirements as detailed in **Program 2**. Refer to ~~Section 1.8.7 of Appendix C Constraints and Zoning Analysis~~, for additional guidelines and requirements.

4.2. Segregation and Integration

Patterns of segregation have been commonly linked to poorer life outcomes in income, housing equity, educational attainment, and life expectancy, according to research from the University of California, Berkeley.¹ Affirmatively furthering fair housing involves overcoming and reversing patterns of segregation. And taking meaningful actions that foster inclusive communities.

4.2.1. Race and Ethnicity

Like much of Southern California, the City is becoming more racially and ethnically diverse. The population of the City is primarily White and/or Hispanic. As of 2018, City residents who reported being White were the majority. Non-Hispanic White residents made up 41.7 percent of the City's population in 2000, and only made up 27.6 percent of the population in 2018. In regard to ethnicity, the number of Hispanic residents of any race increased significantly from 2000 to 2018, going from 36.6 percent of the population to now more than half the population. Residents of African American/Black or Asian race do not make up the majority of the population in any of the City's Census tracts, but there are over 4,000 African American/Black residents and Asian residents each within the City. From 2000 to 2018, the non-Hispanic African American/Black population has reduced from 11.7 percent of the population to 8.1 percent. The non-Hispanic Asian population has increased from 5.9 percent in 2000 to 9 percent in 2018. These changes could be attributed to several factors, including migration and childbearing, and trends can be complicated to discern when considering many individuals can be multiple races, and ethnicity is not exclusive of race. As shown in **Figure 1A**, Race and Ethnic Distribution, the proportion of the Hispanic population in the City is primarily in western Highland. The non-Hispanic White population is primarily in eastern Highland, with Boulder Avenue as the boundary distinguishing the eastern and western portions of Highland. The Hispanic majority in eastern Highland is sizeable or predominant for most of western Highland, whereas the White majority in eastern Highland is slimmer compared to the next predominant population. When compared to the broader region, **Figure 1B**, Race and Ethnic Distribution in the Region, it is revealed that the split in demographics continues east and west of the City. Fontana, Ontario, and San Bernardino which are located west of the City are predominantly Hispanic, whereas Redlands and Yucaipa which is located east of the City is predominantly White in population.

Generally, the average racial composition and number of people of different races or ethnicities in neighborhoods differs depending on location. To further examine this distribution, this assessment relies on a calculation of the average racial composition of neighborhoods experienced by members of each racial group. These are sometimes referred to as "exposure indices." This is because they show the exposure a given race group experiences with members of their own and other races (as a percentage of 100) in an average neighborhood of the city (or metropolitan area) being examined. In the City, Hispanic residents are exposed to 42.7 percent Hispanic residents and 35 percent White residents. On the other hand, White residents are exposed to 30.7 percent Hispanic residents and 48.9 percent White residents.² This shows that White residents are more likely to be exposed to other White residents, and Hispanic residents are more likely to be exposed to other Hispanic residents. This is true to varying degrees for all

¹ Menedian, S., and S. Gambhir. 2018. "Racial Segregation in the San Francisco Bay Area," *Othering & Belonging Institute, UC BERKLEY*. <https://belonging.berkeley.edu/study-finds-strong-correlations-between-segregation-and-life-outcomes-sf-bay-area>.

² Frey, W.H., and D. Myers. n.d. Segregation: Neighborhood Exposure by Race. CensusScope. https://www.censusscope.org/us/s6/p36448/chart_exposure.html.

racess and ethnicities examined in the City. **Figure 2A**, Diversity Index, displays the levels of diversity across the different neighborhoods within the City. Higher diversity is seen in the predominantly Hispanic resident western core, whereas lower diversity is seen in eastern Highland. From 2010 to 2018, the diversity of neighborhoods in Highland improved slightly across the City. **Figure 2B**, Regional Diversity Index, shows that neighboring San Bernardino and other cities west of Highland are also higher in diversity. Diversity becomes lower moving eastward in the region.

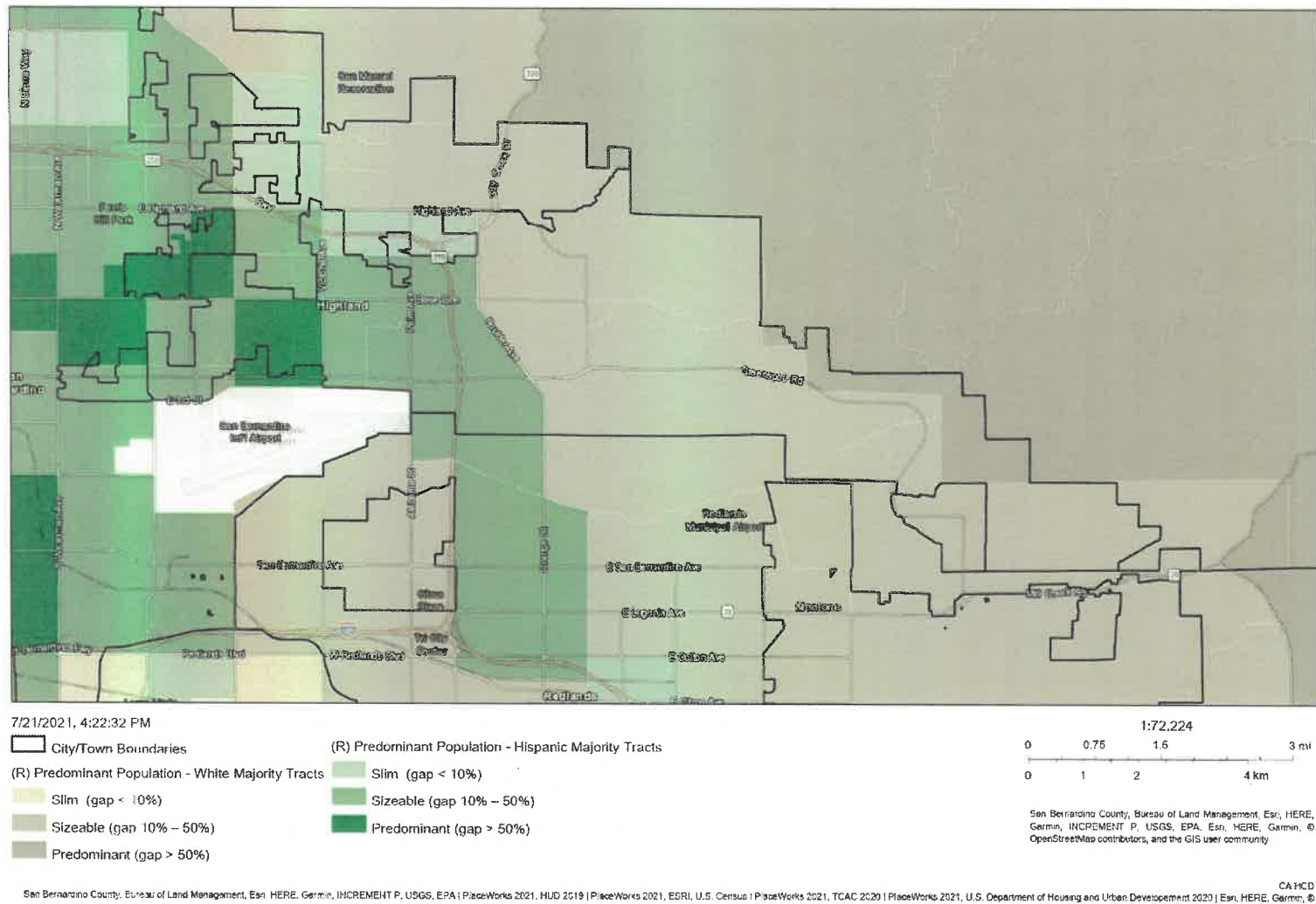


Figure 1A. Race and Ethnic Distribution³

³ HUD (U.S. Department of Housing and Urban Development). n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

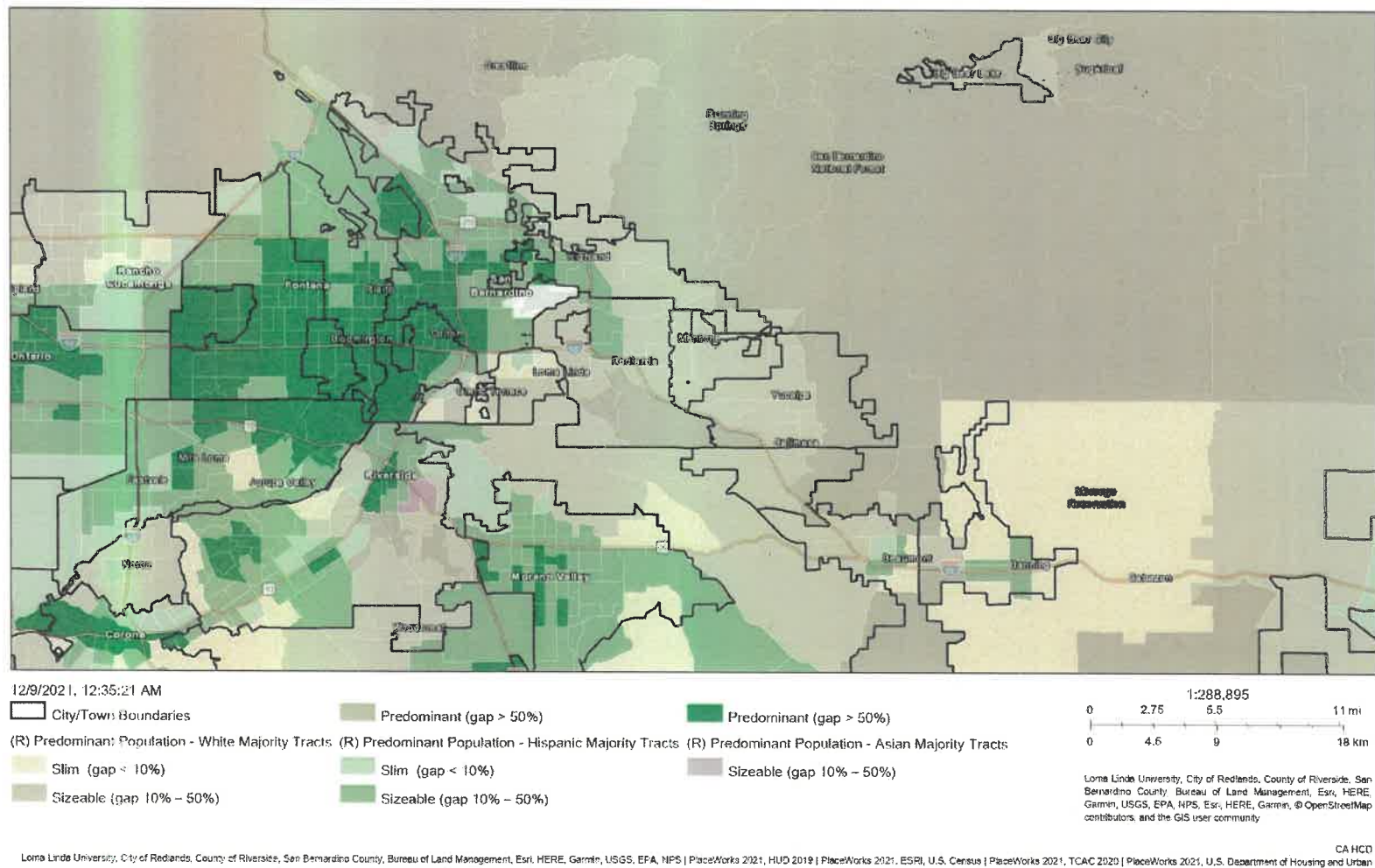


Figure 1B. Race and Ethnic Distribution in the Region⁴

⁴ HUD (U.S. Department of Housing and Urban Development). n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

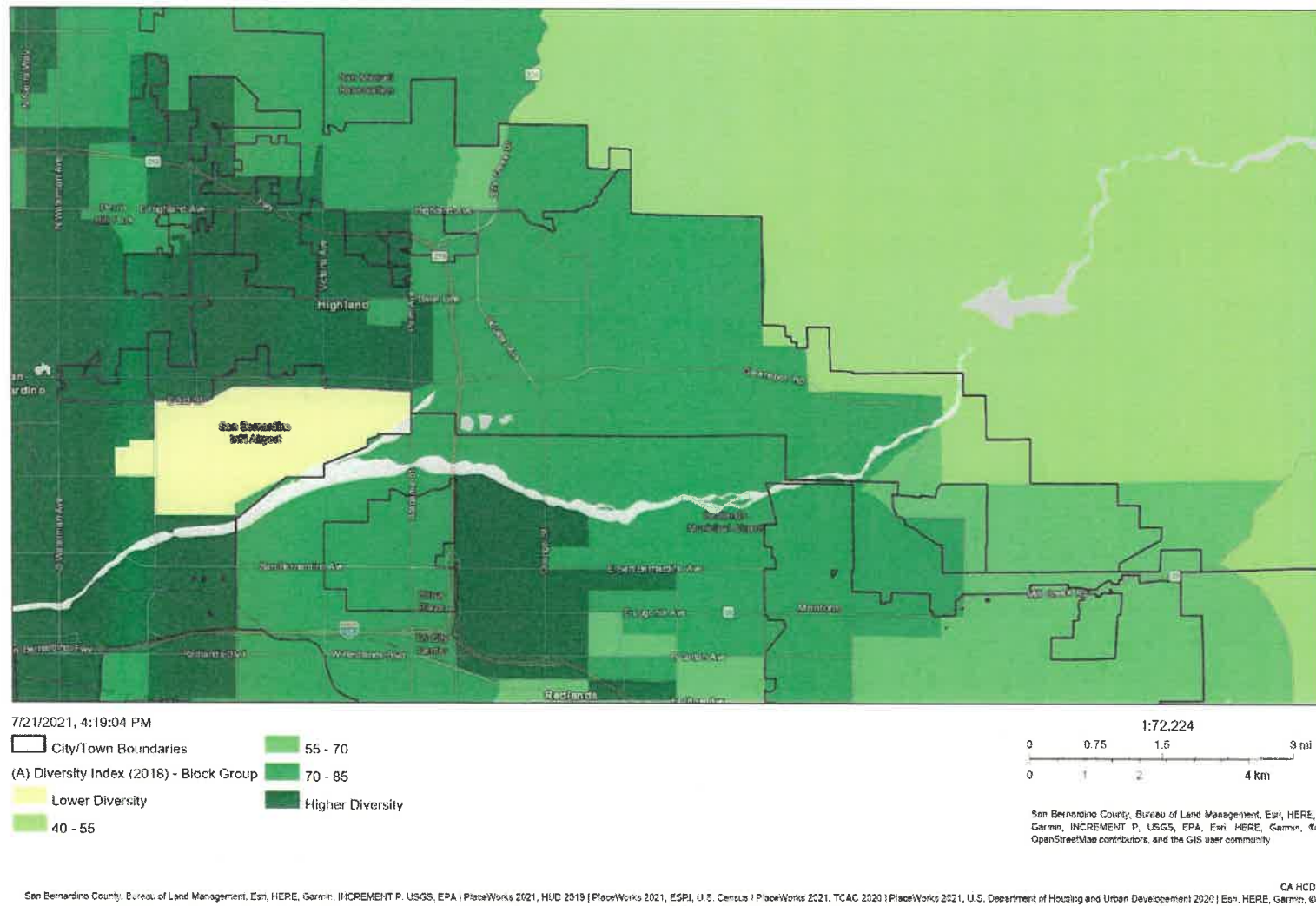


Figure 2A. Diversity Index⁵

⁵ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

Another measure of segregation between two groups is the dissimilarity index (DI). The DI measures the degree to which two racial or ethnic groups are distributed across a geographic area. The DI varies between 0 and 100 and measures the percentage of one group that would have to move across neighborhoods to be distributed the same way as the second group. A DI of 0 indicates conditions of total integration under which both groups are distributed in the same proportions across all neighborhoods. A DI of 100 indicates conditions of total segregation such that the members of one group are located in completely different neighborhoods than the second group. This is a helpful metric because it can show which race or ethnicity is the most segregated. Generally, the City of Highland is moderately segregated. Highland received an index rating of 36.2 when comparing White and Hispanic populations, indicating that roughly 36.2 percent of Hispanic households are not distributed the same way as White households in the City. When comparing White and African American/Black populations, Highland has a similar score of 33.8. And when comparing White and Asian populations, Highland has a lower score of 18.4. Since the other ethnic/racial groups within the City have a small population percentage, the DI may be high even if the group is evenly distributed throughout the area. Thus, this assessment only compares White, Hispanic, African American, and Asian populations.⁷

4.2.2. National-Origin

The proportion of foreign-born population is consistent with San Bernardino County at 21 percent.⁸ Those born in Latin America make up 70 percent of the foreign-born population in Highland and the second largest subset are those born in Asia at 25 percent of the foreign-born population. This is a significant portion of the population and should be given consideration for fair housing outreach and education.

4.2.3. Language

In the City and across the region, approximately 42 percent of residents speak languages other than English at home.⁹ Individuals who do not speak English as their primary language and who have limited ability to read, speak, write, or understand English have limited English proficiency. Language barriers can increase the discrimination that immigrant populations may face in access to housing. Generally, immigrants with limited resources often face difficulty in acquiring adequate housing as they adjust to their new surroundings and obtain employment. As a result, housing problems such as overcrowding and overpayment are often more prevalent among those populations that recently immigrated.

4.2.4. Household Income

Household income is the most important factor determining a household's ability to balance housing costs with other basic life necessities, although economic factors that affect a household's housing choice are not necessarily a fair housing issue. Fair housing issues occur when relationships among household income, household type, race/ethnicity, and other factors create misconceptions, biases, and differential treatments. Discriminatory housing practices of the past, such as redlining, restrictive zoning, urban renewal, and steering, while illegal today, have led to a disproportionate gap in household wealth based on race and ethnicity.

⁷ Frey, W.H., and D. Myers n.d. Segregation: Dissimilarity Indices. CensusScope. https://www.censusscope.org/us/s6/p33588/chart_dissimilarity.html.

⁸ U.S. Census Bureau. 2019. Demographic Trends. American Community Survey (ACS) 2014–2019.

⁹ U.S. Census Bureau. 2019. Demographic Trends. ACS 2014–2019.

Within the City in 2019, the “Asian Alone” group had the highest poverty rate of any race or ethnicity at 22.6 percent. The Hispanic population has the next highest poverty rate for a racial or ethnic group in the City at 21.8 percent. A total of 17.9 percent of the Black, non-Hispanic population in the City were below the poverty level in 2019. The White, non-Hispanic population was far more fortunate, with only 9 percent of residents below the poverty level for 2019.¹⁰

Household income in the City is displayed in **Figures 3A through 5A** at the local level, and **Figures 3B through 5B** at the regional level. **Figure 3A**, Median Income, shows that the lowest median income in the City is found in the western core. All communities east of Palm Avenue have median household incomes at or above the State average of \$87,100. **Figure 3B**, Median Income in the Region, shows that lower median income households in west Highland are similar to that of the adjacent City of San Bernardino. Throughout the entire region, median income varies. Much of the same western area has over 30 percent of residents in poverty, as can be seen in **Figure 4A**, Poverty Status. The farthest southwest portion of the City has over 40 percent of residents in poverty. Areas to the east of this concentration of poverty have the next lowest incomes and percentages of people in poverty. Poverty for the most part is below 30 percent for much of the region, apart from Riverside and San Bernardino, as shown in **Figure 4B**, Poverty Status in the Region. **Figure 5A**, Low to Moderate Income, displays the percent of the population with low or moderate income, furthering the points made within this section. Additionally, **Figure 5B**, Low to Moderate Income in the Region, illustrates that most populated tracts in the Inland Empire cities have low to moderate income populations that are more than 25 percent.

¹⁰ U.S. Census Bureau. 2019. Poverty Status in the Past 12 Months. 2019 ACS 5-Year Estimates.

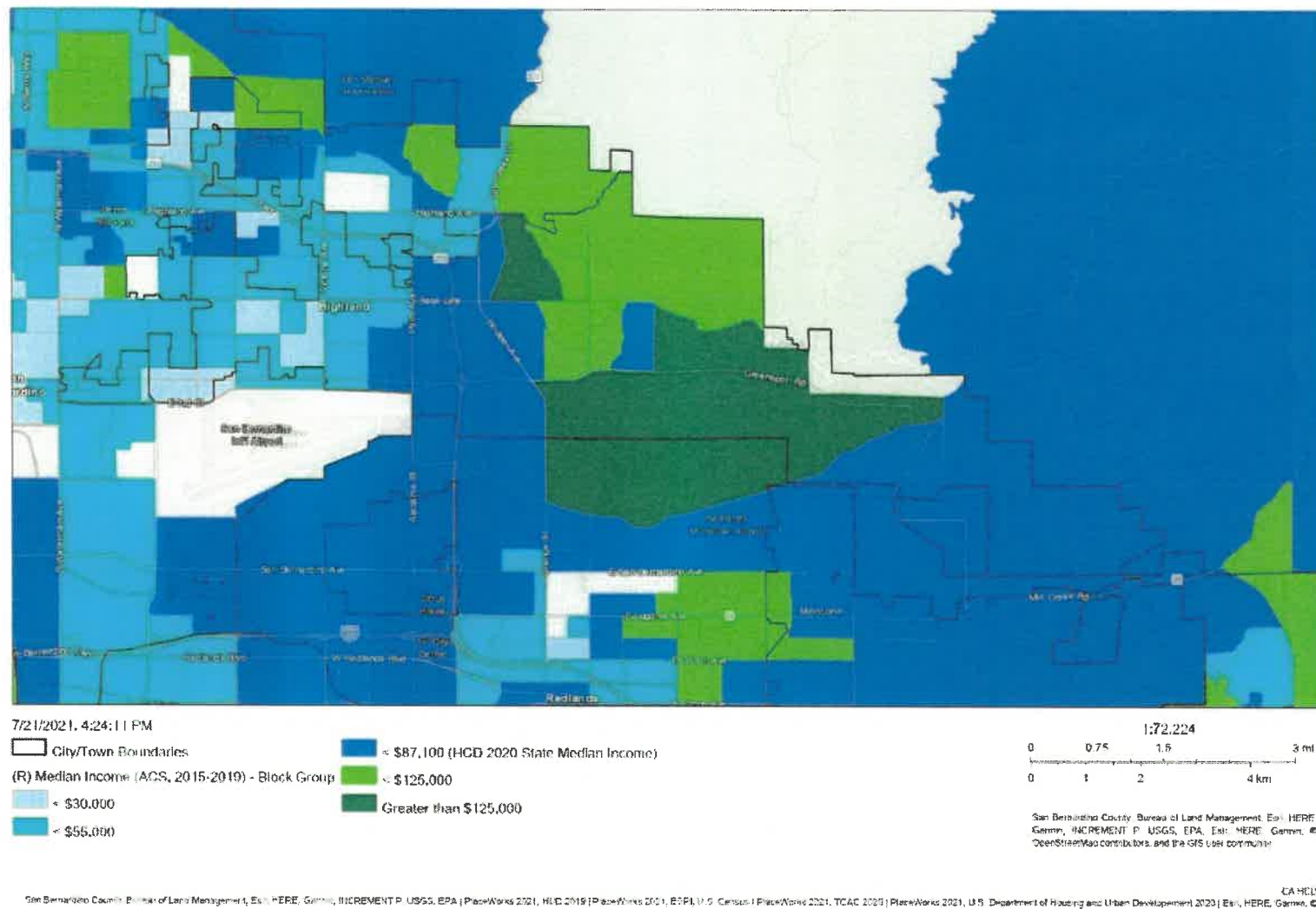


Figure 3A. Median Income¹¹

¹¹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

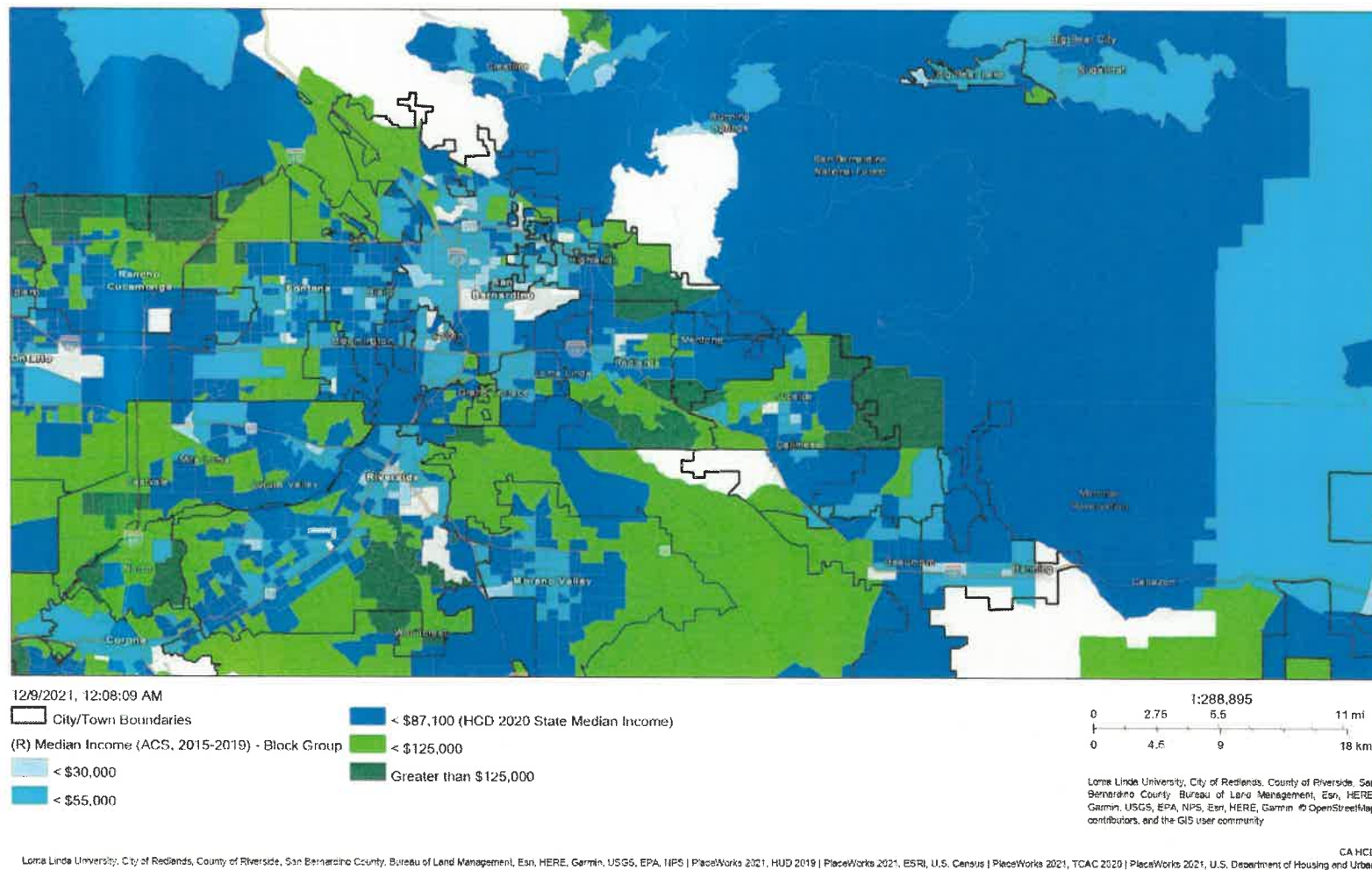


Figure 3B. Median Income in the Region¹²

¹² HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

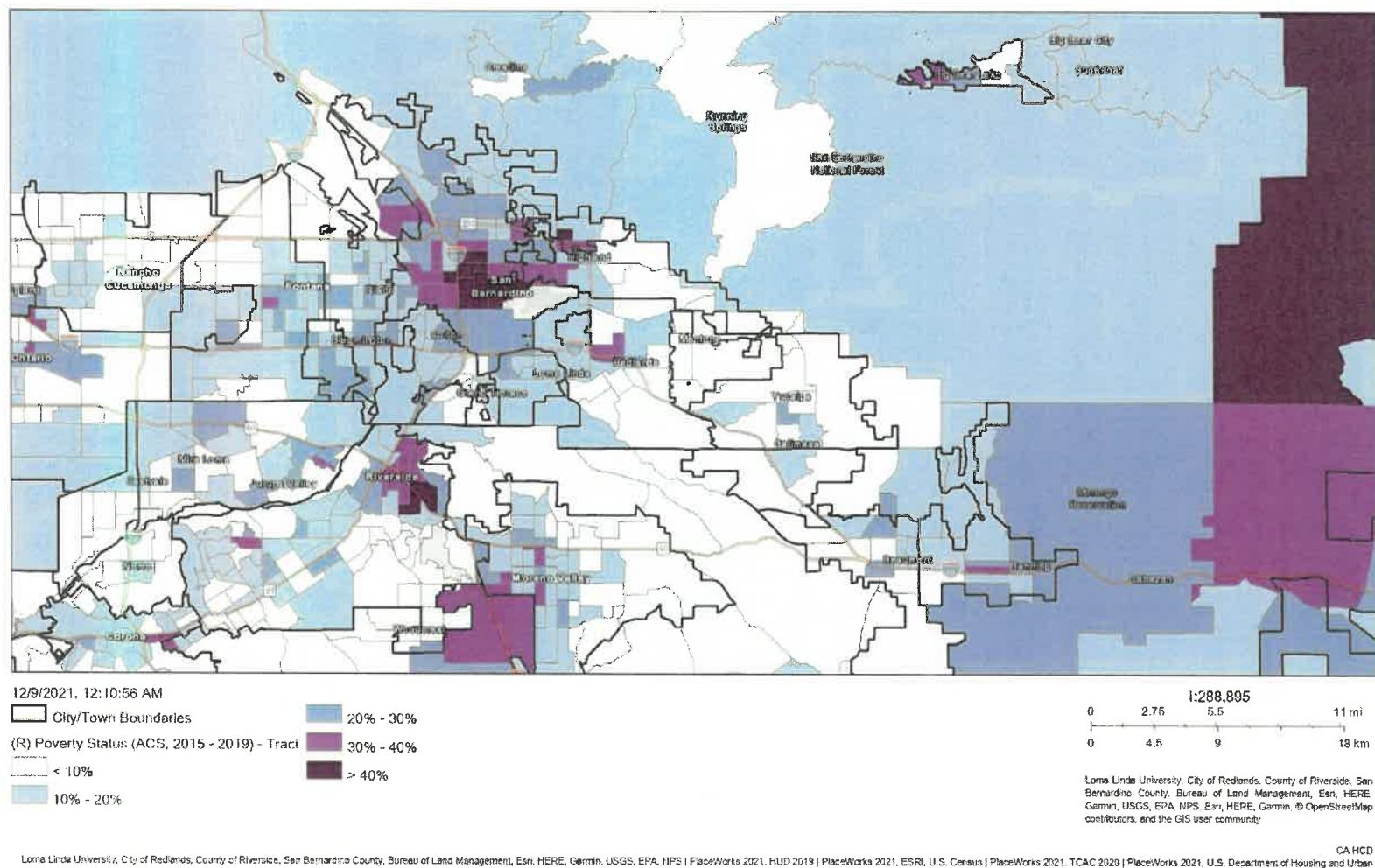


Figure 4B. Poverty Status in the Region¹⁴

¹⁴ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

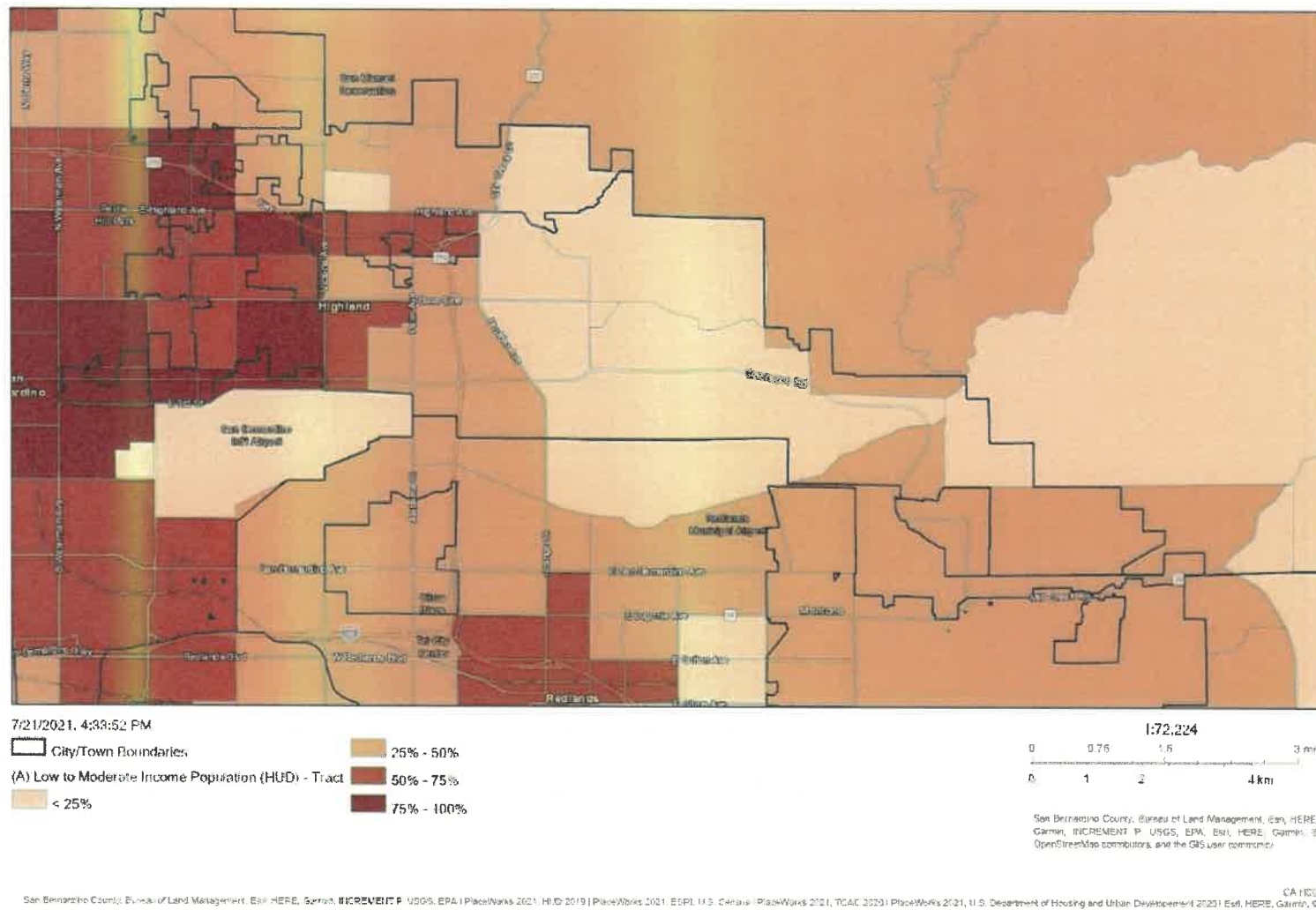


Figure 5A. Low to Moderate Income¹⁵

¹⁵ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.2.5. Familial Status

Family structure is something that impacts the care of children, type of housing needed, financial needs, and more. Single-parent households require more time to take care of children than married or cohabitating couples, which can impact the jobs available to parents, income levels, and the amount of support afforded to children. Family structure is something that has evolved over time in the United States, with fewer couples marrying, and cohabitation occurring more often. Families with children, especially those who are renters, may face discrimination or differential treatment in the housing market. For example, some landlords or property owners may charge larger households a higher rent or security deposit. According to the American Community Survey (ACS) 2014–2019, there were 4,209 family households with married couples and 2,410 single-parent households in the City. **Figure 6A**, Children in Single-Mother Headed Households, shows that single-mother headed households are more prevalent in the westernmost portions of the City. At the regional level, **Figure 6B**, Children in Single-Mother Headed Households in the Region, show that the number of single-mother headed households in the City are as low as many places in the region. **Figure 7A**, Children in Married Couple Households, shows that the farthest southeast portion of the City has the highest proportion of children in married couple households. Needs of single-parent households include affordable housing and proximity to schools, childcare centers, transportation, recreation, employment, and other opportunities. **Figure 7B**, Children in Married Couple Households in the Region, illustrate that the City has comparable percentages of children in married couple households to other cities. The trend follows where suburban areas tend to have a higher percentage than the urban core.

The household living structure of adults also can be examined for potential fair housing issues. Housing is much more affordable when costs and responsibilities are shared with a spouse. Areas with high rates of adults living alone can cause people to pursue the most affordable living situation possible, which can lead to overcrowded living situations or substandard housing. **Figure 8A**, Adults Living Alone, shows that there are not many adults in the City who live alone. Likewise, **Figure 8B**, Adults Living Alone in the Region reveals that not many adults live alone throughout the Inland Empire. The cost of living in the region may be too high for households of single income. **Figure 9A**, Adults Living with a Spouse, shows the lowest rates of adults living with a spouse was in western Highland. The highest rates of adults living with a spouse are in northern Highland. Furthermore, **Figure 9B**, Adults Living with a Spouse in the Regions, shows that northern Highland has one of the highest rates of adults living with a spouse in general when compared to the region.

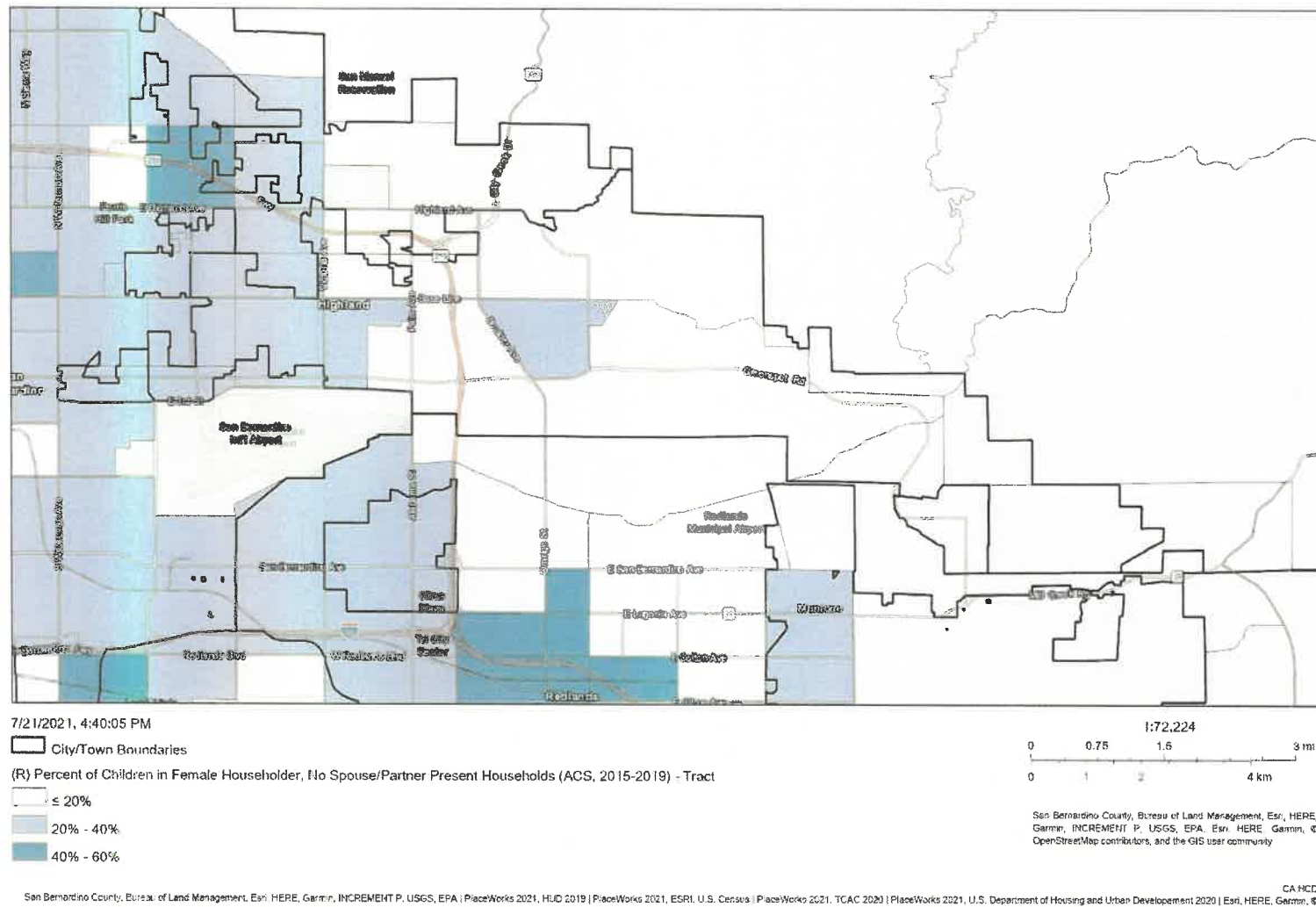


Figure 6A. Children in Single-Mother Headed Households¹⁷

¹⁷ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

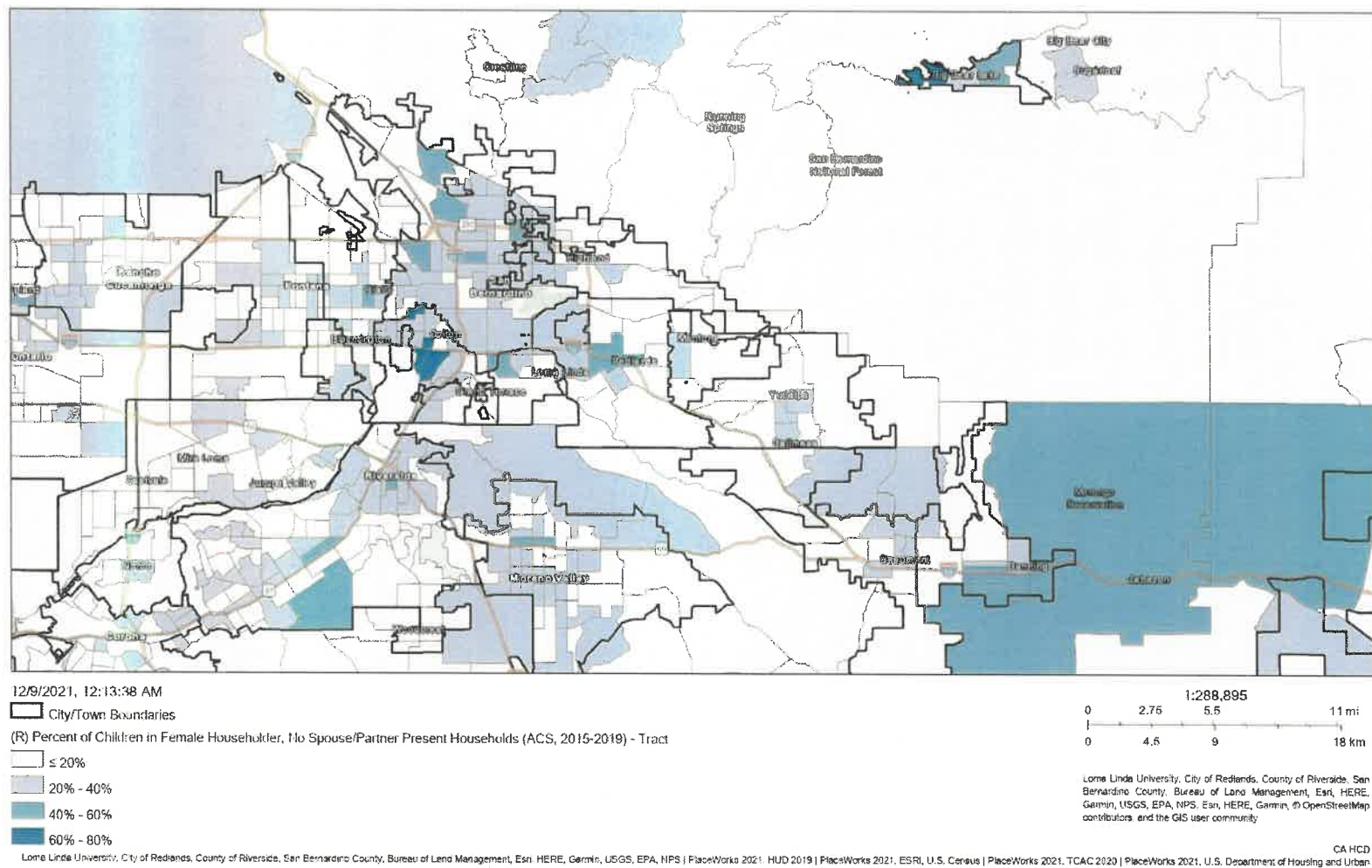


Figure 6B. Children in Single-Mother Headed Households in the Region¹⁸

¹⁸ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

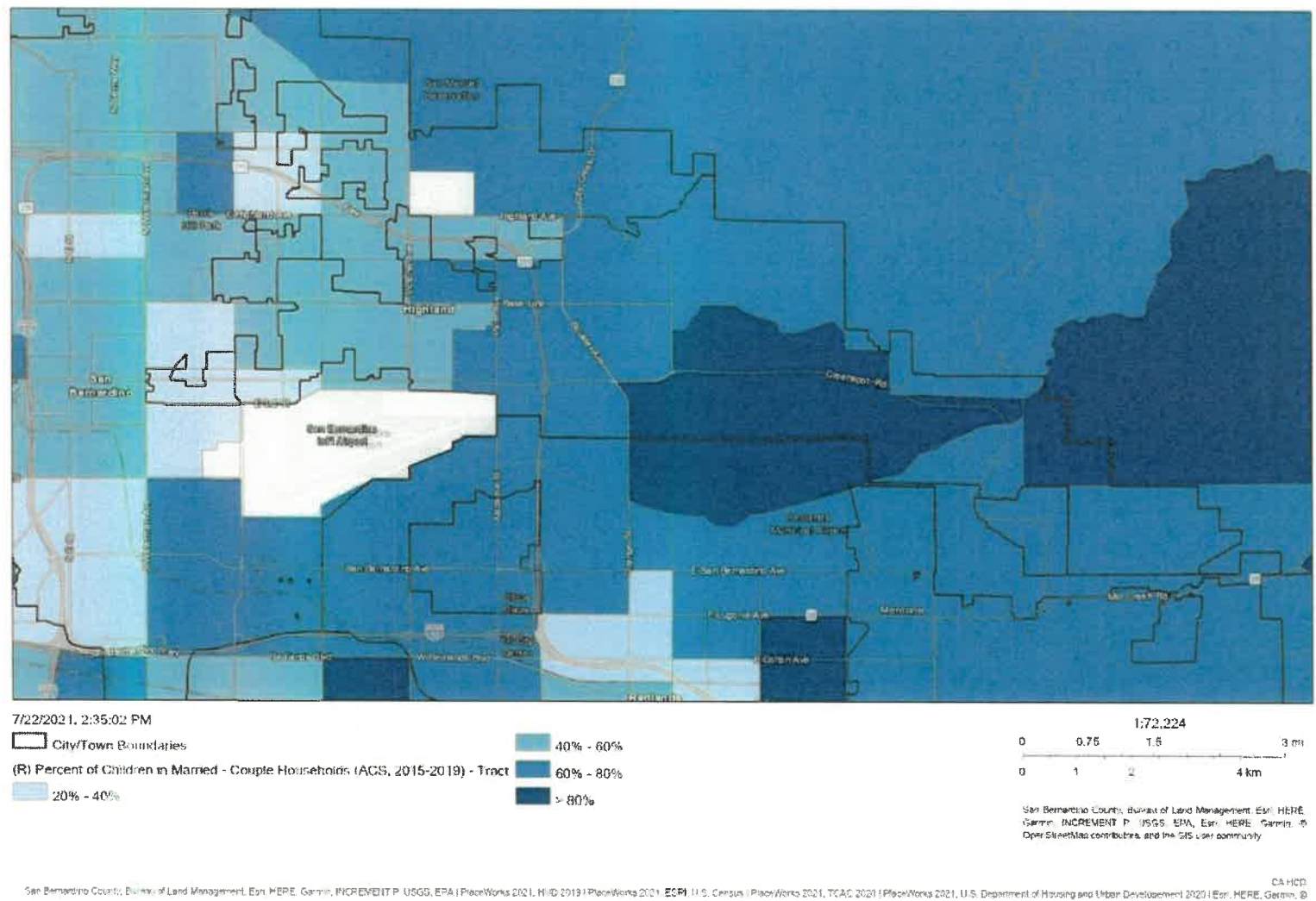


Figure 7A. Children in Married Couple Households¹⁹

¹⁹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

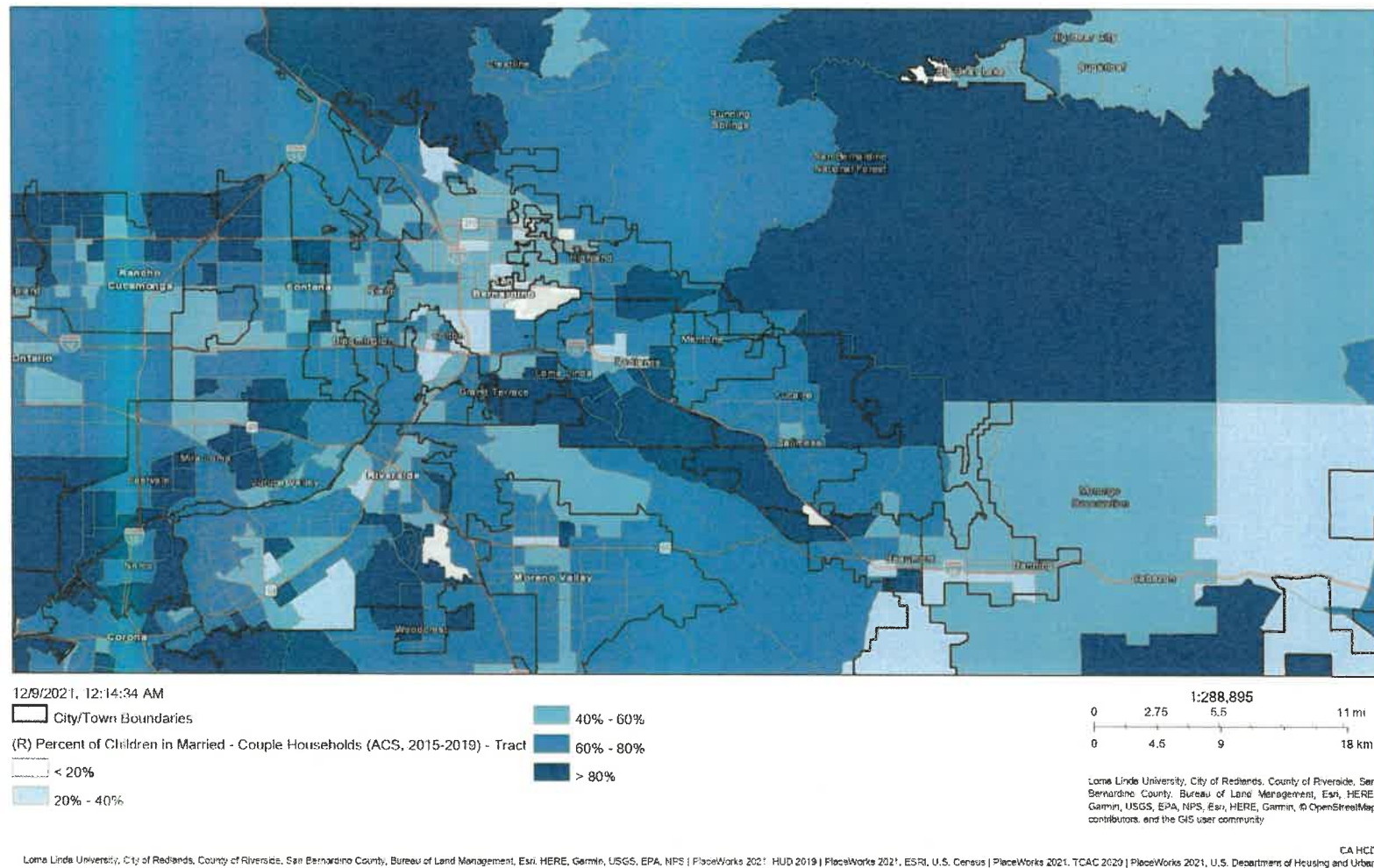


Figure 7B. Children in Married Couple Households in the Region²⁰

²⁰ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

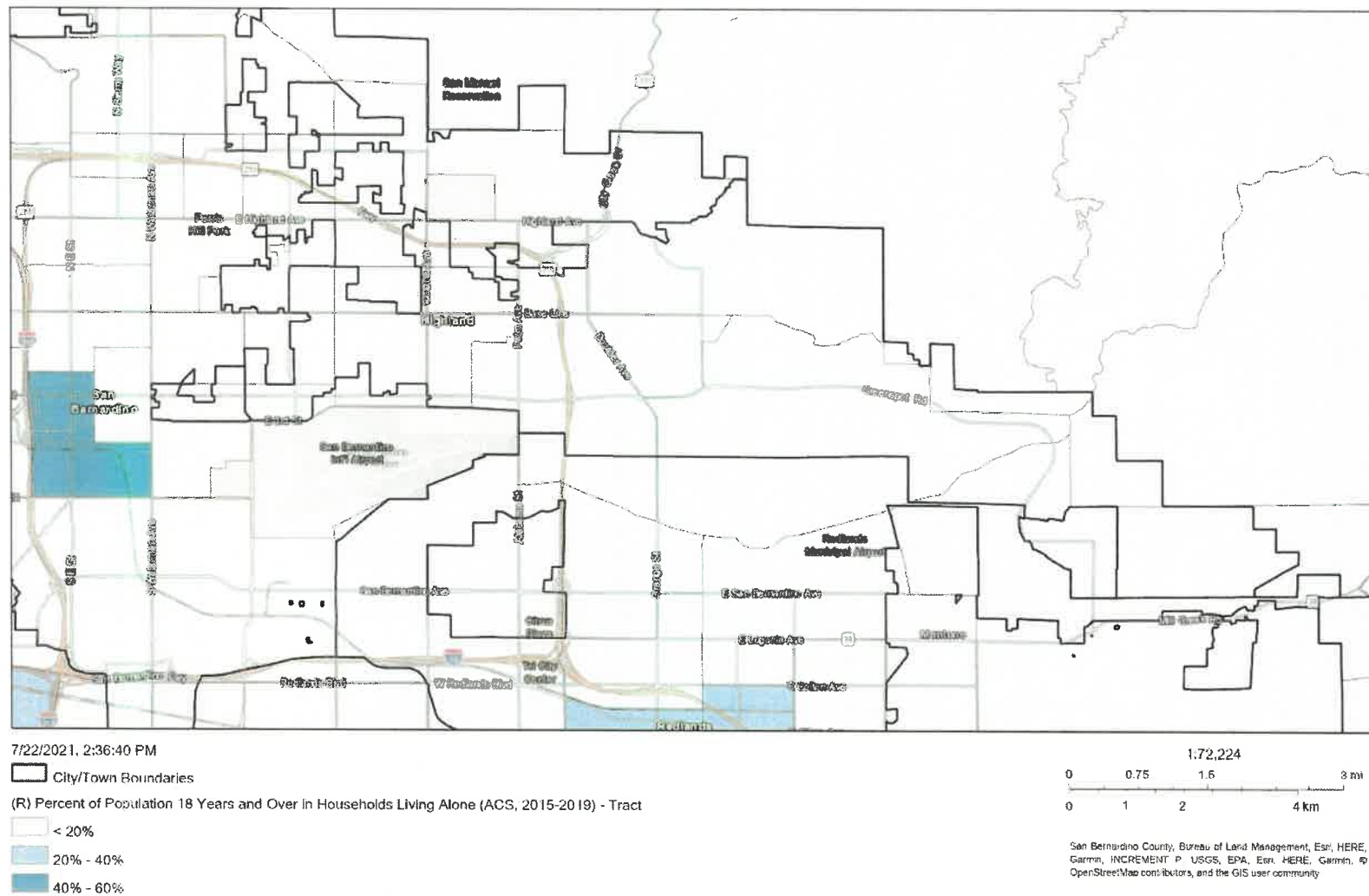


Figure 8A. Adults Living Alone²¹

²¹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

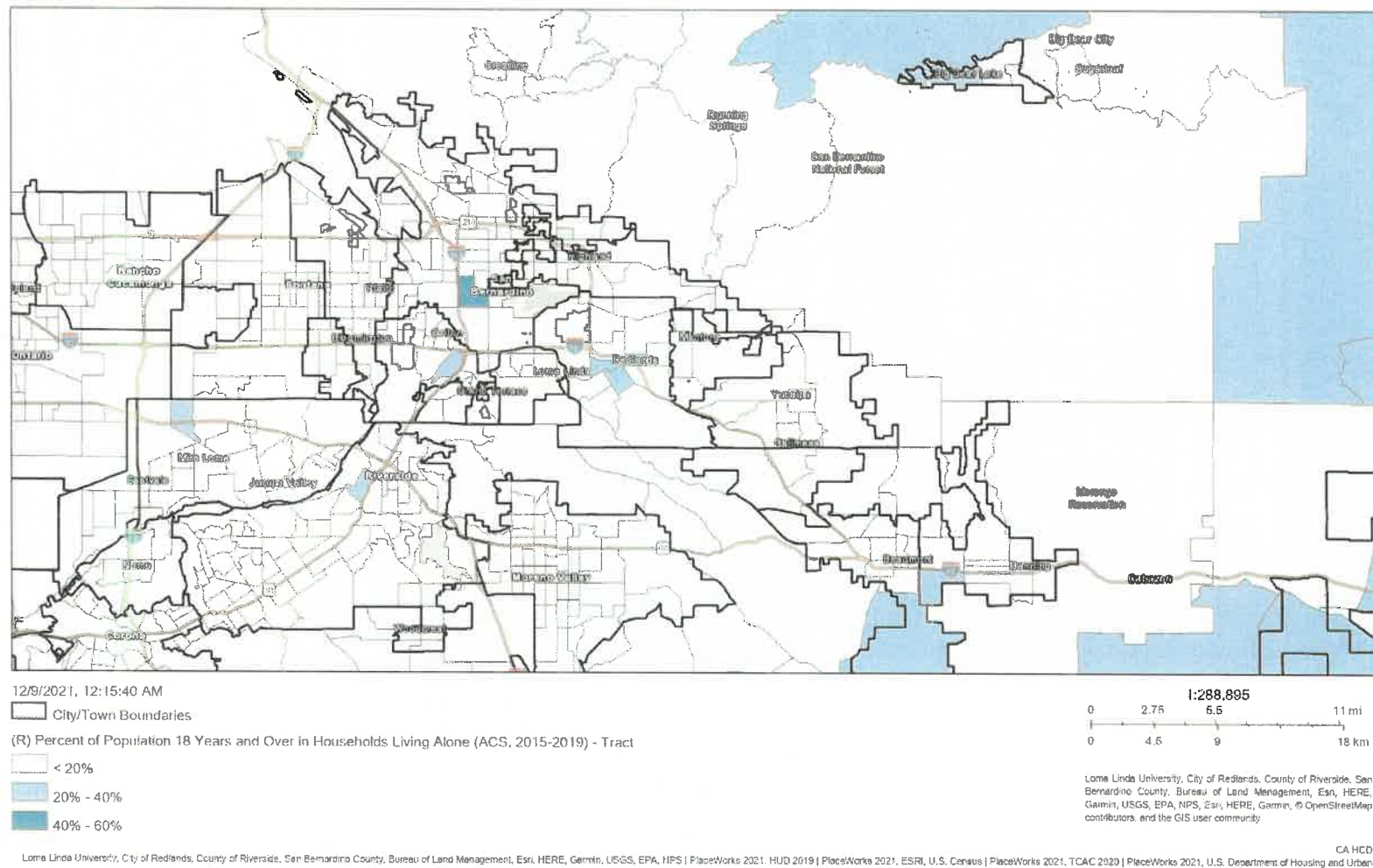


Figure 8B. Adults Living Alone in the Region²²

²² HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

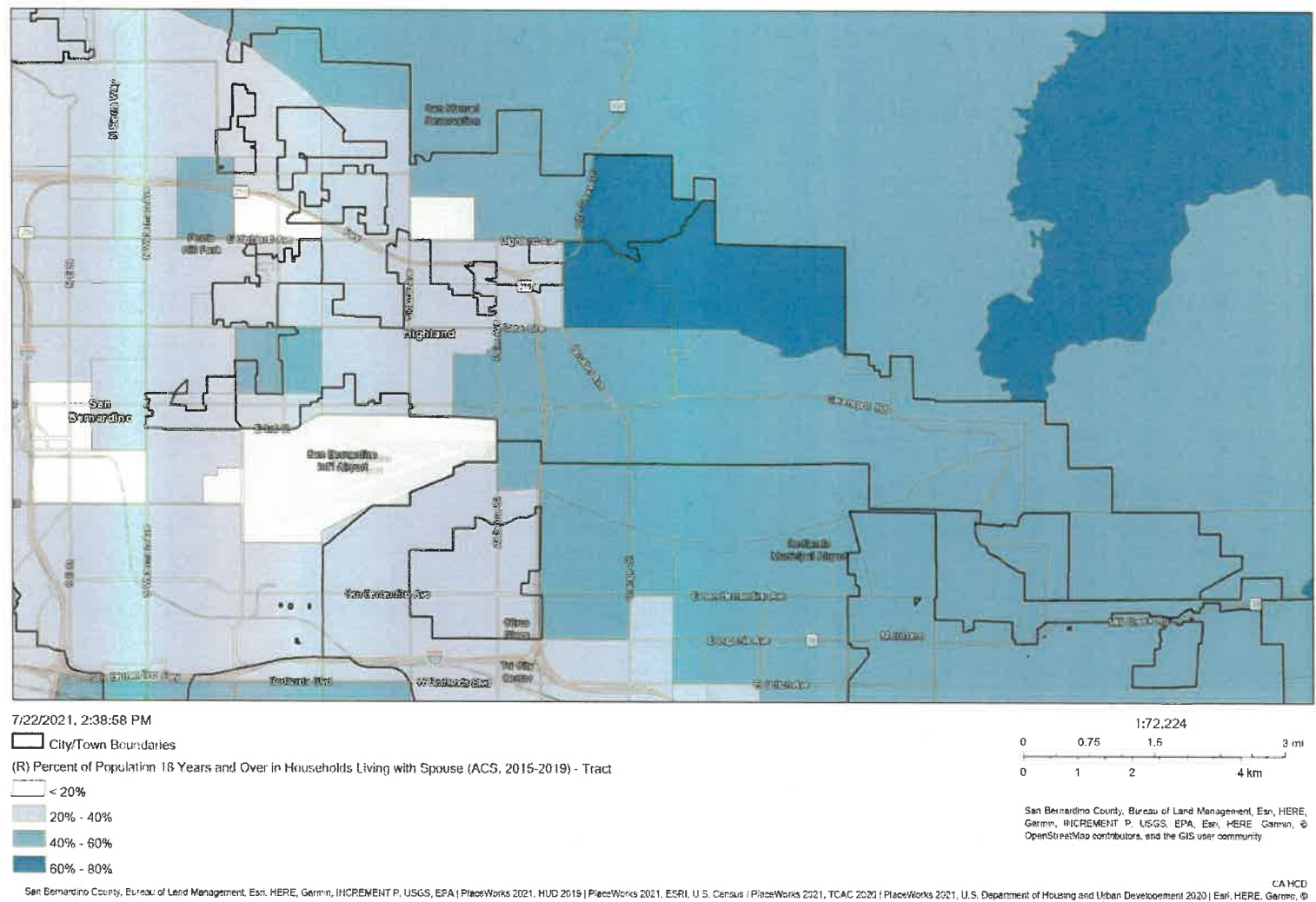


Figure 9A. Adults Living with a Spouse²³

²³ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

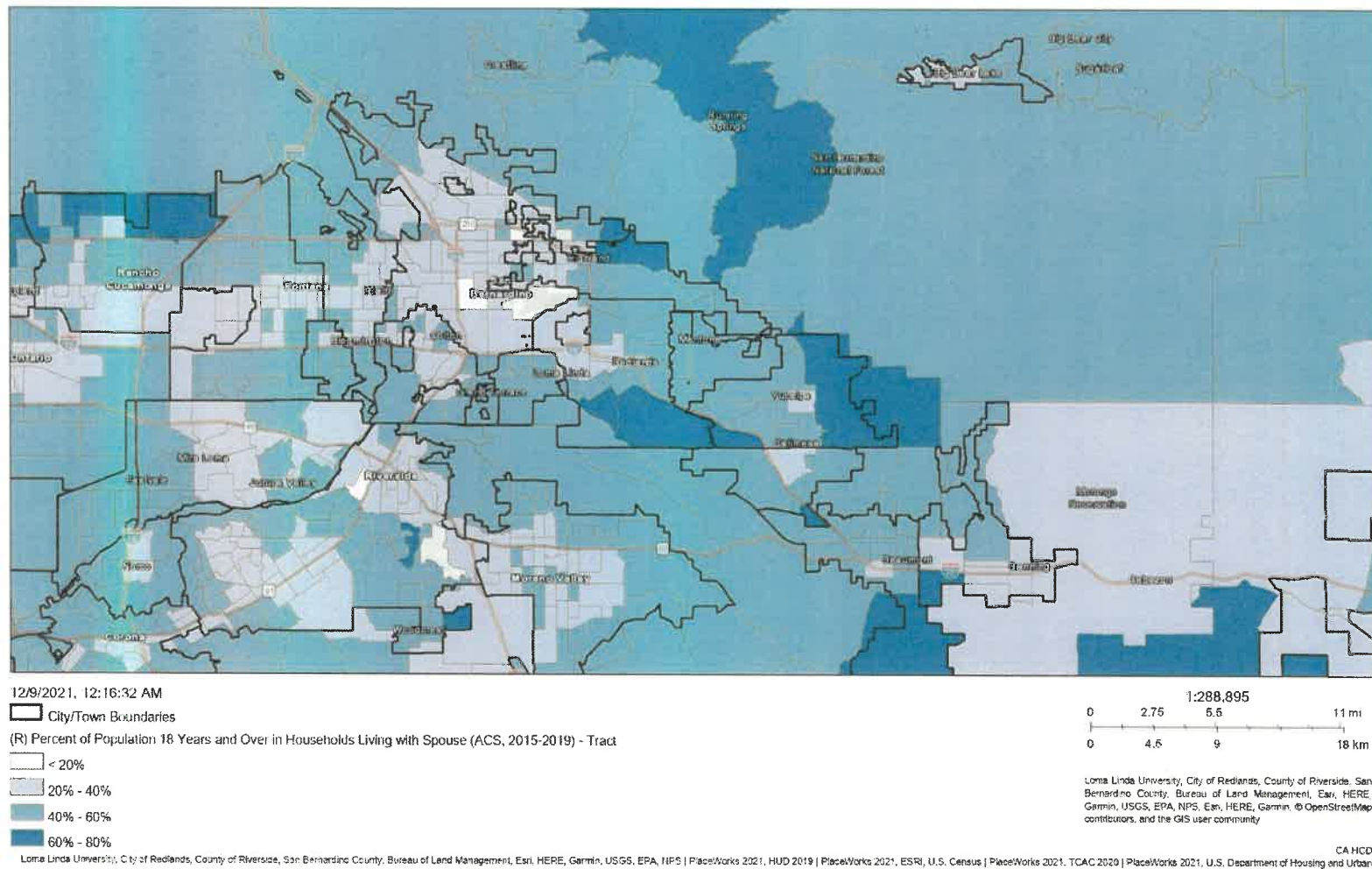


Figure 9B. Adults Living with a Spouse in the Region²⁴

²⁴ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

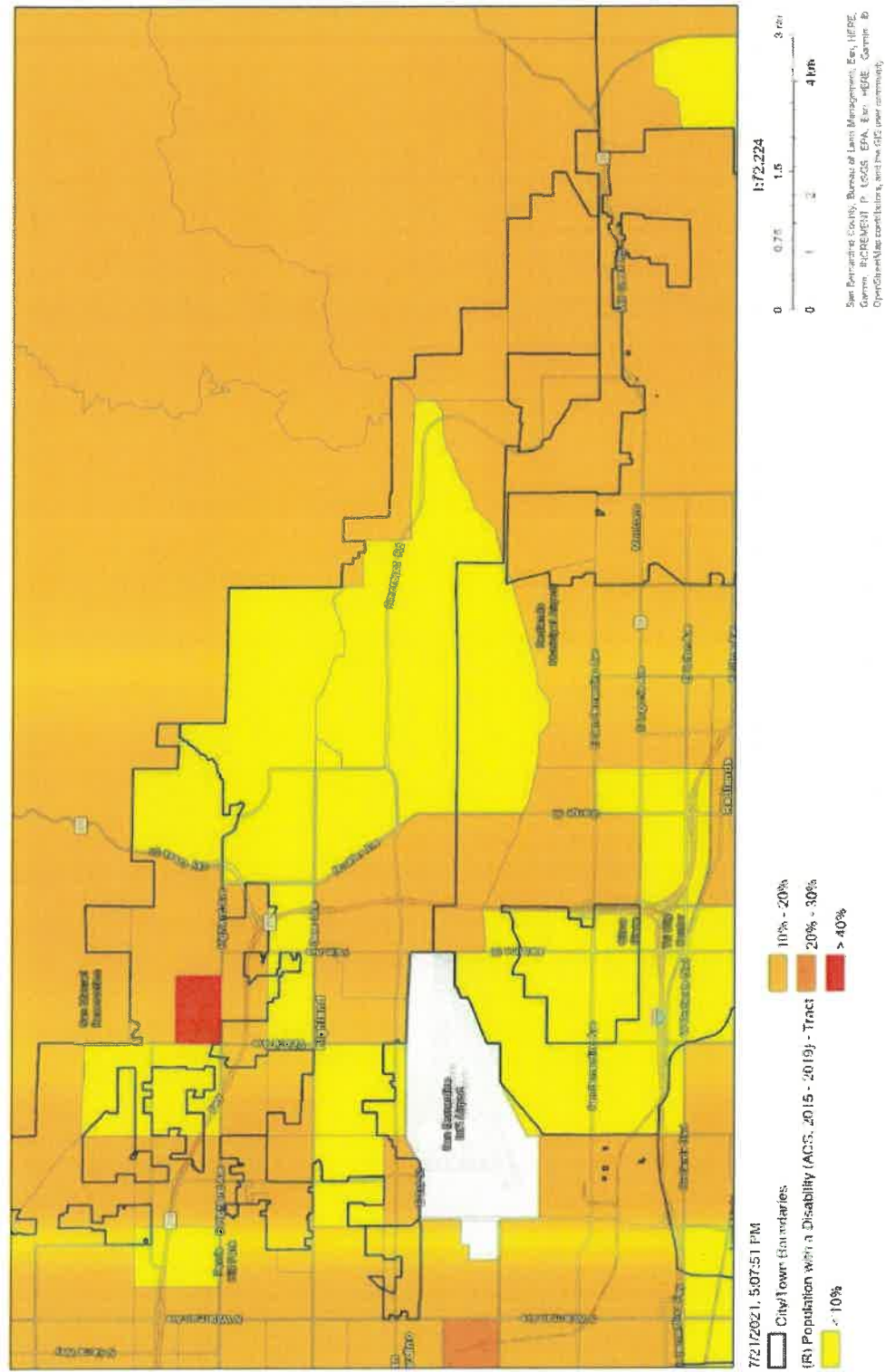
4.2.6. Persons with Disabilities

Fair housing choice for persons with disabilities can be compromised based on the nature of a person's disability. Persons with physical disabilities may face discrimination in the housing market because of the need for wheelchairs, home modifications to improve accessibility, or other forms of physical assistance. A major barrier to housing for people with mental disabilities is opposition based on the stigma of mental disability. Landlords or property owners might refuse to rent to tenants with a history of mental illness. Further, neighbors may object when a house becomes a group home for persons with mental disabilities.

According to population disability data available through ACS 2014–2019, 6.5 percent of the population in the City under 65 years of age have some type of disability. In general, many persons with disabilities have lower incomes since the disability often affects their ability to choose from a range of employment opportunities. The cost of housing may also be greater for persons with disabilities as there are additional costs when retrofitting for ADA improvements which can have a significant impact on a person's income, especially lower-income groups. Thus, persons with disabilities often have a greater need for affordable housing, as well as supportive services. Persons with disabilities are relatively evenly spread throughout the City, with higher concentrations falling within tracts outside of the central core, as seen in **Figure 10A**, Population with a Disability. Similarly, **Figure 10B**, Population with a Disability in the Region, shows that persons with disabilities is evenly spread throughout the region as well.

4.2.7. Neighborhood Segregation

As previously mentioned, residents in highly segregated neighborhoods often experience poorer life outcomes. The typologies in **Figure 11A**, Neighborhood Segregation, identify which race/ethnicity populations have more than 10 percent representation within the given tract. **Figure 11A** demonstrates a relatively diverse mix of ethnic/racial groups within a given tract. The City is primarily "Latinx-White" in the east and "3 Group Mix" in the west. Both figures identify a concentration of non-White groups in the western portion of the City. The more diverse areas are also associated with a higher concentration of renters and poverty status. **Figure 11B**, Neighborhood Segregation in the Region, illustrates that much of the Inland Empire have tracts that are either predominantly Latinx-White or 3-4 Group Mix. As with eastern Highland, much of the eastern region is primarily Latinx-White. Highland is one of the few cities in the region with a tract that is primarily Black-Latinx, along with Moreno Valley, Rialto, and San Bernardino.



San Bernardino County, Bureau of Land Management, Esri, HERE, DeLorme, Intermap, Inc., Swisstopo, United States Geological Survey, USGS, EPA, FGA, GEBCO, Imagery, Mapbox, OpenStreetMap contributors, and the GIS User Community

Figure 10A. Population with a Disability²⁵

²⁵ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

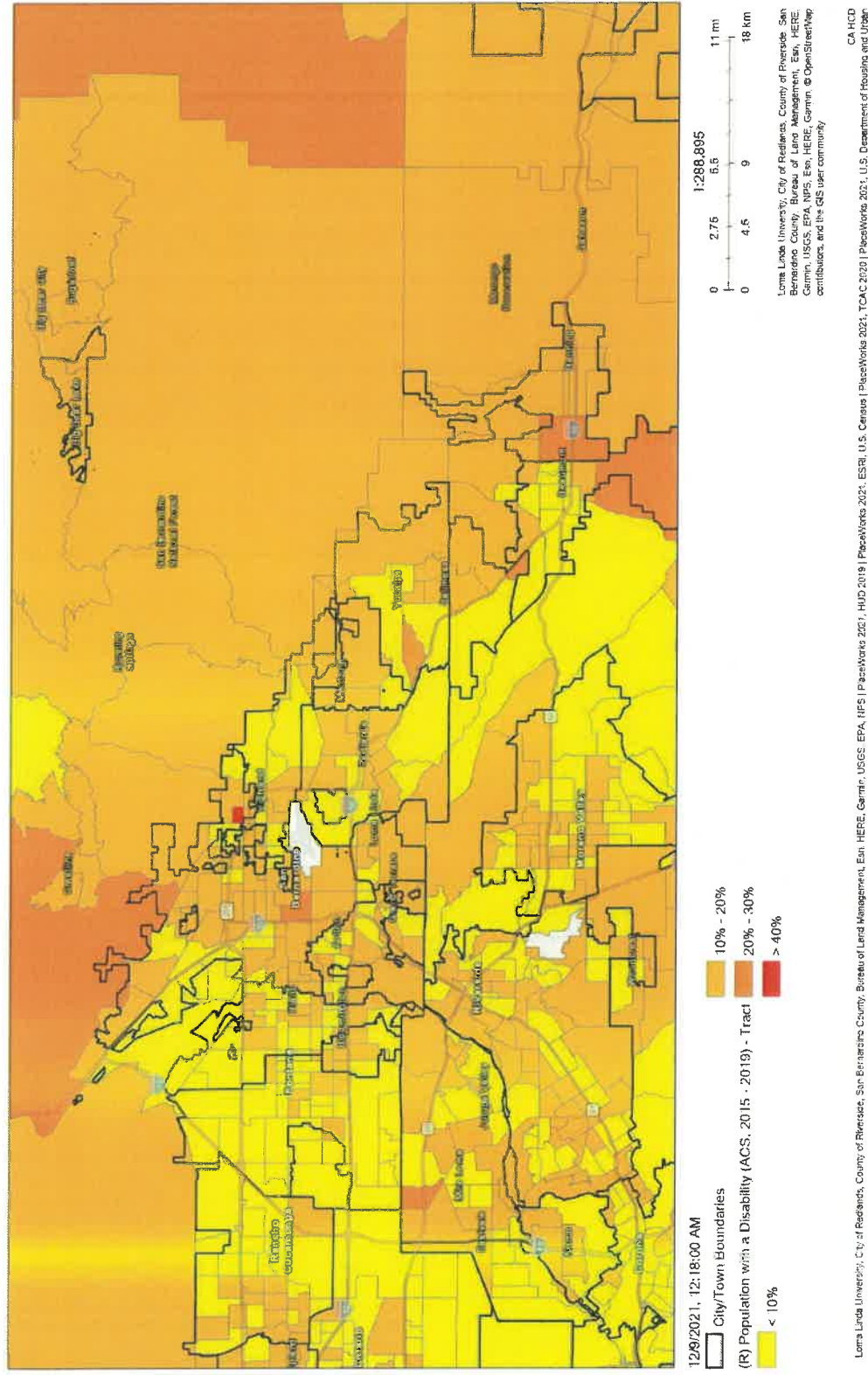


Figure 10B. Population with a Disability in the Region²⁶

²⁶ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

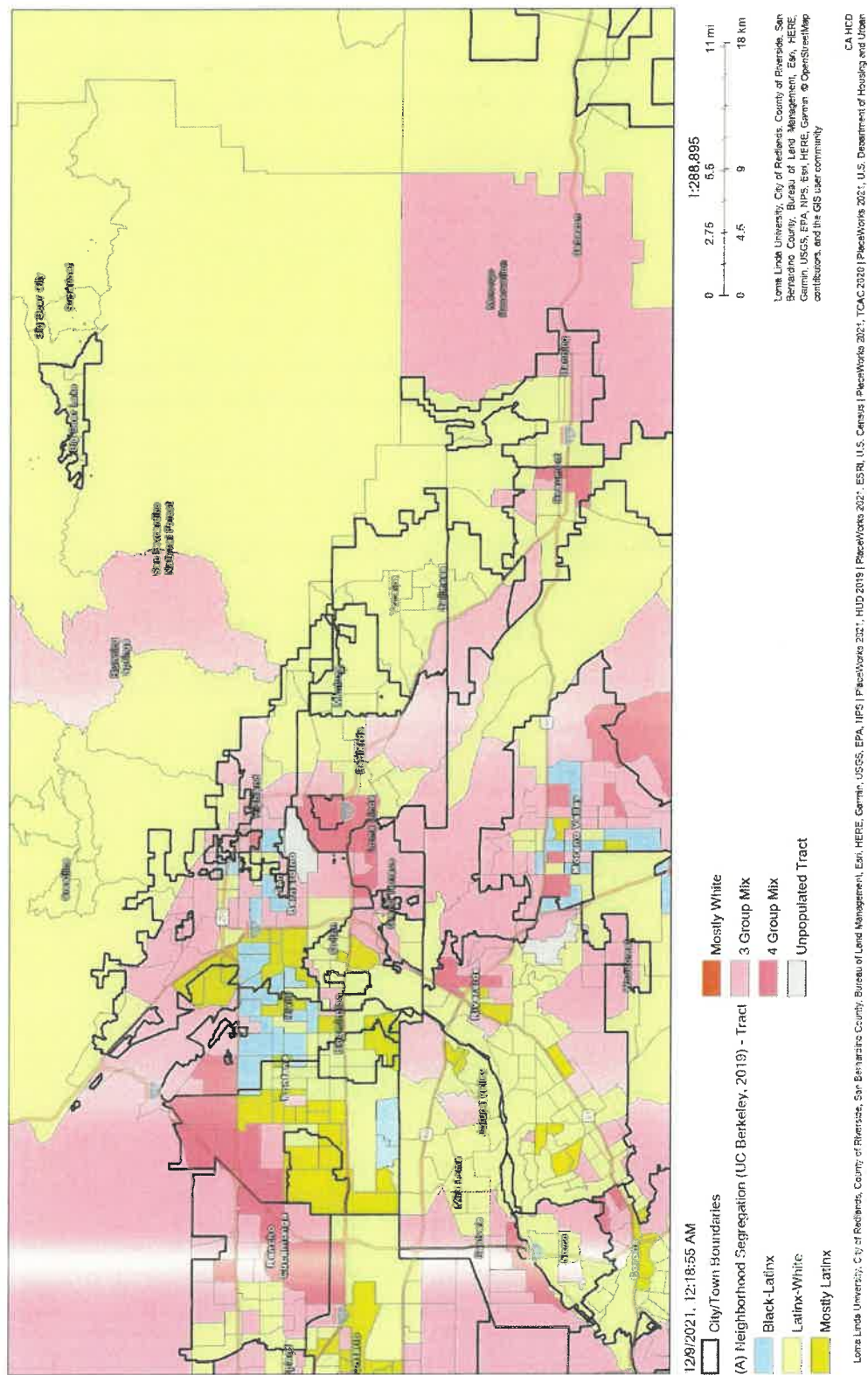


Figure 11B. Neighborhood Segregation in the Region²⁸

²⁸ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.3. Racially and Ethnically Concentrated Areas of Poverty

Racially or ethnically concentrated areas of poverty (R/ECAPs) are neighborhoods with concentrations of both poverty and singular races or ethnicities. These are generally Census tracts with a majority of non-White residents and a poverty rate of 40 percent and higher in the City, or three times the average tract poverty rate for San Bernardino County. In addition to highlighting historic discrimination, R/ECAPs also have lower economic opportunity in the present day. **Figure 12A**, R/ECAP (2009-2013) and Segregation and Poverty, shows the three Census tracts considered R/ECAPs, based on data from 2009-2013, in the City are concentrated in areas near the City of San Bernardino to the west. The farthest west R/ECAP tract is Census Tract 65, the middle R/ECAP tract is Census Tract 74.07, and the upper R/ECAP tract is Census Tract 76.01. These are also near areas of high segregation and poverty identified by the California Tax Credit Allocation Committee (TCAC). This is consistent with the concentration of R/ECAP parcels in the City that are near the City of San Bernardino. R/ECAPs are uncommon throughout the region, as shown in **Figure 12B**, R/ECAP (2009-2013) and Segregation and Poverty in the Region, and are mainly found in the cities of Ontario, Riverside, and San Bernardino.

These R/ECAPs contain approximately 17.4 percent of the City's population, which amounts to about 9,500 people. Two of the three R/ECAPs are primarily residential areas, while the farthest west of the three is more of a mix between commercial and residential. According to 2019 U.S. Census data, each of the three R/ECAPs contain more than 10 percent above the rate of the Hispanic population for the overall City. Additionally, the central R/ECAP tract has more than double the proportion of African American/Black residents than the City overall. All three R/ECAP tracts have significantly higher levels of poverty than the City's total, with the farthest west R/ECAP having the highest poverty rate at 48.7 percent of the population. The west and middle R/ECAPs have nearly three times as many renters as homeowners, and the northernmost R/ECAP is consists of approximately half renters and half homeowners.

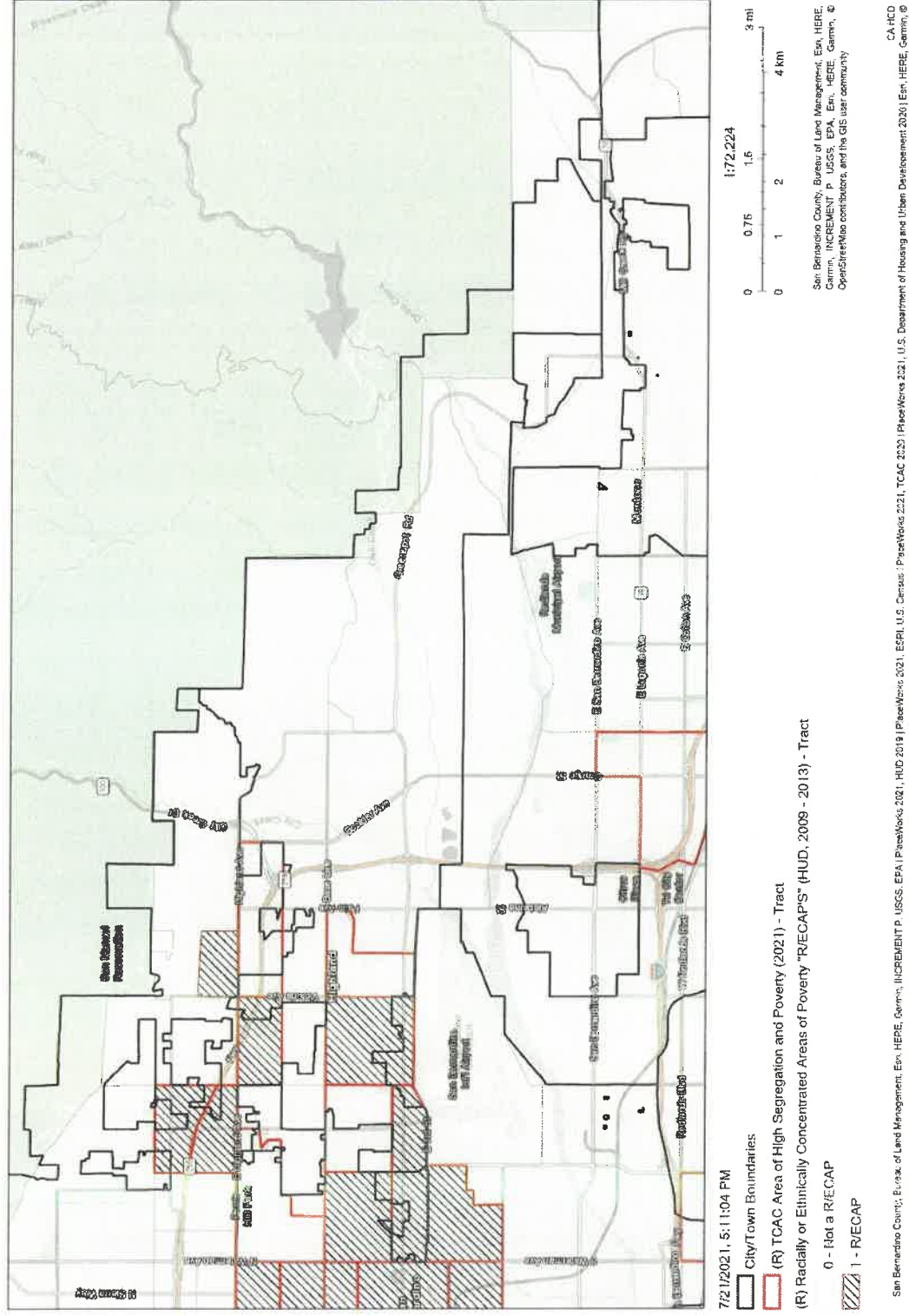


Figure 12A. R/ECAP (2009-2013) and Segregation and Poverty²⁹

²⁹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.3.1. Racial Concentrations in Areas of Affluence

In addition to an analysis of R/ECAPs, this Affirmatively Furthering Fair Housing analysis considers racially concentrated areas of affluence (RCAA), which indicate census tracts with a higher concentration of non-Hispanic White persons paired with an above-average median income. The methodology to identify a RCAA uses a location quotient based on the percentage of the total white population in the census tract compared to the average percentage of the total white population for all census tracts in a given Council of Governments region, and a median income threshold of \$115,000 (more than 1.5 times the State area median income).

Based on this methodology the City has one tract that is identified as a RCAA (2015-2019), as shown in Figure 12C, RCAA. This census tract encompasses an area of the City that is occupied by primarily single-family residences in the northern part of the tract. The census tract is also designated as a TCAC Highest Resource category, as analyzed in section 4.5, Disparities in Access to Opportunity. The southern area of the tract is comprised of a large swath of land zoned as Open Space and is considered a flood zone as shown in Figure 12D, RCAA Flood Areas. Therefore, the southern portion of the RCAA census tract is not suitable for housing. In the region, the City of Redlands and Yucaipa also have one or more census tract(s) that are a RCAA as shown in Figure 12E, RCAAs in the Region. However, these cities do not have R/ECAPs, only Redlands has one tract that indicates an area of High Segregation and Poverty.

Scholars at the University of Minnesota Humphrey School of Public Affairs have created the RCAA metric to tell the story of segregation in the United States more fully. Based on their research, RCAAs are defined as Census tracts where:

- 80 percent or more of the population is White, and
- the median household income is \$125,000 or greater (slightly more than double the national the median household income in 2016).

While this is a useful measure nationwide, the California Department of Housing and Community Development (HCD) has adjusted the RCAA methodology to better reflect California's relative diversity. HCD's RCAA data is not yet available, but Figures 1A and 3A, above, provide a preliminary analysis that displays the areas where the White population exceeds 50 percent of the population and where the median household income is \$125,000 or greater. The tracts with the highest proportion of the White population are Census Tracts 060710111.01 and 060710115.00, which overlap within Highland but are primarily located outside of the City's boundary. The block groups where the median income exceeds \$125,000 are Block Group 2, Tract 79.01 and Block Group 3, Tract 79.04.

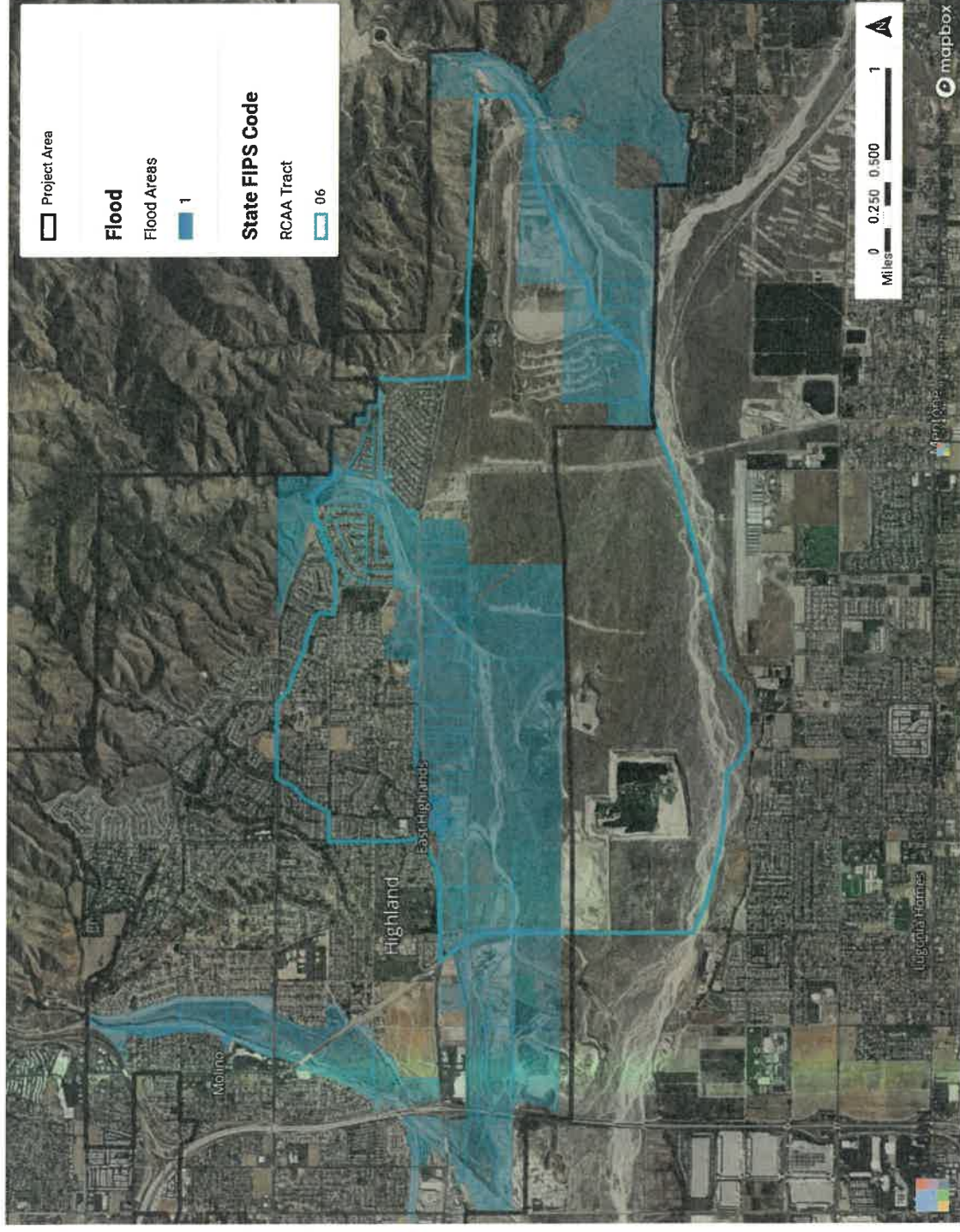
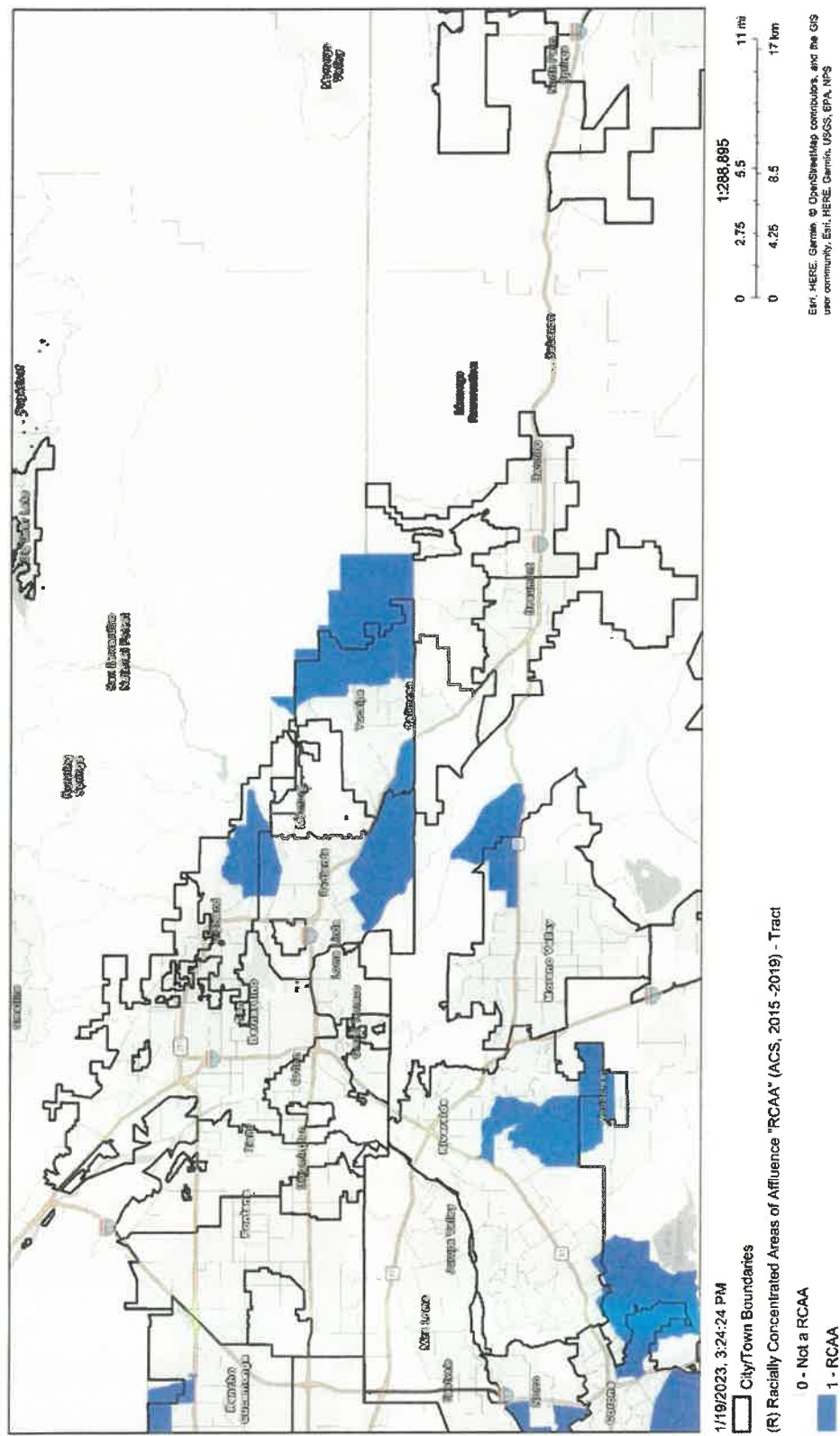


Figure 12D. RCAA Flood Areas



Loma Linda University, City of Redlands, City of Yucaipa, County of Riverside, San Bernardino County, Bureau of Land Management, Enr. HERE, Garmin, USGS, EPA, NPS, PlaceWiki's 2021, HUD 2019 | PlaceWiki's 2021, HUD 2020 | PlaceWiki's 2021, ESRI, U.S. Census | ESRI, TCAC 2012, HCD 2022, PlaceWiki's CA HCD

Figure 12E. RCAs in the Region³²

³² HUD, n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.4. Patterns Over Time

Historically in the United States, housing discrimination (both explicit and covert) has occurred through land use policy and zoning, mortgage lending practices, landlord or property owner decisions on rental applications, and patterns of public and private investment and disinvestment. These trends have resulted in residential segregation based on race, ethnicity, income, disability, and other characteristics, and has limited housing choices and access to opportunities for many Americans, especially for communities of color.

Significant historical events in the City that influenced early land use patterns include the forced relocation of the San Manuel Band of Mission Indians to a reservation in 1891, followed by settlements along Base Line and Palm Avenue then Palm Avenue and Pacific Street during westward expansion. The growth of the citrus industry in the early and mid-1900s gave rise to large farms and packing houses throughout the City.

In 1942, Norton Air Force Base began operation, and the surrounding Highland neighborhoods experienced significant development of small and mid-sized tract homes with corresponding commercial development along Base Line and other east/west corridors.

In the 1980s, developer Mobile Oil purchased approximately 1,800 acres in the eastern portion of the City and received approval from the County of San Bernardino to construct a new community with multiple housing types, common areas, and amenities. The establishment of this “new community” is the defining event that led to the perceived split in the City between east/west, new/old, and more/less affluent. The construction of the 210 Foothill Freeway exacerbated this perception, along with the division of school districts along similar boundaries.

The City was incorporated in 1987 and derived its early land-use policy from the County of San Bernardino. In 1991, the City formed a Redevelopment Agency that identified a target area of lower-income neighborhoods, vacant and underutilized land, and areas in need of basic infrastructure. The Redevelopment Agency adopted goals and policies to “increase, improve and preserve the quality of low/moderate income housing throughout the project areas and the City.” Housing needs goals included securing long-term affordability covenants, creating rehabilitation programs for rental units and single-family homes, providing a down payment assistance program, working with the County of San Bernardino Department of Housing, identifying funding programs and housing needs, and identifying inclusionary and replacement housing. The Redevelopment Agency was successful in many of its endeavors, including the construction of 184 low-income apartment units, rehabilitation of several hundred single-family homes, a new 17-acre park, a community center, a library, a police station, and miles of infrastructure almost wholly on the west side of the City. The Redevelopment Agency was dissolved by the State of California in 2012.

During the 4th and 5th Cycle Housing Elements, the City rezoned numerous properties to permit medium- and high-density housing by right, and rezoned properties mid-block along Base Line from commercial to residential. Properties in the vicinity of Interstate 210, with excellent access to bus lines, were rezoned Mixed Use to allow a variety of housing types in conjunction with a new pharmacy, grocery store, retail, and restaurant. The City has engaged several affordable housing developers to construct a lower-income senior housing project on Housing Authority property on Central Avenue, south of Base Line.

Public participation is of the utmost importance as the City continues to modify and improve its housing policy. The City follows all public noticing policies, has a newly updated website, social media accounts on several platforms, and easily accessible staff. Public outreach has occurred at the City's Community Center, Library, City Hall, Chamber of Commerce events, and remotely via computer applications.

4.4.1. Mortgage Loan Access

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home. Lending policies and requirements related to credit history, current credit rating, employment history, and the general character of applicants permit lenders to use a great deal of discretion, and in the process, deny loans even though the prospective borrower would have been an acceptable risk. Despite the illegality of discriminatory practices in the housing credit system, patterns of inequality still exist.

Discriminatory practices in home mortgage lending have evolved in the past five to six decades. In the 1940s and 1950s, racial discrimination in mortgage lending was easy to spot. From government-sponsored racial covenants to the redlining practices of private mortgage lenders and financial institutions, ethnic minorities were denied access to home mortgages in ways that severely limited their ability to purchase a home. During the recent rise of the subprime loan market,³³ discriminatory lending practices became more subtle. By employing high-pressure sales practices and deceptive tactics, some mortgage brokers pushed minority borrowers into high-cost subprime mortgages that were not well-suited to their needs and led to financial problems.

Conventional and Government-Backed Financing

According to the Federal Financial Institutions Examination Council (FFIEC) data for 2016, approximately 48,209 households (for a total of \$13,388,132) applied for conventional loans in the Metropolitan Statistical Area of (MSA) of Riverside–San Bernardino–Ontario, California. Among all applications received that year, 25,573 loans were originated and 3,469 were denied. The population of White persons participated at the highest level, submitting 27,278 conventional loan applications. The Hispanic population, the second highest participants, provided the market with 12,921 loan applications. Even though the Hispanic population make up 50 percent of the total population within the MSA, they only accounted for 27 percent of all loan applications submitted. The African American population submitted just 296 applications in 2016, which was the lowest participation rate amongst the four largest populations. There was no significant variance in rate of denial amongst racial/ethnic groups.

According to the FFIEC data, approximately 35,874 households (for a total of \$9,823,136,000) applied for government-backed loans in the MSA of Riverside–San Bernardino–Ontario, California. Among all applications received in 2016, the number of loans originated was 25,573, and the number of percentage of applications denied was approximately 10 percent. When broken down by race and ethnicity, participation in the market varied. The population of White persons once again had the highest participation levels, similar to conventional loans, submitting 27,278 government-backed loan applications, amounting to \$7,251,363,000. The population of African American persons were the lowest participants in government-backed loans, with only 296 applications submitted in 2016, for a total

³³ TD Bank Corp. 2007. *A Primer on the U.S. Sub-Prime Market*. April 30, 2007. The subprime mortgage market ballooned in 2005 and 2006 to 20 percent–25 percent of all new mortgages, capturing more than twice the market share seen over the prior 10 years.

amounting to \$80,132,000. With all racial/ethnic groups denial rates being within 4 percent of each other as well as the MSA area as a whole, there was no significant variance in rate of denial.

Subprime Lending

According to the Federal Reserve, prime mortgages are offered to persons with excellent credit and employment history, and income adequate to support the loan amount. Subprime loans are loans to borrowers who have less-than-perfect credit history, poor employment history, or other factors, such as limited income. Subprime lenders generally have interest rates that are higher than those in the prime market and often lack the regulatory oversight required for prime lenders because they are not owned by regulated financial institutions. Although subprime lending cannot in and of itself be equated with predatory lending, studies have shown a high incidence of predatory lending in the subprime market. The FFIEC data does not provide information on which loans were subprime loans. As such, analysis on this topic is difficult. It will be important to monitor lending institutions with high loan approval rates in the City, should any be discovered.

4.4.2. Demographic Trends

Patterns developed over time in the City are apparent in the demographic, household, and housing characteristics. Between 2000 and 2019 the median age of the population has increased by 4.5 percent, the proportion of the Hispanic population increased by 16 percent. Overpayment of homeowners declined in nearly all tracts across the city between the 2010-2014 period and the 2015-2019 period and overpayment by renters saw similar declines in many tracts across the City during the same period. The Needs Assessment, provided in **Appendix B, Community Profile**, provides additional data and analysis of the demographic patterns within the City. The effects of the previously discussed historical patterns over time can be seen through the current demographic makeup of the City.

4.5. Disparities in Access to Opportunity

Neighborhoods with high access to opportunity are places that result in strong economic, environmental, health, and educational outcomes for residents. Lower-income households and racially segregated communities are more highly concentrated in distressed and disadvantaged areas with low access to opportunity where residents are disproportionately exposed to crime, environmental hazards, and a lack of investment, resulting in poorer physical and mental health outcomes. Disadvantaged areas tend to have less access to quality employment opportunities, leaving lower-income households at a greater risk of remaining financially insecure.

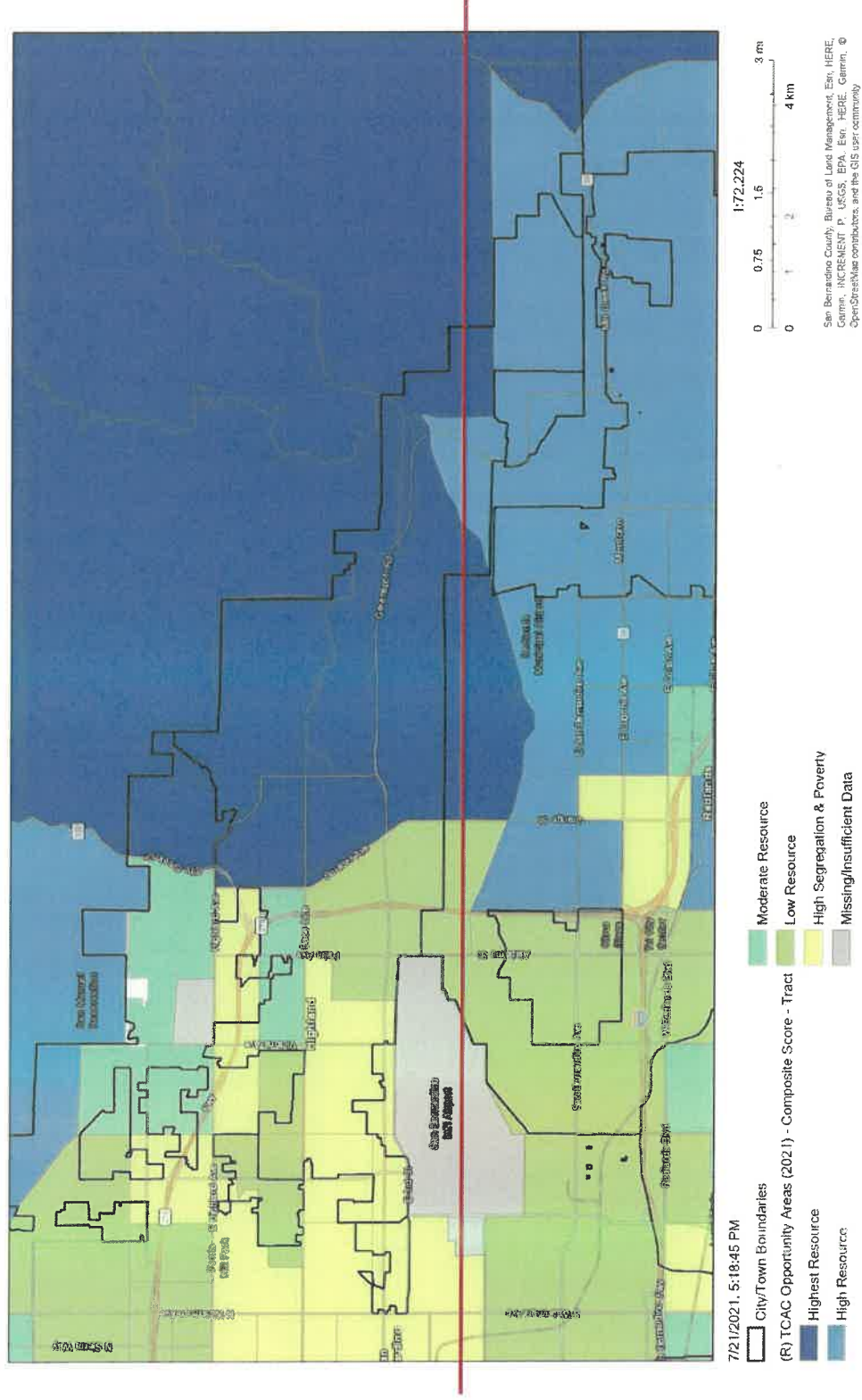
When affordable housing is located in high-opportunity/high-resource areas, this increases access to resources such as quality schools, employment, transportation, low poverty exposure, and environmentally healthy neighborhoods. Research indicates that among various economic and social factors, being in proximity to certain amenities can encourage positive critical life outcomes.³⁴ When affordable housing is dispersed throughout new development in high-resource residential areas, as opposed to being concentrated in existing areas of poverty, research consistently shows that residents of such affordable housing developments have increased quality of life, better access to opportunity and prosperity, and higher school performance. For example, a study by the Urban Institute's Metropolitan Housing and Communities Center found that lower-income residents who reside in mixed-income communities report an increased sense of neighborhood safety; improved employment prospects; improved job readiness and job promotions; better emotional, mental, and physical health; and significant improvements in children's academic performance.

Federal and State agencies have shown an increased focus in promoting increased access in high-opportunity areas. This trend is evident in the States' allocation of Low-Income Housing Credit dollars, the primary subsidy that is available for developing and preserving affordable housing. To allocate these credits, the California Housing Finance Agency (CalHFA) develops a competitive scoring system. In recent years, the scoring system has been adjusted to promote investment in affordable housing in areas with access to opportunity. Several agencies, including the Department of Housing and Urban Development and the HCD in coordination with TCAC, have developed methodologies to assess and measure geographic access to opportunity (including education, poverty, transportation, and employment) in areas throughout California. The Opportunity Map created by TCAC and HCD (using data from 2020) is used to identify areas in the region whose characteristics are shown by research to support positive economic, educational, and health outcomes for families—particularly long-term outcomes for children. Further, this section will review access to opportunity in relation to education, economic development, environment, transportation, and access to opportunities for persons with disabilities.

High-resource areas are those areas, according to research, that offer low-income children and adults the best chance at certain positive life outcomes: economic advancement, high educational attainment, and good physical and mental health. The Opportunity Map plays a critical role in shaping the future distribution of affordable housing in areas with the highest opportunity. The 2023~~31~~ TCAC/HCD Opportunity Map identifies the areas east of Boulder Avenue as ~~Highest~~high-Resource areas (**Figure 13A**, Opportunity Map). To the areas west of Boulder Avenue, tracts are identified as ~~H~~high segregation and

³⁴ Freddie Mac and the National Housing Trust. 2020. Spotlight on Underserved Markets: *Opportunity Incentives in Low-Income Housing Credit Qualified Allocation Plans*. https://www.sahfnet.org/sites/default/files/uploads/resources/opportunity_incentives_in_lihtc_qualified_allocation_plans.pdf.

Ppoverty, Llow resource, and Mmoderate resource. The high segregation and poverty area aligns with the 2009-2013 R/ECAP zones identified in previous sections. Economic, educational, and environmental indexes show low scores in the identified R/ECAP areas. In contrast to the opportunity areas shown in the map, many of the City's resources related to commercial and governmental services, such as mental health facilities, mass transit access, parks and recreational facilities, food access, and other commercial services, are located in the eastern portions of the City. At a regional scale, **Figure 13B**, Regional Opportunity Map, illustrates a pattern of highest resources being concentrated in suburbs and foothill communities, which may explain why the City's highest resources are to the northeast part of the City.



San Bernardino County, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, © OpenStreetMap contributors, and the GIS user community

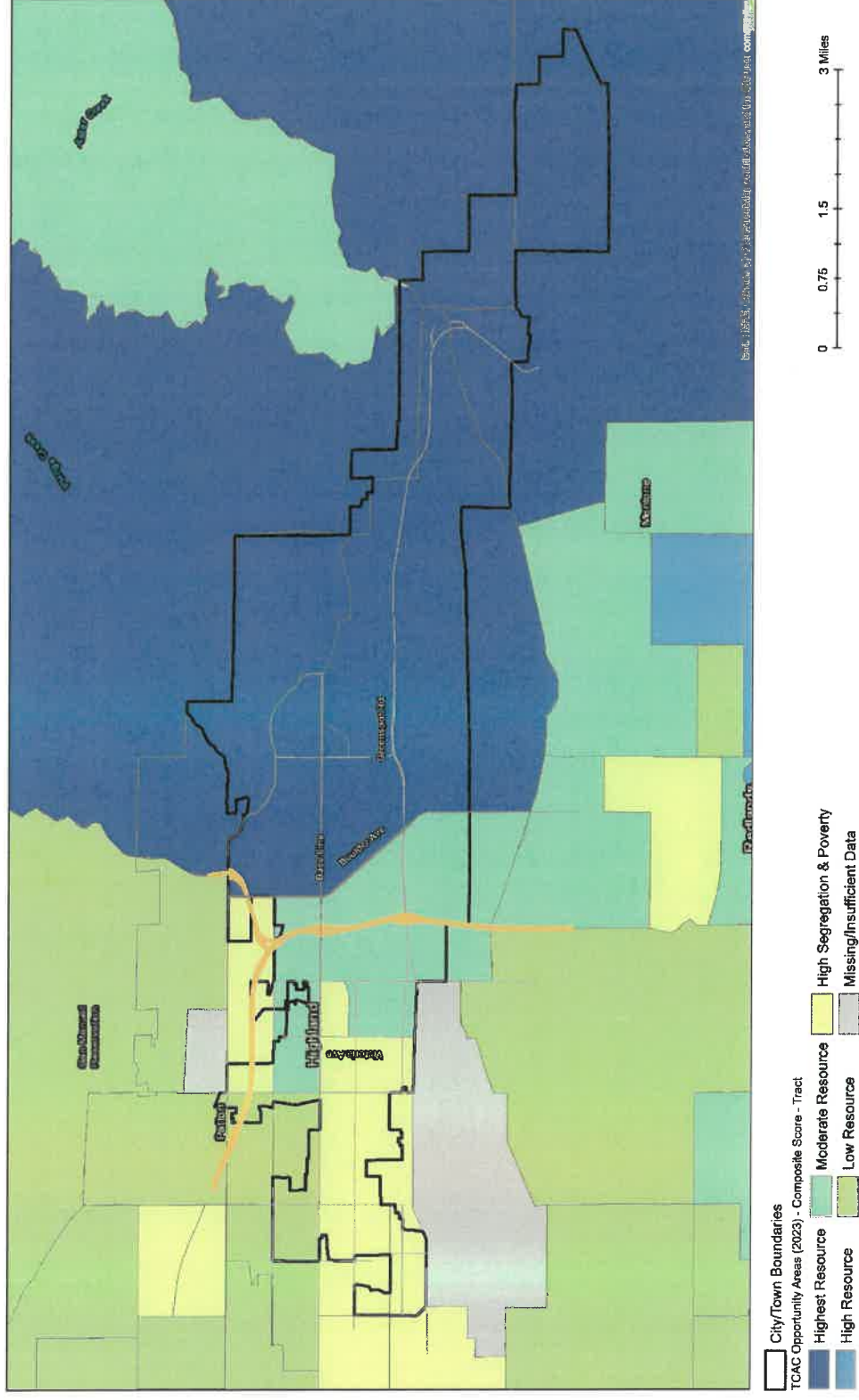


Figure 13A. Opportunity Map³⁵

³⁵ <https://www.treasurer.ca.gov/ctcac/opportunity.asp> HUD, n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affh/>.

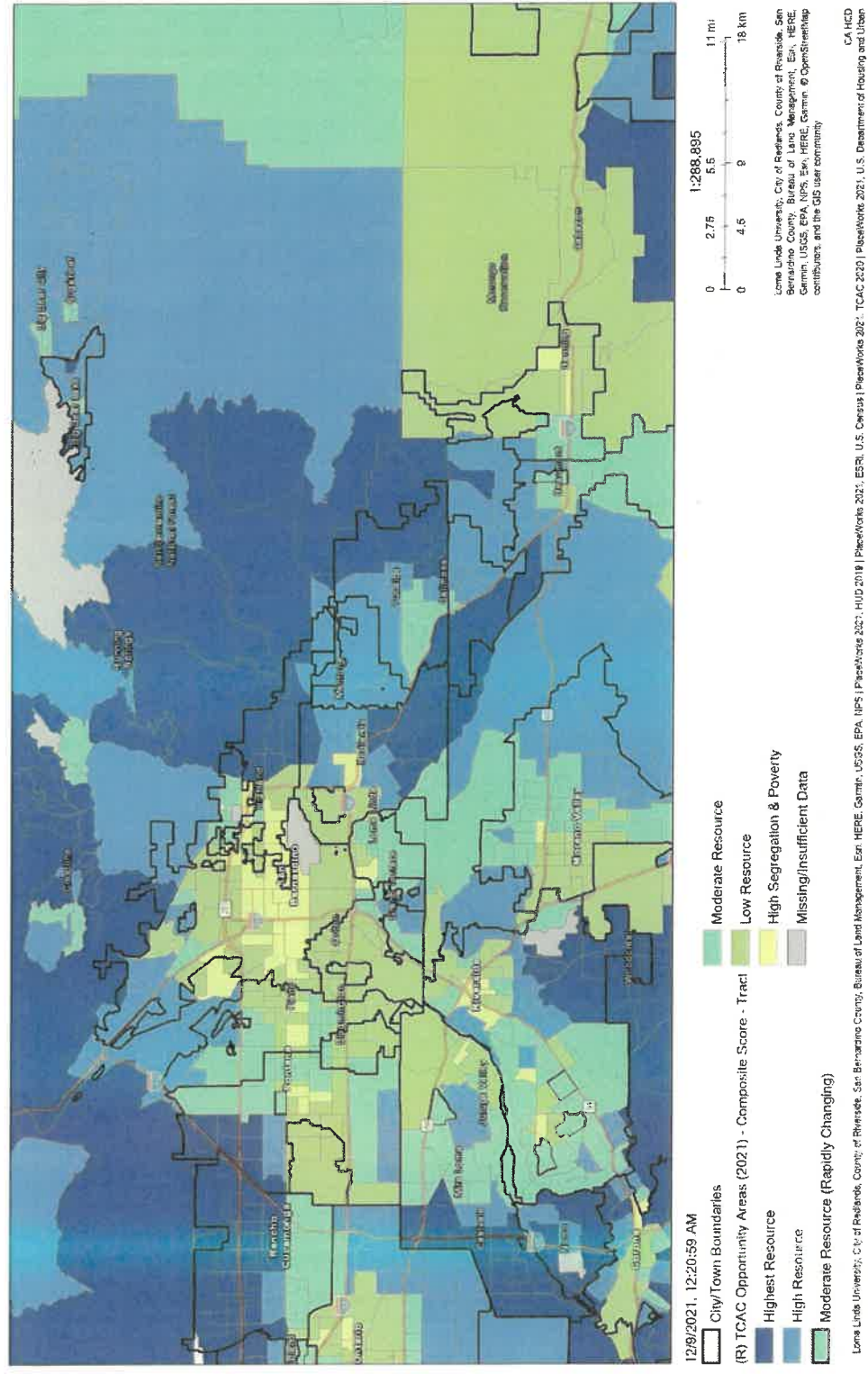


Figure 13B. Regional Opportunity Map³⁶

³⁶ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.5.1. Access to Education

Access to quality education is one aspect of opportunity. The City is served by the Redlands Unified School District and the San Bernardino City Unified School District.^{37 38} The boundaries for the Redlands Unified School District encompasses the eastern portion of the City until City Creek. The San Bernardino City Unified School District encompasses the western portion of the City.

Redlands Unified School District encompasses 147 square miles and serves the communities of Redlands, Loma Linda, Mentone, Forest Falls, and portions of San Bernardino and the City. The Redlands Unified School District consists of 15 elementary schools, 4 middle schools, and 4 high schools. Current enrollment in grades K–12 is 21,333 students. The ethnicity of the student population is consistent with the City’s population of various ethnic/racial backgrounds (31.6 percent White and 45 percent Hispanic). The district serves 1,965 English-language learners (9.2 percent). Thirty separate languages comprise the home languages of these students. The Redlands Unified School District reportedly ranks 8/10 in testing, ranking above the Statewide average in both math and reading proficiency, and spends \$11,364 per student each year.

The San Bernardino City Unified School District consists of 50 elementary schools, 11 middle schools, and 10 high schools. Enrollment in K–12 is 53,037 students. According to the 2019/2020 district summary, there are 20.8 percent English-language learners, and 89.4 percent of students are considered socioeconomically disadvantaged. The student population is predominately Hispanic (77.7 percent). The San Bernardino City Unified School District offers dual immersion programs at several elementary schools, spends \$12,604 annually per student, and provided 1,330 student-earned scholarship/grants in 2018/2019. The San Bernardino City Unified School District reportedly ranks 3/10 in testing and falls below the Statewide averages for both math and reading proficiency.

Table 1, California Assessment of Student Performance and Progress – Science (2018–2019), compares the standardized test scores for grades 5, 8, and high school in science by race/ethnicity for both districts.

Table 1: California Assessment of Student Performance and Progress – Science (2018–2019)

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
<i>San Bernardino City Unified School District</i>					
All	11,725	11,405	97.27%	2.73%	19.32%
Black or African American	1,282	1,229	95.87%	4.13%	12.61%
American Indian or Alaska Native	45	44	97.78%	2.22%	13.64%
Asian	187	185	98.93%	1.07%	48.11%
Filipino	50	48	96.00%	4.00%	50.00%
Hispanic or Latino	9,180	8,947	97.46%	2.54%	18.18%

³⁷ Redlands Unified School District. n.d. Schools Boundary Map. <https://www.redlandsusd.net/Page/114>.

³⁸ San Bernardino City Unified School District. 2021. School Boundaries. <https://sbcusd.com/cms/One.aspx?portalId=59953&pageId=1341450>.

Table 1: California Assessment of Student Performance and Progress – Science (2018–2019)

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Not Tested	Percent Met or Exceeded
Native Hawaiian or Pacific Islander	48	48	100.00%	0.00%	18.75%
White	660	641	97.12%	2.88%	39.12%
Two or More Races	134	132	98.51%	1.49%	16.67%
Redlands Unified School District					
All	4,815	4,715	97.92%	2.08%	35.26%
Black or African American	302	292	96.69%	3.31%	19.18%
American Indian or Alaska Native	17	17	100.00%	0.00%	29.41%
Asian	450	443	98.44%	1.56%	64.11%
Filipino	117	117	100.00%	0.00%	47.86%
Hispanic or Latino	2,408	2,352	97.67%	2.33%	24.67%
Native Hawaiian or Pacific Islander	12	12	100.00%	0.00%	25.00%
White	1,270	1,245	98.03%	1.97%	46.14%
Two or More Races	230	228	99.13%	0.87%	43.86%
Statewide					
Statewide	1,563,993	1,477,006	94.44%	5.56%	29.93%
Black or African American	85,376	78,167	91.56%	8.44%	13.60%
American Indian or Alaska Native	8,234	7,486	90.92%	9.08%	21.16%
Asian	145,598	141,013	96.85%	3.15%	58.68%
Filipino	38,377	36,890	96.13%	3.87%	44.35%
Hispanic or Latino	845,305	802,572	94.94%	5.06%	18.80%
Native Hawaiian or Pacific Islander	7,338	6,870	93.62%	6.38%	21.01%
White	366,641	341,893	93.25%	6.75%	44.42%
Two or More Races	56,801	53,277	93.80%	6.20%	44.93%

Source: Department of Education. 2019. Local Educational Agency Accountability Report Card.
<https://www.cde.ca.gov/ta/ac/le/>.

As shown in Table 1, the San Bernardino City Unified School District overall tested lower in science by about 15 percent compared to the Redlands Unified School District and 10 percent compared to the State. This trend was similar by race/ethnicity as well. Based on information published from the Department of Education, the graduation rate for Redlands Unified School District was 92.08 percent compared to 83.35 percent for San Bernardino City Unified School District.

Figure 14A, Opportunity for Education, shows the access to opportunity for education, which displays high levels of opportunity in eastern Highland, and less positive outcomes in western Highland. These differences follow school district lines, with the Redlands Unified School District Census tracts scoring higher than the San Bernardino Unified School District tracts. Furthermore, **Figure 14B**, Opportunity for Education in the Region, displays a large area of Fontana to San Bernardino as having less positive education outcomes. More positive education outcomes correspond to higher White populations as identified in **Figure 1B**. The City recognizes the role and importance of technology for online school and education and intends to promote and support access to technology for all City residents.

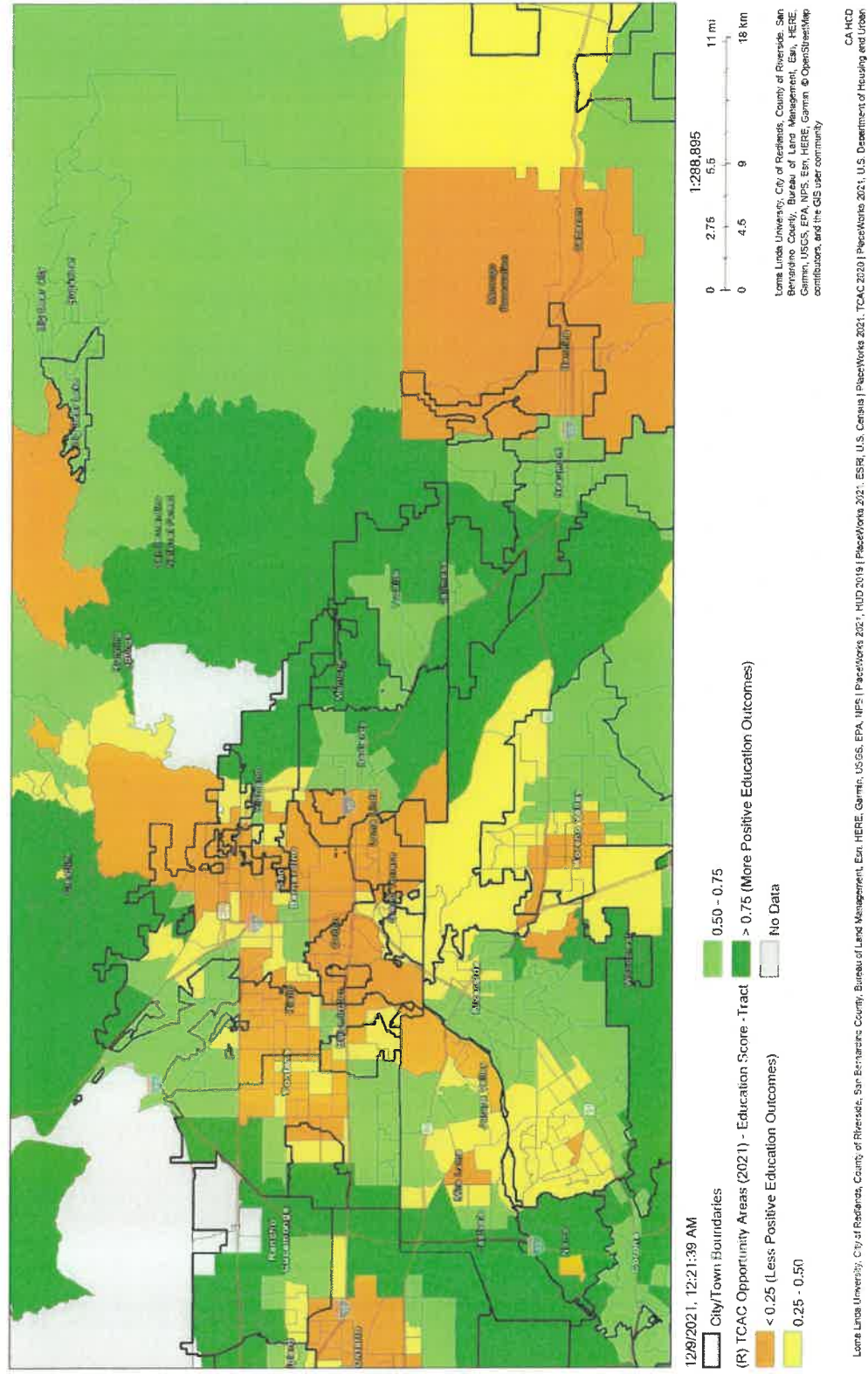
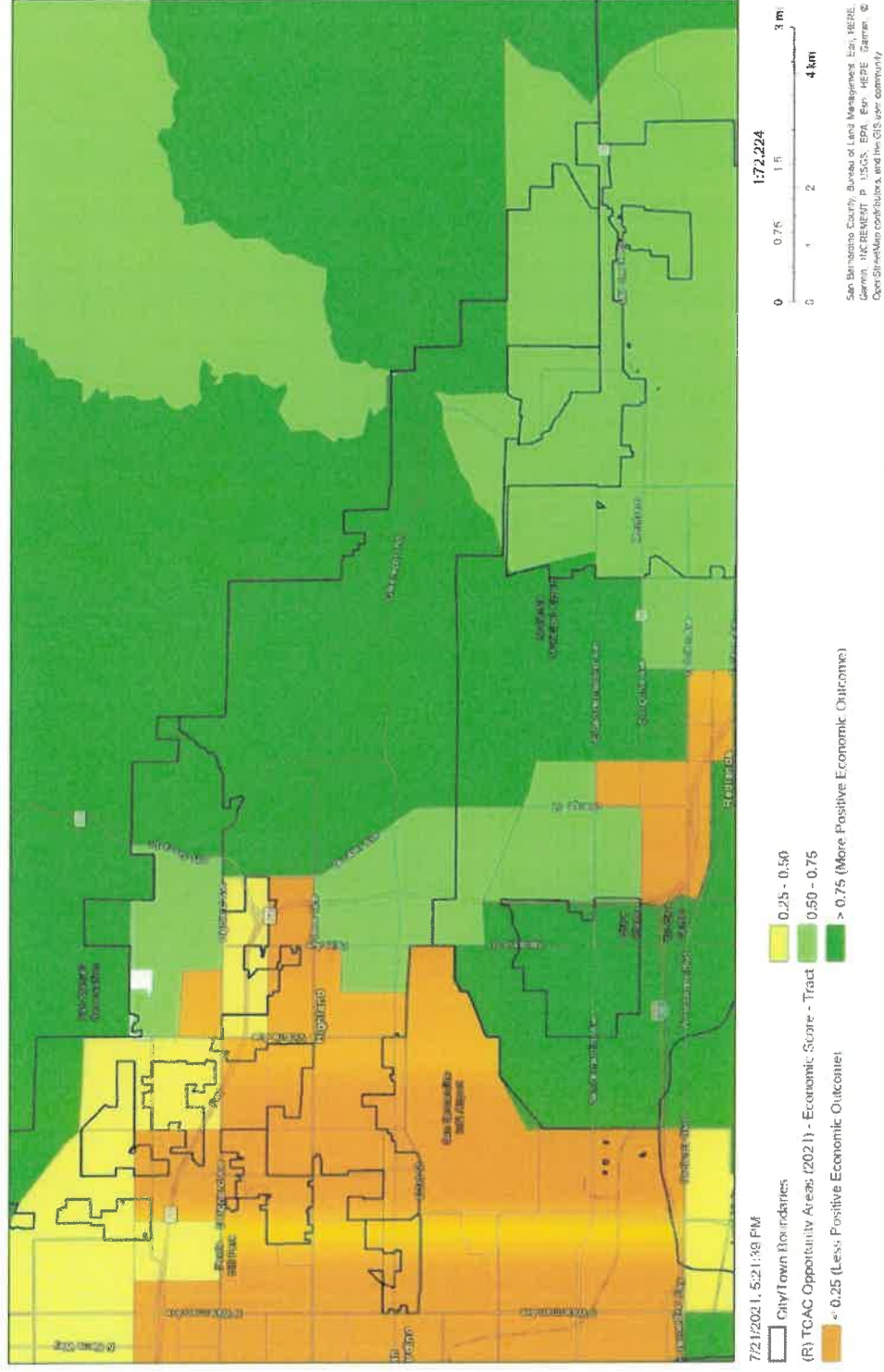


Figure 14B. Opportunity for Education in the Region⁴⁰

⁴⁰ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.5.2. Access to Economic Opportunity

Figure 15A, Economic Outcomes, shows access to economic opportunity. Less positive economic outcomes are in western Highland. In fact, the least positive economic outcomes are centered in San Bernardino and adjacent communities when looking at the regional map of **Figure 15B**, Economic Outcomes in the Region. **Figure 16A**, Jobs Proximity Index, measures the physical distances between residents and jobs, by geography. As shown in **Figure 16A**, the portion of the City in closest proximity to the City of San Bernardino, to the west, had the highest jobs proximity index. The uses to the west and southwest of the City, near the San Bernardino International Airport, are predominately industrial. Due to the low job proximity in East Highland, the East Highland residents are more likely to commute via vehicle, traveling longer distances. The cost of owning a vehicle can be a financial burden for many lower-income households, and long commutes can be even more burdensome due to the expense of fuel consumption and vehicle repairs associated with increased use. **Figure 16B**, Regional Jobs Proximity Index shows that least positive economic outcomes do not correlate to low job proximity and that San Bernardino is the closest job hub for City residents. Like many outer suburbs in the region, most City residents do not work where they live.



San Bernardino County Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

Figure 15A. Economic Outcomes⁴¹

⁴¹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

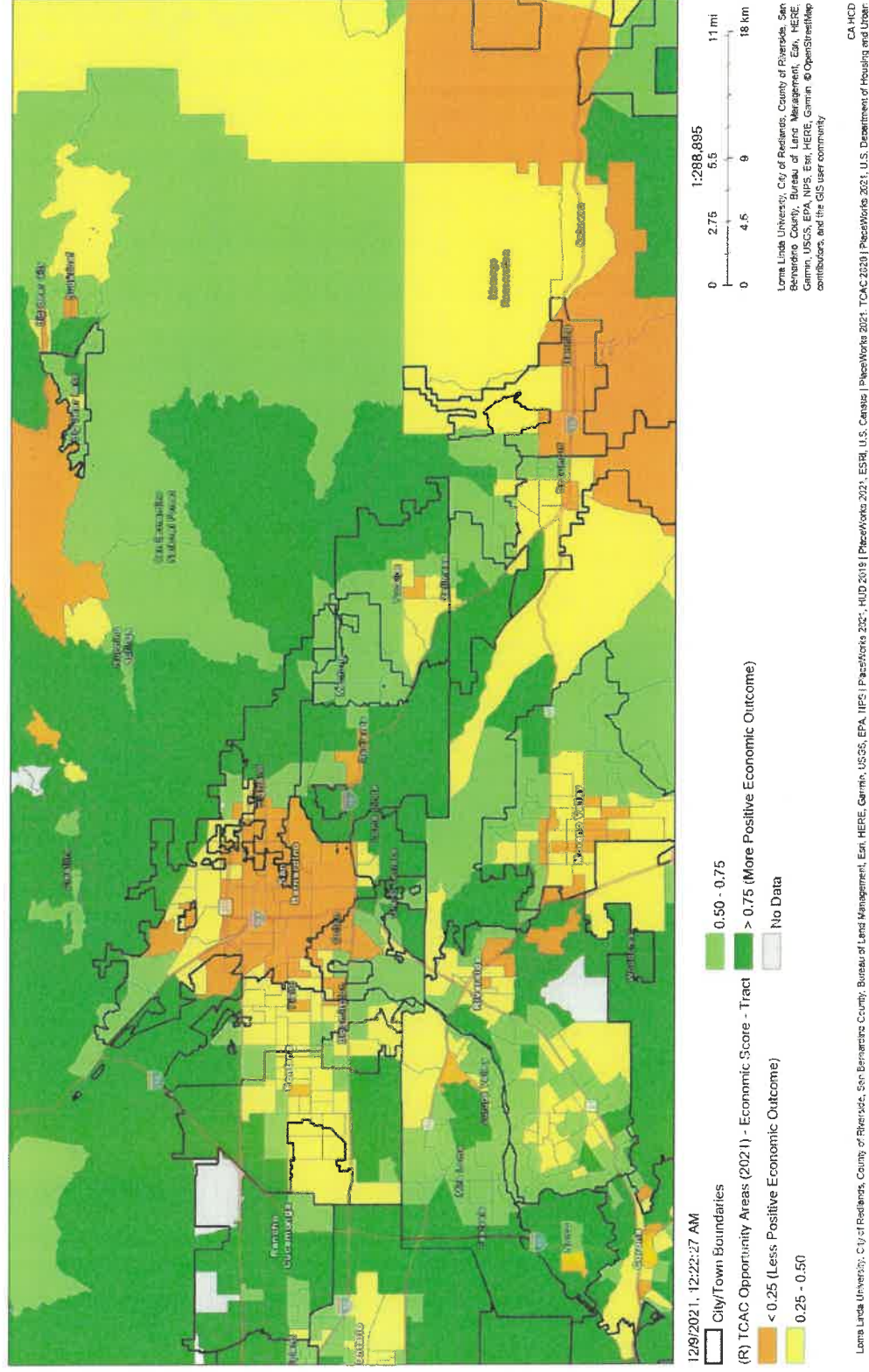
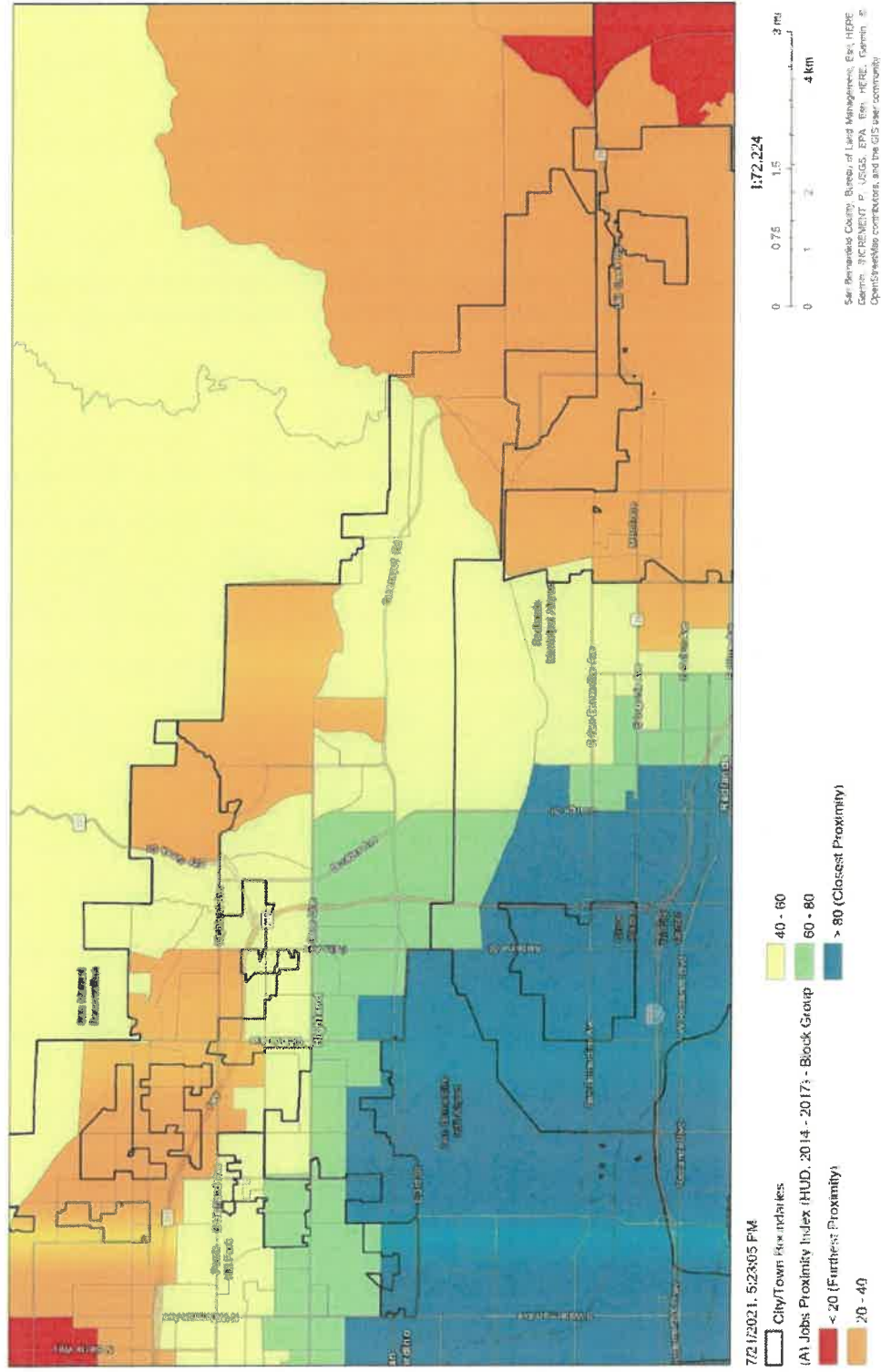


Figure 15B. Economic Outcomes in the Region⁴²

⁴² HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.



San Bernardino County, Bureau of Land Management, Esri, HERE, Garmin, IGN, Intermap, Inc., Mapbox, OpenStreetMap contributors, and the GIS user community

Figure 16A. Jobs Proximity Index⁴³

⁴³ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

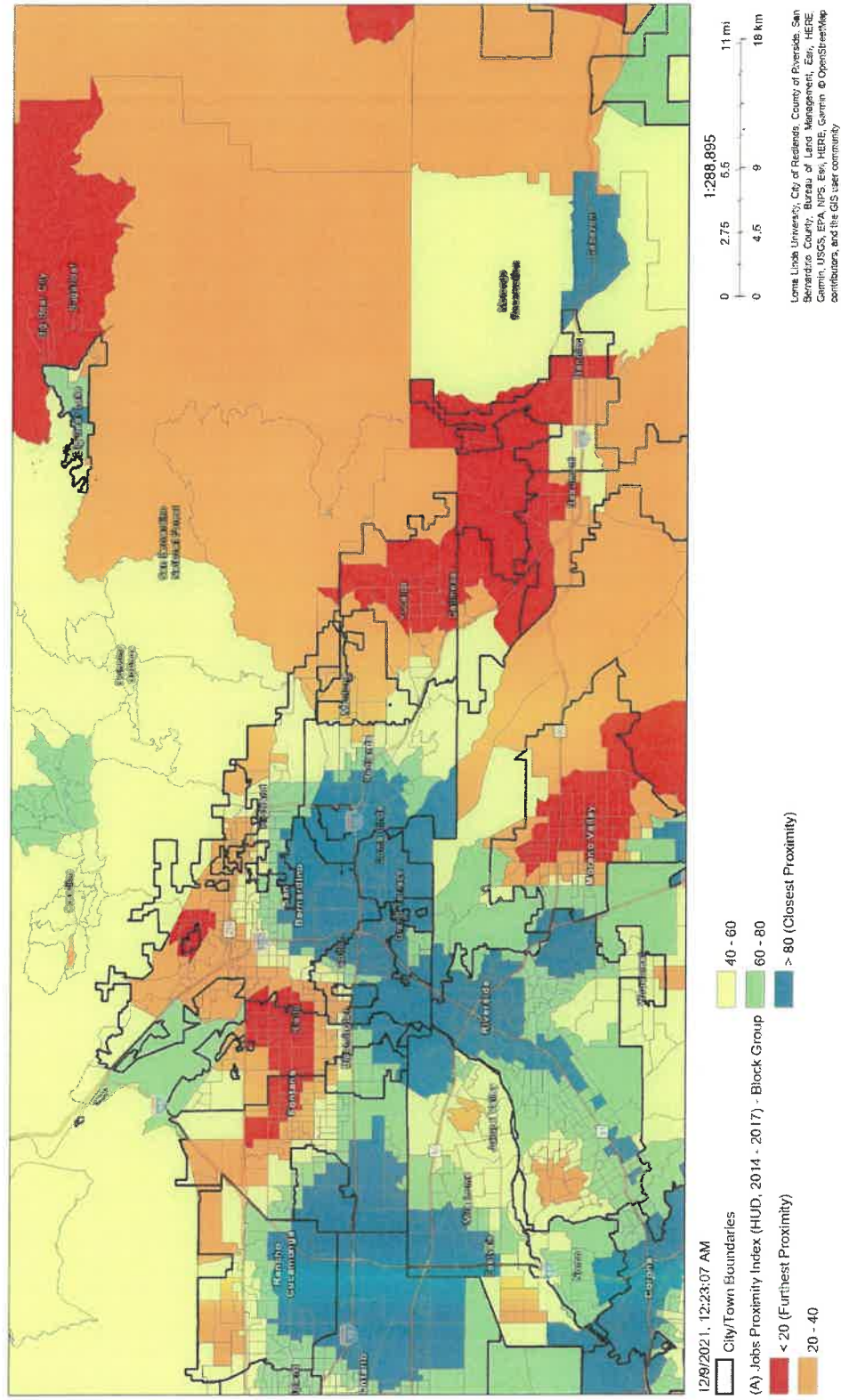


Figure 16B. Regional Job Proximity Index⁴⁴

⁴⁴ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.5.3. Access to Transportation

Access to transportation opportunities is important, especially for lower income earning households who may not be able to afford a car. In more rural, suburban, or isolated areas, access to a car may be higher due to necessity and lack of transit opportunities. The rates of automobile ownership can be seen in **Figure 17**, Automobile Ownership Rates. They are higher in eastern Highland, which consists of higher-income households, primarily White households, and farther proximity to employment. Western Highland has lower rates of automobile ownership, which makes sense given the higher concentrations of poverty and lower incomes. Communities with low automobile ownership rates can be benefitted by access to public transit and walkable communities. **Figure 18**, Access to Transit, shows that western Highland is well served by bus stops, with nearly the entire area within walking distance to a transit stop. Eastern Highland, with higher average household incomes and more a suburban setting, is not within walking or biking distance of transit stops. Major transit stops run along Baseline Street, East 9th Street, Palm Avenue, and Church Street. Although western Highland has increased job proximity and transit access as compared to eastern Highland, the specific quality and pay rates associated with the most accessible jobs is unclear.

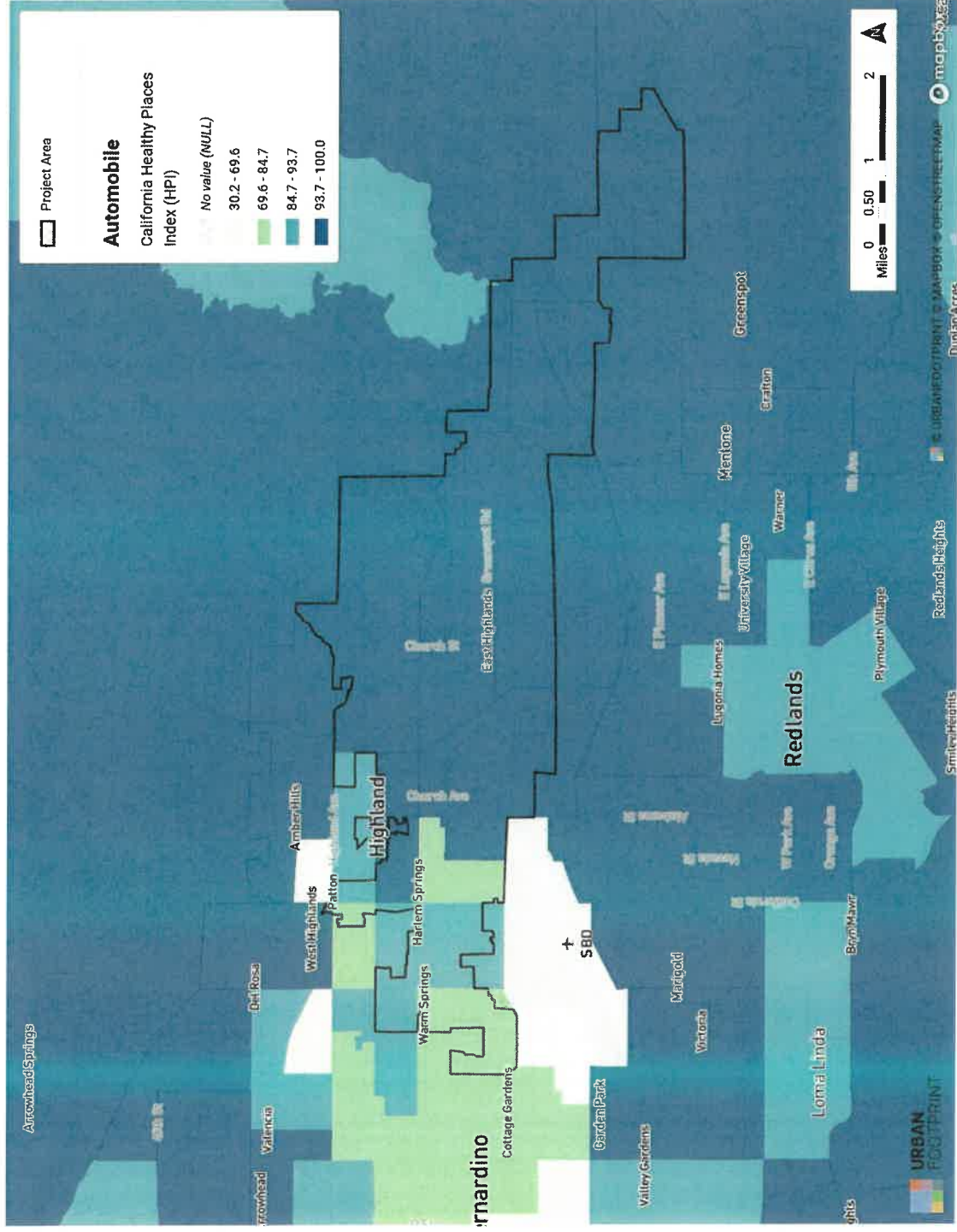


Figure 17. Automobile Ownership Rates

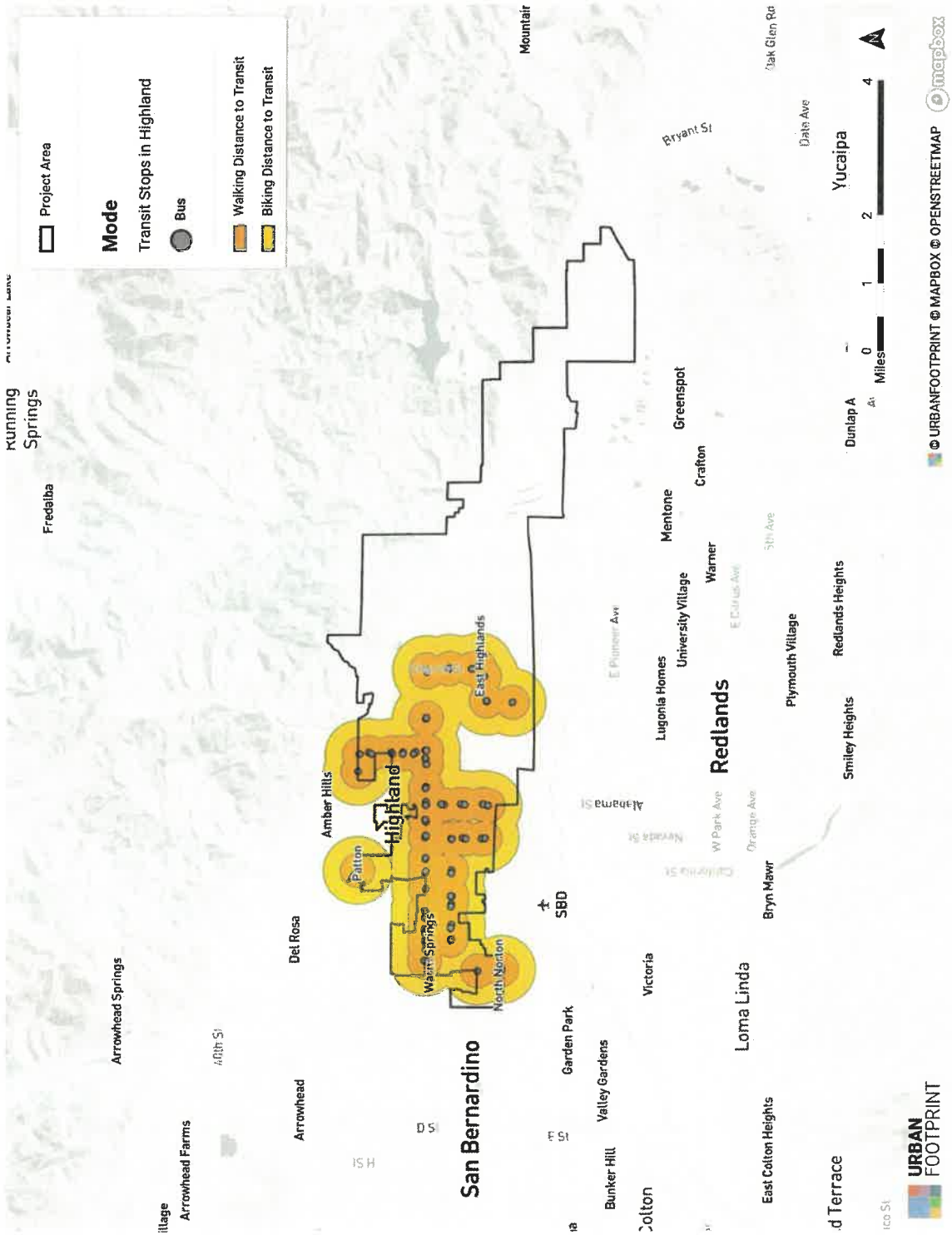
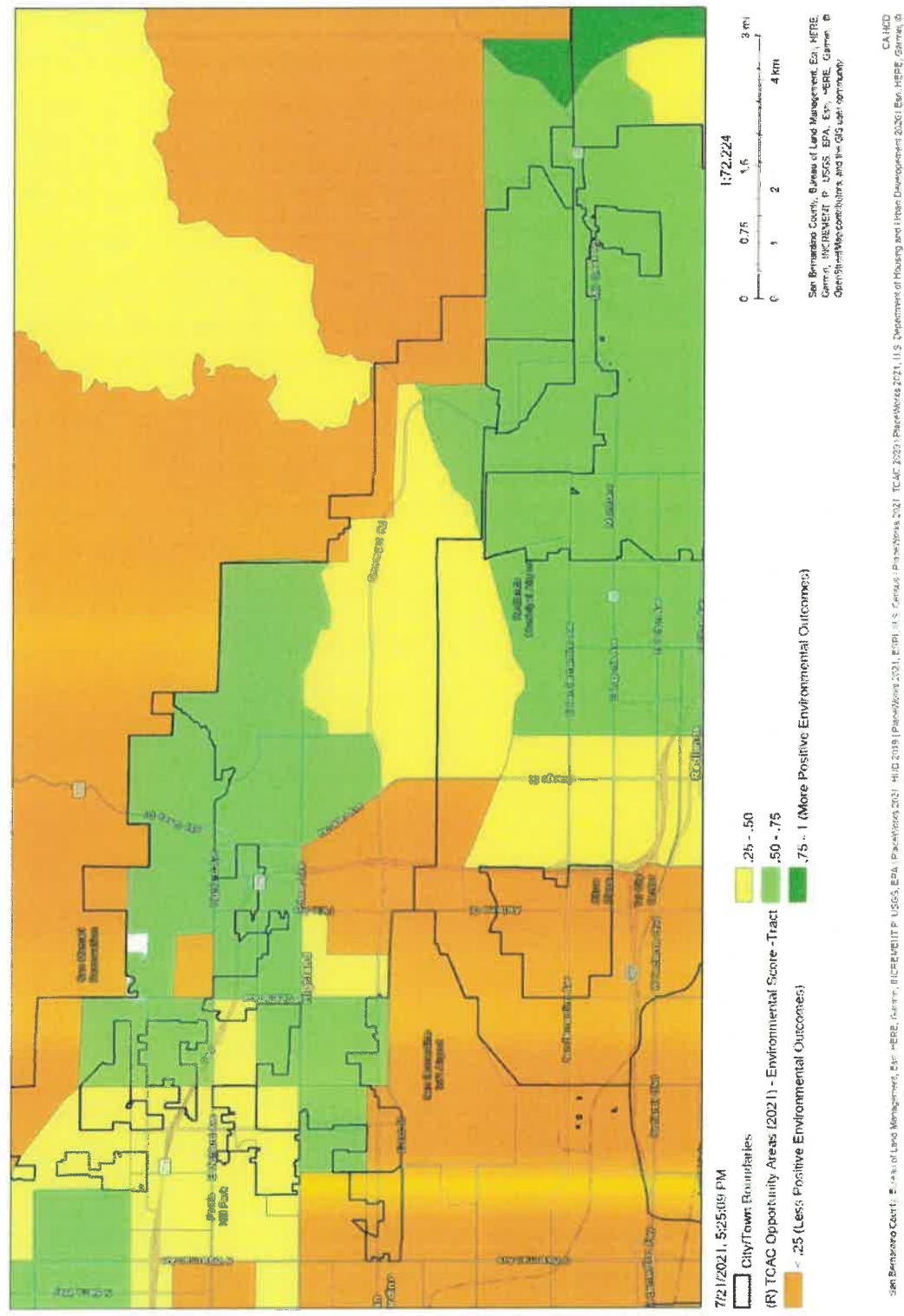


Figure 18. Access to Transit

4.5.4. Access to a Healthy Environment

Access to a clean and healthy environment is an important part of physical and mental health, as well as overall quality of life for residents. Levels of air pollution, water quality, access to open spaces, vegetation, and more contribute to environmental factors that go into different indexes that attempt to distinguish levels of environmental quality. **Figure 19A**, Opportunity for a Healthy Environment, shows environmental outcomes. This figure demonstrates that much of the City has relatively positive environmental outcomes, where the farthest southwestern portion of the City, the south-central portion of the City, and a sliver of the northeastern portion of the City have the lowest scores with less than positive environmental outcomes. Moderately positive outcomes are in the eastern and western most portions of the City. **Figure 19B**, Opportunity for a Healthy Environment in the Region shows that the City has more positive environmental outcomes when compared to the region, and that the City is actually flanked by areas of less positive environmental outcomes to the southwest and northeast.

Pollution burden is another aspect of environmental quality and can be visualized using CalEnviroScreen. Displayed in **Figure 20A**, CalEnviroScreen is a mapping tool that identifies the most affected areas by sources of pollution using environmental, health, and socioeconomic information to produce scores for every Census tract in the State. Areas with high scores experience a much higher pollution burden than areas with low scores. To the west of Boulder Avenue and south of Baseline Street, the pollution burden is in the 60th–90th percentile compared to the State of California. The highest pollution burden is the tract that is along the north/south portion of Interstate 210. Some specific pollution factors that are especially poor in some of the more pollution burdened areas in the City include ozone, particulate matter of 2.5 microns or less (PM_{2.5}), and hazardous waste exposure. **Figure 20B**, Regional CalEnviroScreen illustrates the City as being on the border of a concentration of high scores indicating pollution that is present in other major cities in the Inland Empire.



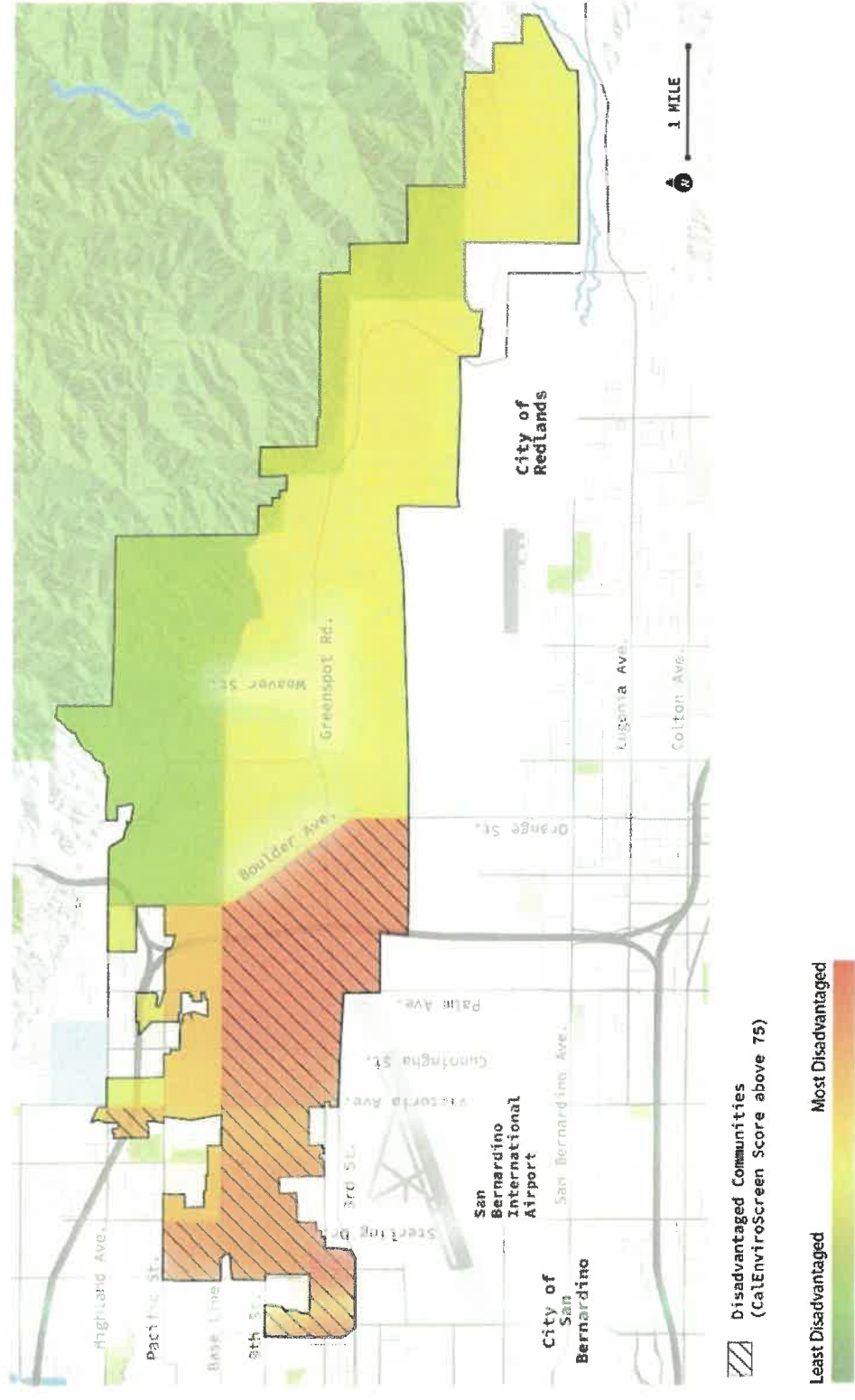


Figure 20A. CalEnviroScreen 3.0⁴⁷

⁴⁷ OEHHA (Office of Environmental Health Hazard Assessment). 2018. CalEnviroScreen 3.0. <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>.

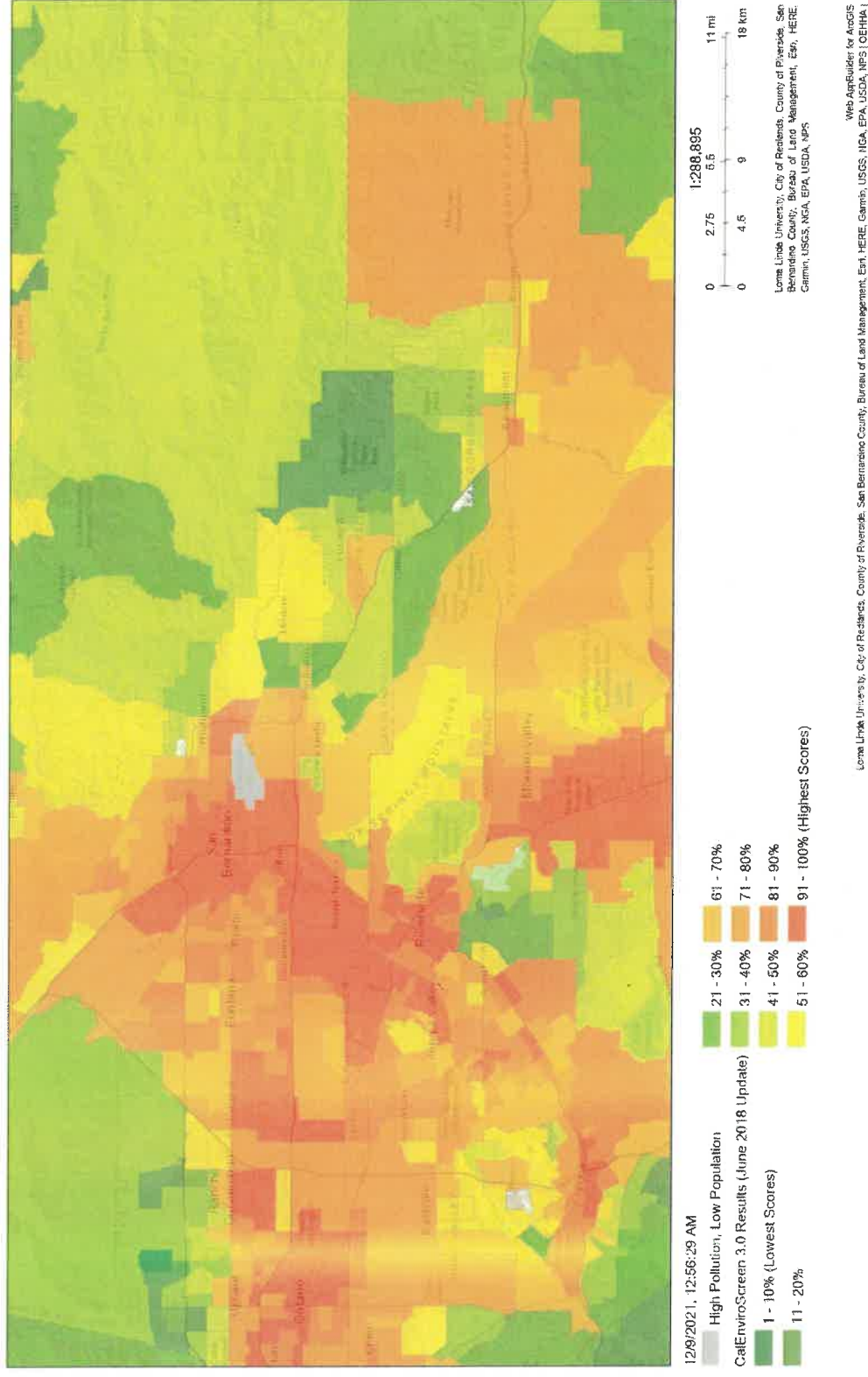


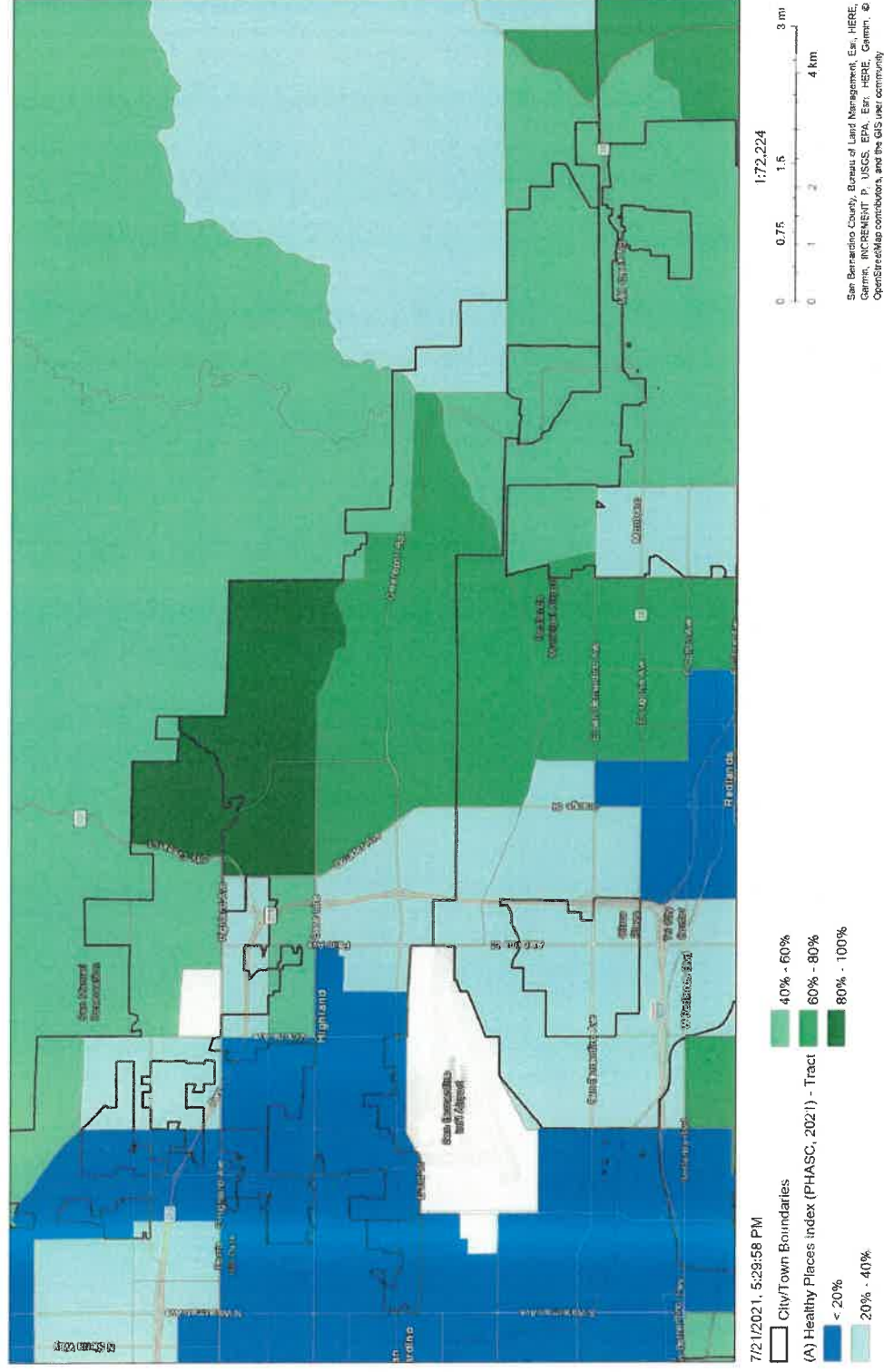
Figure 20B. Regional CalEnviroScreen 3.0⁴⁸

⁴⁸ OEHA (Office of Environmental Health Hazard Assessment). 2018. CalEnviroScreen 3.0. <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>.

The Healthy Places Index uses data that impacts personal health and compiles it to show where the healthiest and least healthy places are to live. In the City, the least healthy environment is again found in the western portion of town, for the most part to the west of Victoria Avenue. Some concerning health indicators include high levels of asthma, diabetes, poor mental health, and low infant birth weight. Life expectancy at birth is one of the easiest to understand and starkest indicators of quality of life and healthy living. All of Highland west of Boulder Avenue is in the bottom 25th percentile for the State of California for life expectancy at birth, at less than 77 years. **Figure 21A**, Healthy Places Index, shows the Healthy Places Index scores for the City. As with previous maps, **Figure 21B**, Regional Healthy Place Index shows San Bernardino as having the less favorable score, explaining why western Highland falls into the same category.

The presence and quality of parks and open spaces are other factors that are considered when determining if an environment is healthy or not. **Figure 22**, Parks, displays parks in the City and schools that have park areas that are opened for public use during hours that the school is not in operation. Parks are least prevalent in the eastern and northern portions of the City. While it may be farther from conventional City parks, the northeastern portion of the City has much closer access to open space just outside City limits. The City relies on the school parks to provide adequate park space for residents.

Further, improvement to the environmental health of neighborhoods requires multiple levels of efforts, including land use planning, transportation considerations, urban forest management, healthy food options, park investments, and more.



San Bernardino County, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

Figure 21A. Healthy Places Index⁴⁹

⁴⁹ HUD, n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

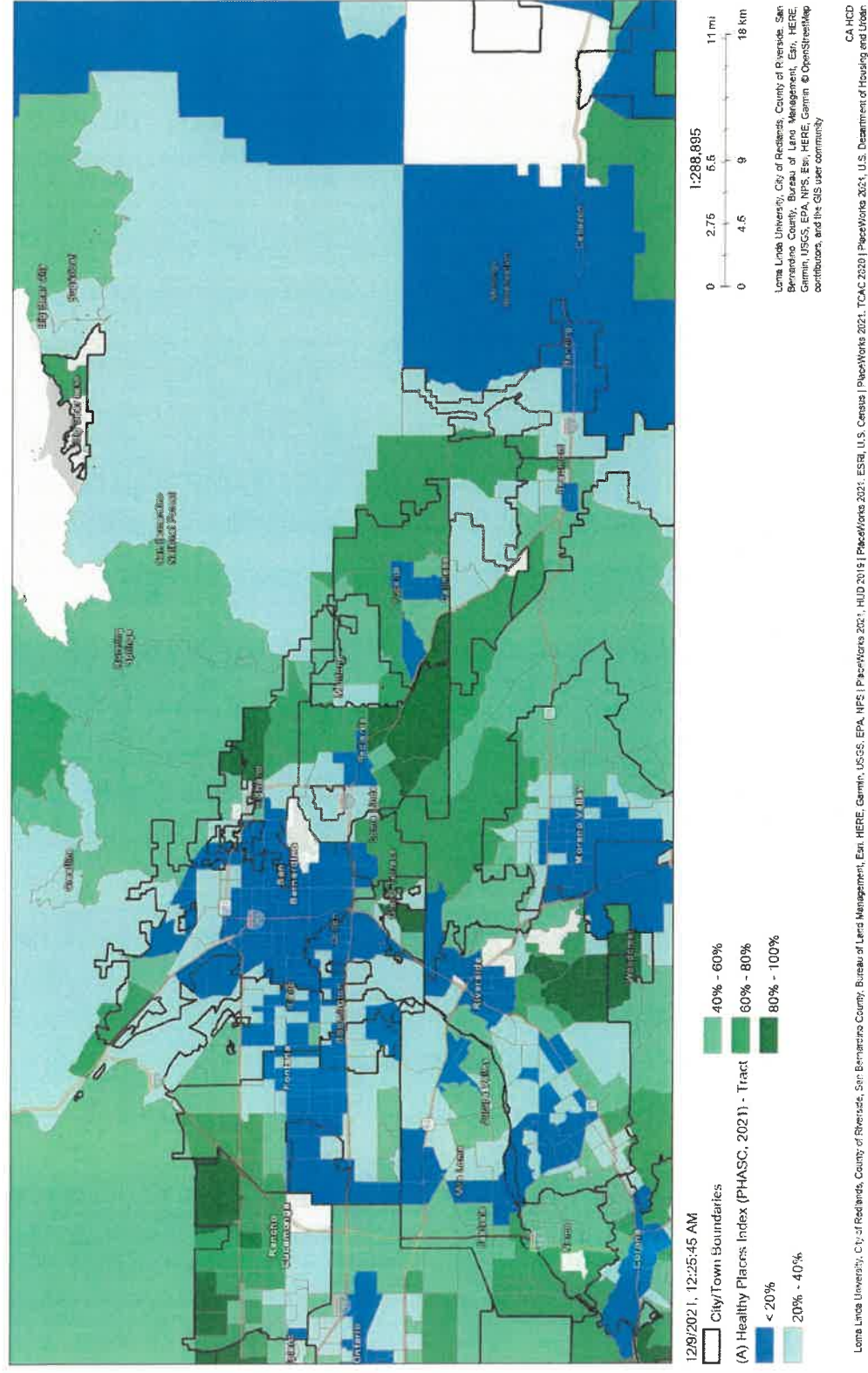


Figure 21B. Regional Healthy Places Index⁵⁰

⁵⁰ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

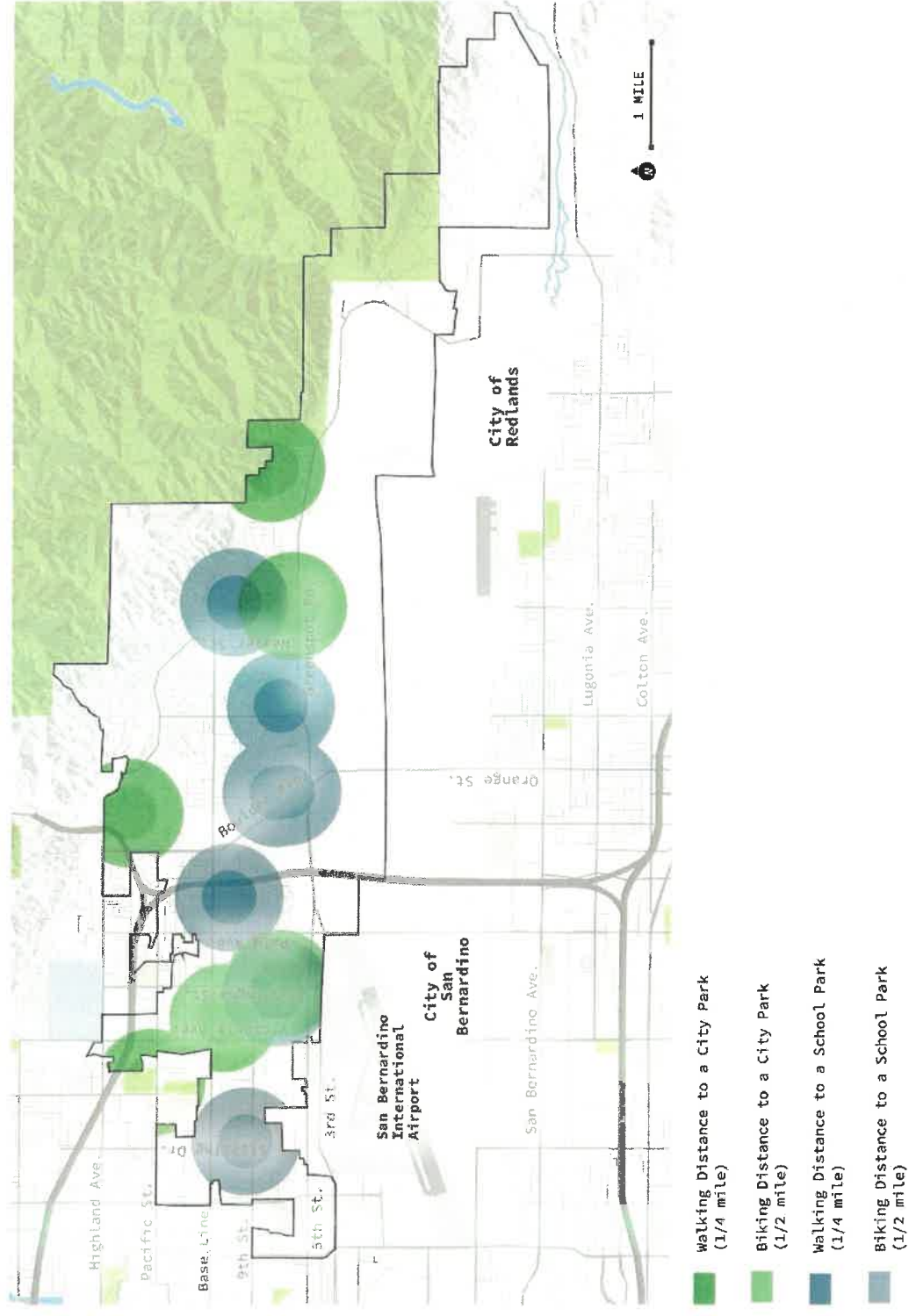


Figure 22. Parks⁵¹

⁵¹ City of Highland. 2020.

4.5.5. Access to Opportunity for Persons with Disabilities

Trends related to persons with disabilities, including local and State analysis of prevalence of disabilities by type and age group, are included in **Appendix B, Community Profile**. Some common regulatory barriers that can exist for persons with disabilities include the following:

- Reasonable Accommodation Procedure
 - Common issues with reasonable accommodation procedures include excessive findings of approval, burden on applicants to prove the need for exception, application costs, and discretionary approvals.
- Family Definition
 - Family definitions in zoning or other land use related documents can directly impact housing choices for persons with disabilities, particularly regarding group home situations, which are commonly used by persons with disabilities. Regulating the number of people or requiring occupants to be related can be common elements in family definitions that create barriers.
- Excluding Group Homes
 - Excluding group homes or subjecting these homes to a Conditional Use Permit in single-family zones acts as a barrier to housing choice for persons with disabilities.
- Spacing Requirements
 - Excessive spacing requirements between group homes or community or residential care facilities can directly impact the supply of housing choices for persons with disabilities.
- Unit Types and Sizes
 - The lack of multifamily housing or zoned capacity for multifamily and a variety of sizes, from efficiency to four or more bedrooms, can constrain the ability of persons with disabilities to live in a more integrated community setting.
- Lack of By-Right Zoning for Supportive Housing
 - By-right zoning for supportive housing can result in more objective processes that are less likely to discriminate or have the effect of discriminating against persons with disabilities.⁵²

Some of the overarching goals and specific policies within the Housing Element encourage equal access to housing and services to meet the needs of persons with disabilities, including the following:

- Policy 5.1, to provide the regulatory framework necessary to facilitate housing for those with special needs.
- Policy 5.2, to encourage development of accessible housing for levels of ability through regulatory relief.
- Policy 5.4, to support innovative public private, and nonprofit efforts in the development and financing of affordable, special needs housing.

The City has multiple transitional housing homes currently. Two are six-bed facilities, and one of them is reserved for adults ages 18 through 26, while the other is for any unhoused person. The City does not

⁵² HCD. 2021. *Affirmatively Furthering Fair Housing Guidance for All Public Entities and for Housing Elements*. April 2021. https://www.hcd.ca.gov/community-development/affh/docs/affh_document_final_4-27-2021.pdf.

have permanent supportive housing stock within the City limits; however, permanent supportive housing is available in adjacent cities. The San Bernardino Department of Behavioral Health Homeless Program provides supportive housing and counseling services for mentally ill persons and are located in the City of San Bernardino. The City has within its Municipal Code definitions and regulations regarding emergency shelters, transitional housing, and permanent supportive housing.

In an effort to prevent and combat homelessness, the City and its partners are also currently participating in the following activities:

- The Community Development Department provides information and referrals to Housing Choice Vouchers for individuals and families experiencing homelessness.
- The Department of Public Works conducts cleanups for City-owned land and in the public right-of-way Citywide.
- Outreach and engagement through the Sheriff's Department, including the County San Bernardino's HOPE Team.
- The Code Enforcement Division responds to homelessness-related complaints regarding private property.
- The Highland Library, Community Center, YMCA, and Senior Center in Highland provide air-conditioned rest areas in dangerously hot weather.
- Saint Adelaide Catholic Church provides emergency food provisions, employment assistance, and marriage counseling.
- The Community Action Partnership of San Bernardino County conducts countywide housing needs assessment. This effort trains and uses homeless service providers, former persons experiencing homelessness, and current persons experiencing homelessness to collect data.
- Vista Guidance Centers of Highland offers psychiatric evaluations, counseling, and referral services.

Programs 19, Emergency Shelters, Transitional Housing, Permanent Supportive Housing, and Single Room Occupancy, and Program 278, Low-Barrier Navigation Centers, of the Housing Element implement strategies to provide support for those experiencing homelessness through emergency shelters, transitional housing, permanent supportive housing, and Low-Barrier Navigation Centers.

4.6. Disproportionate Housing Needs and Displacement Risk

Homeownership is the largest asset of most households in the United States, and, for many households, provides increased opportunity for future generations through increased family wealth. With increased family wealth, younger generations are often afforded increased educational opportunities, higher employment attainment, and access to inheritance. One of the most prevalent consequences of residential segregation is the intergenerational inaccessibility of homeownership. According to the Census, a total of 10,796 occupied units (66.9 percent) in the City were owner-occupied in 2019, while 5,342 units (33.1 percent) were renter-occupied. The rate of owner-occupied units in the City increased by 3.6 percent from 2014 to 2019, while the rate of owner-occupied units in the County decreased by 1.1 percent.⁵³ The area with the highest percentage of owner-occupied units coincides with the areas that

⁵³ U.S. Census Bureau. 2019. Comparative Housing Characteristics. 2019 ACS 5-Year Estimates. Table CP04.

predominantly consist of White residents, have a higher percentage of married-couple households, have higher incomes, have increased access to vehicles, and have a lower percentage of persons with disabilities.

4.6.1. Housing Affordability

Housing affordability depends on a number of factors in the housing market, economy, and community. Affordability can be broken up into how affordable it is to rent and how affordable it is to be a homeowner. **Table 2**, Household Tenure, identifies the owner and renter rates within the City, showing that homeownership is more prevalent than renting. However, homeownership rates decreased from 2010 to 2019. During the 1990s, owner-occupancy rates in the City increased as more single-family homes were built. This development trend resulted in a relatively high percentage of owner-occupied units. Overall, the number of renter-occupied units in the City increased by almost 900 between 2010 and 2018; however, the share of renters in the City is lower than in the Southern California Association of Governments region overall, with 47.5 percent renters. As shown in **Figure 23A**, renters are primarily located in western Highland. Central and eastern Highland are primarily occupied by homeowners. As evident by the regional map, **Figure 23B**, suggests that renters are more common in city cores.

Table 2: Household Tenure

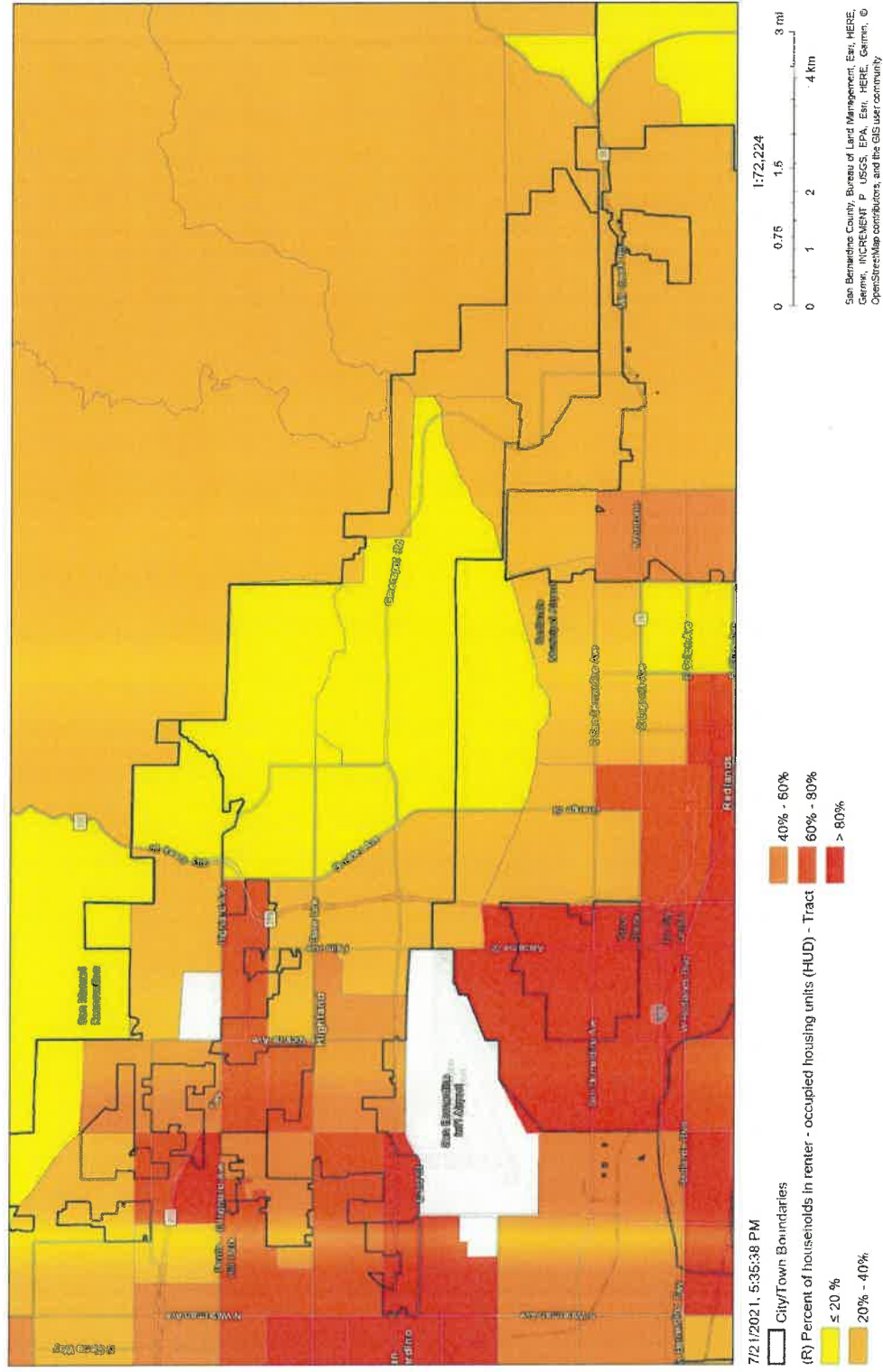
Tenure	2010*		2019**	
	Number	Percent	Number	Percent
Owner-Occupied	10,014	68.2	10,797	66.9
Renter-Occupied	4,675	31.8	5,341	33.1
Total	14,689	100	16,138	100

* US Census Bureau. 2010. Selected Housing Characteristics. 2010 ACS 5-Year Estimates Data Profiles. Table DP04.

** US Census Bureau. 2019. Selected Housing Characteristics. 2019 ACS 5-Year Estimates Data Profiles. Table DP04.

According to the Federal government, households are considered to be burdened by their housing costs when more than 30 percent of their income is spent on total housing costs, including utilities. In 2019, 62 percent of all renters were cost burdened by their housing. This renter cost burden can be seen in **Figure 24A**, Renter Cost Burden, with high levels in western Highland as well as south-central Highland, coinciding with the concentrations of renters and lower incomes. The City Community Development Department works with the Housing Authority to assist those residents with a rental cost burden by providing public assistance or Housing Choice Vouchers. In 2019, 35 percent of all homeowners were burdened by their housing costs. **Figure 24B**, Renter Cost Burden in the Region reveals that overpayment by renters is common at more than 40 percent throughout the region. **Figure 25A**, Homeowner Cost Burden, displays the homeowner cost burden, which is most dramatic in western Highland, although much of the City's households are burdened by their housing costs.⁵⁴ **Figure 25B**, Homeowner Cost Burden in the Region illustrates that homeowner cost burden is greater in urban and rural areas, while the suburban middle falls less than 40 percent.

⁵⁴ U.S. Census Bureau. 2019. Selected Housing Characteristics. 2019 ACS 5-Year Estimates Data Profiles. Table DP04.



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Figure 23A. Percent of Renter-Occupied Housing Units⁵⁵

⁵⁵ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

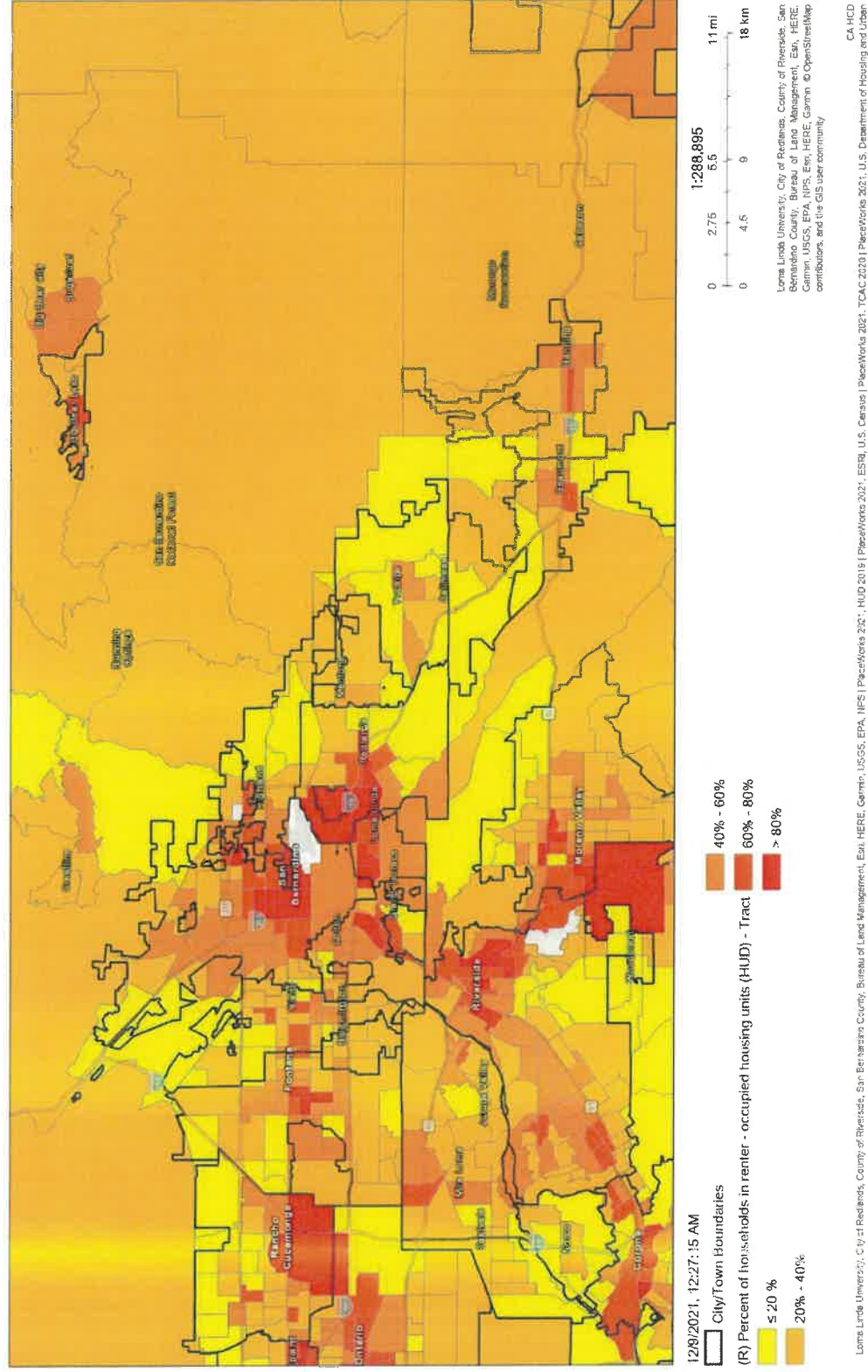


Figure 23B. Percent of Renter-Occupied Housing Units in the Region⁵⁶

⁵⁶ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

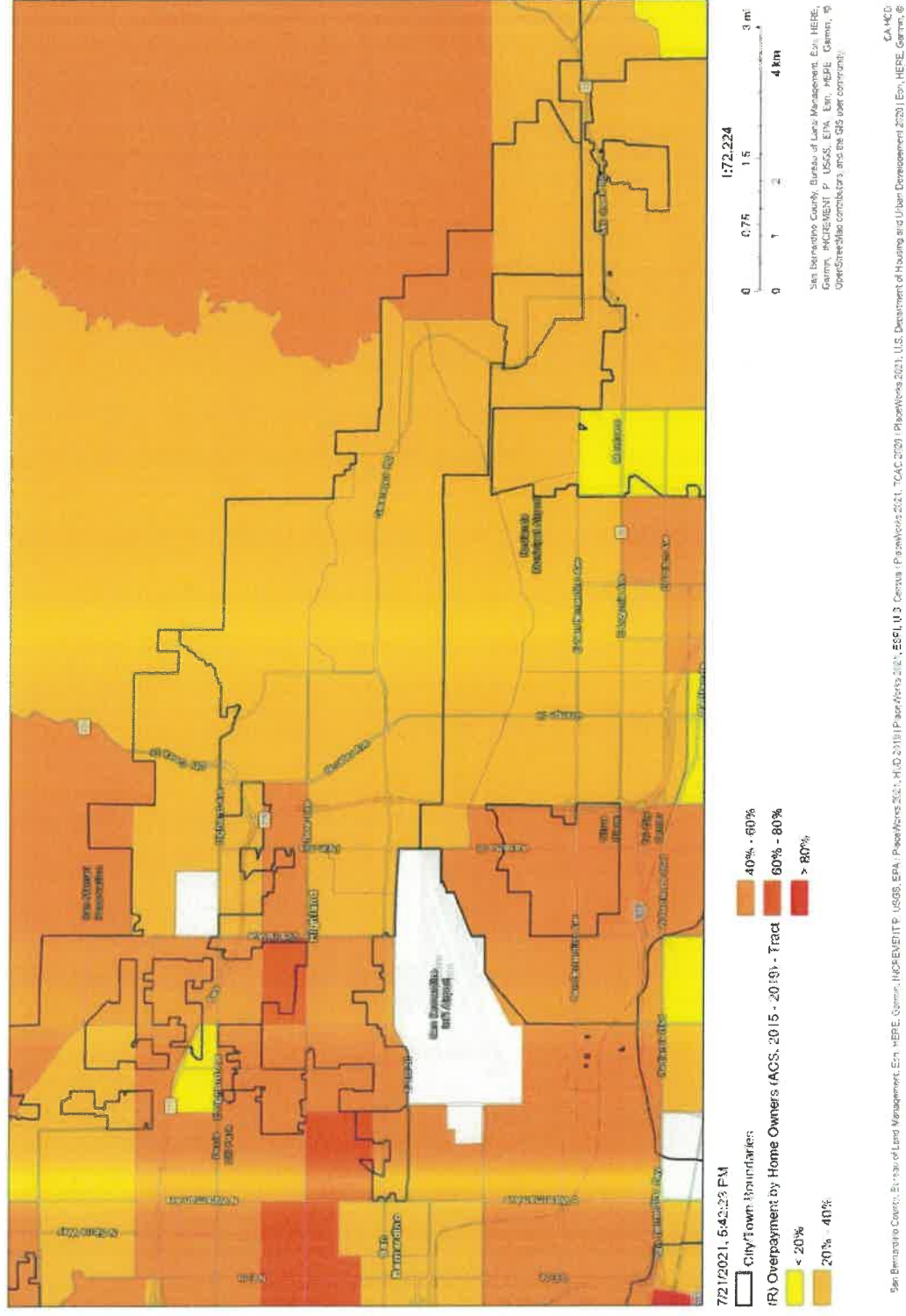


Figure 25A. Homeowner Cost Burden⁵⁹

⁵⁹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

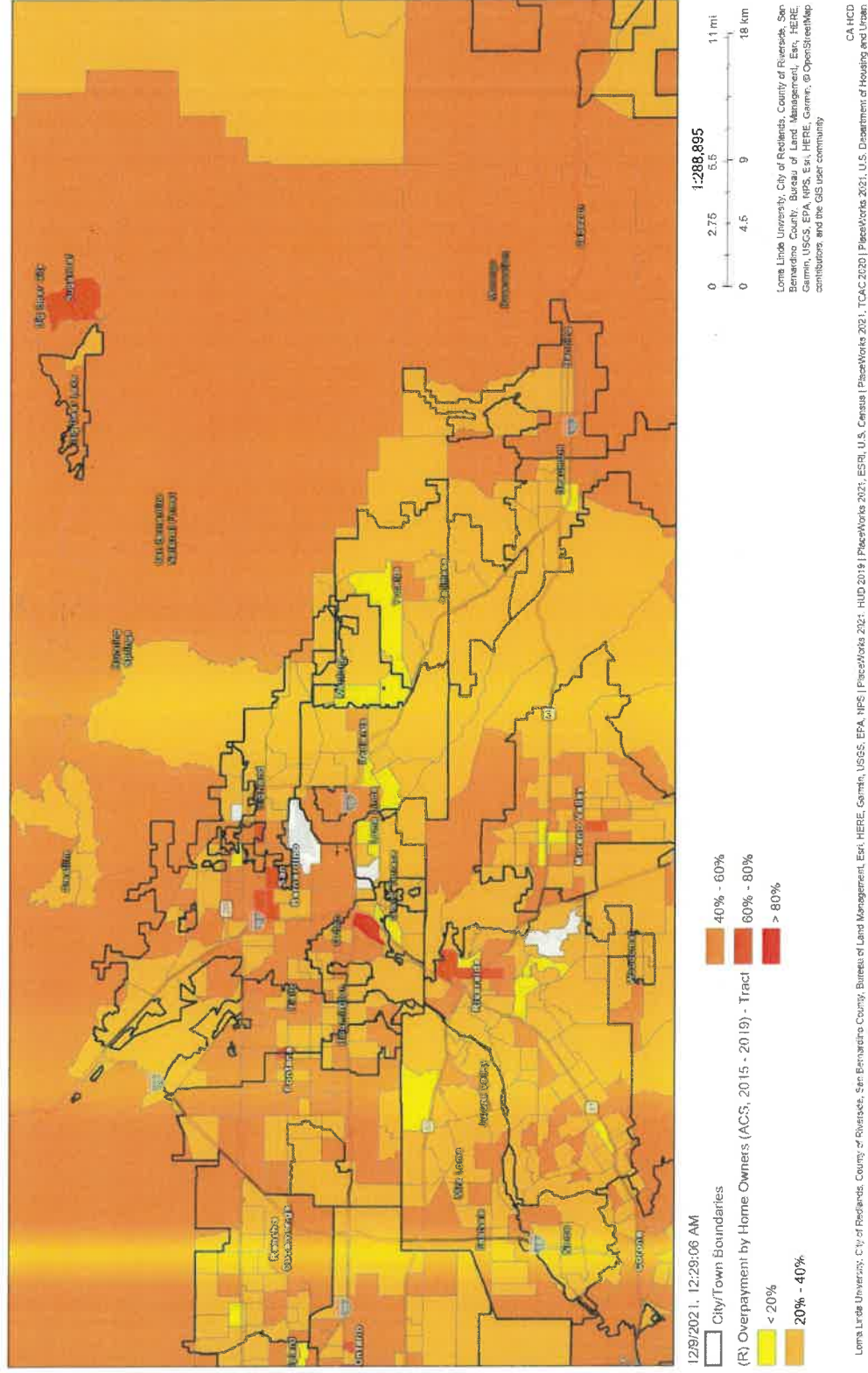


Figure 25B. Homeowner Cost Burden in the Region⁶⁰

⁶⁰ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.6.2. Housing Conditions

The quality of housing is dependent on more than just homeownership and requires residents and property owners to be diligent and able to fix or afford to fix issues as they come up. There are four housing problems that are considered severe: lack of complete kitchen facilities, lack of complete plumbing facilities, more than one person per room, and monthly housing costs exceeding 30 percent of monthly income. **Table 3** shows an overview of households with any one of the four severe housing problems by housing tenure. This table shows that renters disproportionately have any one of the four severe housing problems compared to homeowners. **Figure 26A**, Any Four Housing Severe Problems, displays this data for the entirety of the City, where any one of the severe housing problems impacts 26 percent of all households. **Figure 26B**, Any Four Housing Severe Problems in the Region, shows that most cities fall within the 20 to 40 percent range of households.

Table 3: Households Experiencing Any One of the Four Severe Housing Problems

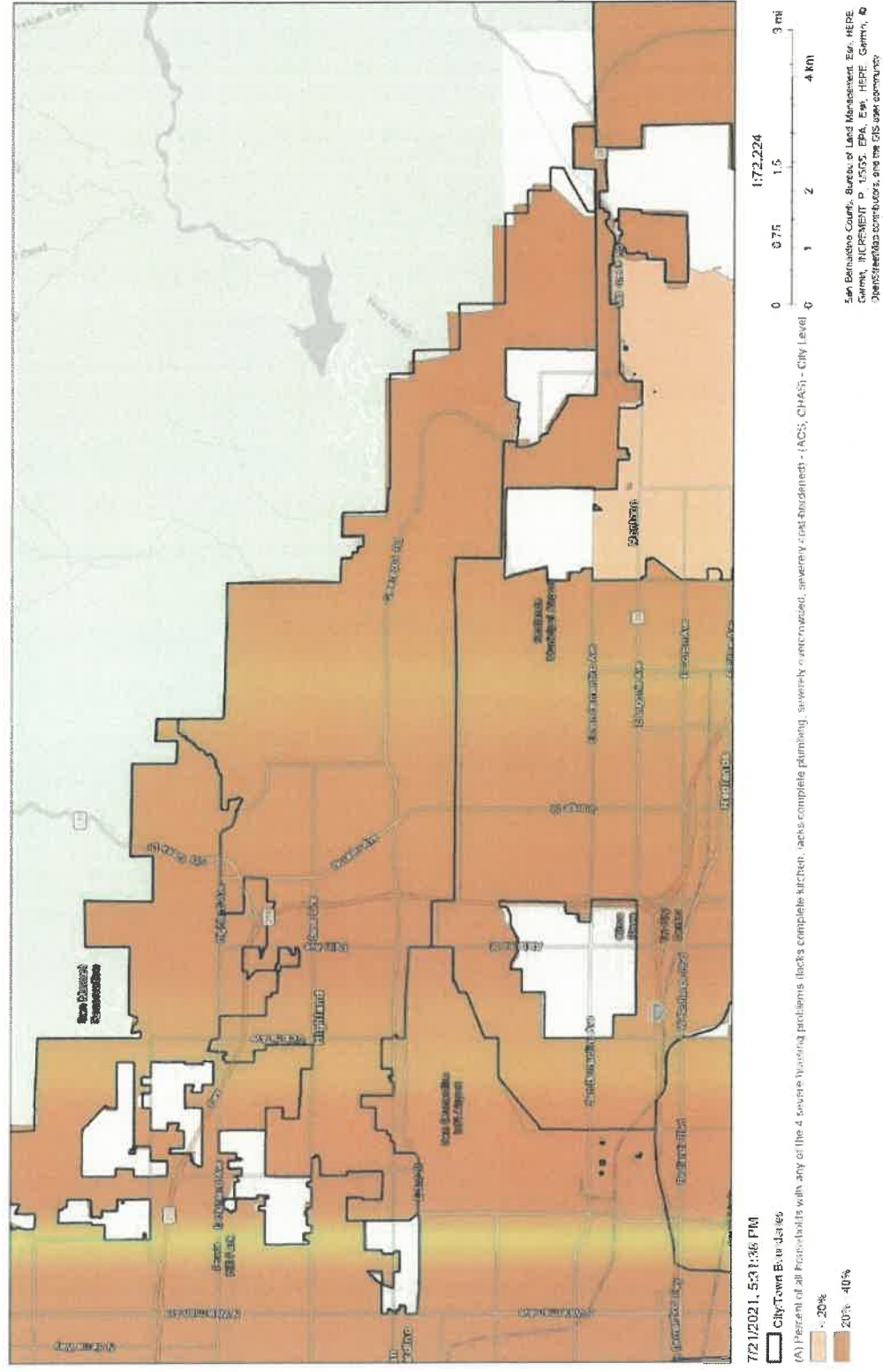
Renters vs. Owners	Number of Households with Problems	Number of Total Households	Percent of Households with Problems
Renters	2,420	5,540	43.68%
Homeowners	1,715	10,245	16.74%
Total	4,135	15,785	26.19%

Source: U.S. Department of Housing and Urban Development. 2017. Consolidated Planning/CHAS Data. <https://www.huduser.gov/portal/datasets/cp.html>.

4.6.3. Overcrowding

The condition of an area's housing stock is not in itself an impediment to fair housing. However, for many low-income families, substandard housing is the only housing available at an affordable price. According to the 2019 ACS, 34 occupied units in the City lacked complete plumbing facilities. In addition, 136 occupied units in the City lacked complete kitchen facilities. There may be some overlap in the number of substandard housing units, as some units may lack both complete plumbing and kitchen facilities. Approximately 10 percent of the City's total households are overcrowded.⁶¹ Rates of overcrowding can be seen in **Figure 27A**, Overcrowding, with the highest rates being seen in the western core. **Figure 27B**, Overcrowding in the Region, shows a similar trend of overcrowded households being more prominent in urban areas as opposed to outer suburbs. This includes a large swath of the region immediately west of the City.

⁶¹ U.S. Census Bureau. 2019. Selected Housing Characteristics. 2019 ACS 5-Year Estimates Data Profiles. Table DP04.



San Bernardino County, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

Figure 26A. Any Four Severe Housing Problems⁶²

⁶² HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

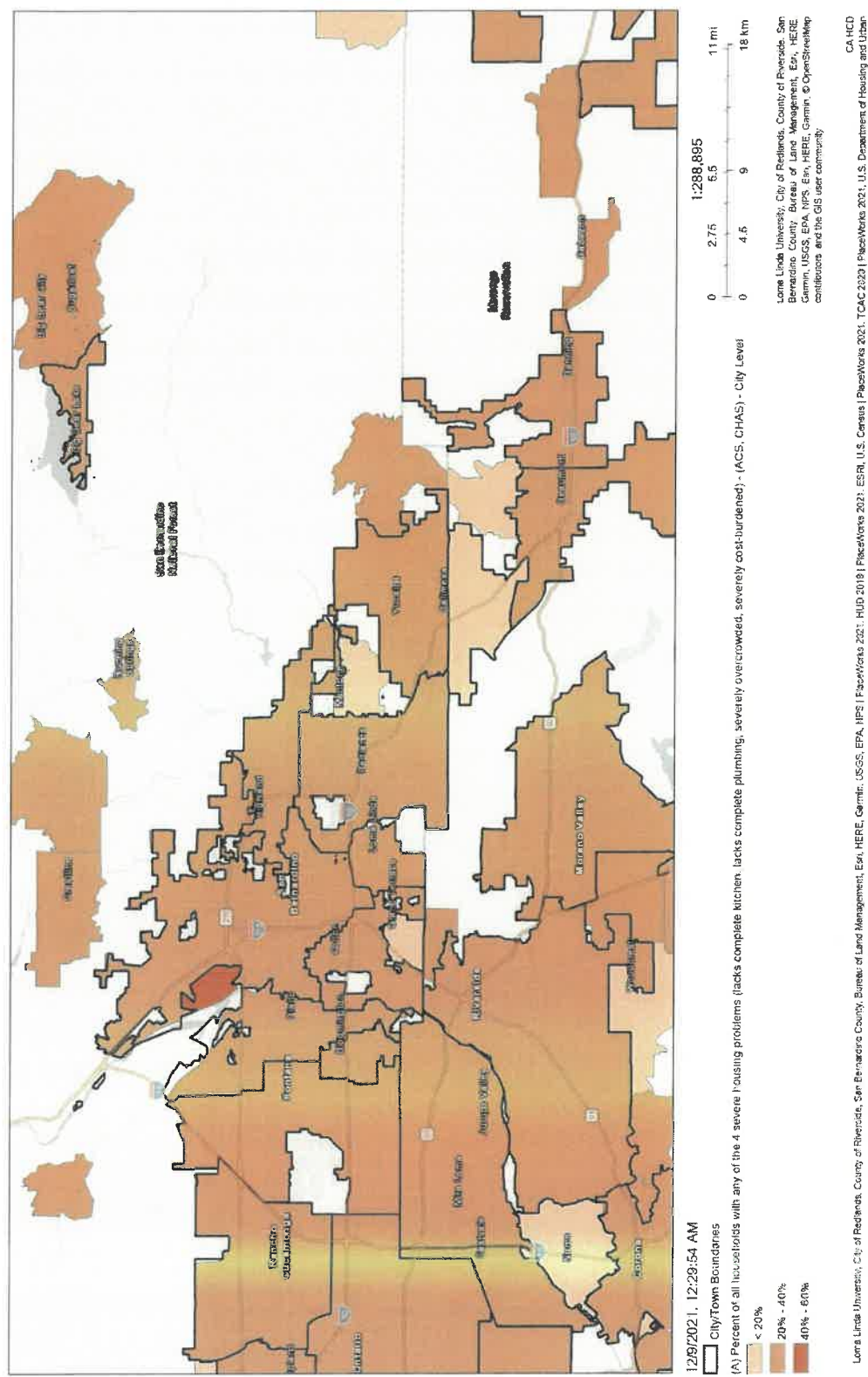


Figure 26B. Any Four Severe Housing Problems in the Region⁶³

⁶³ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

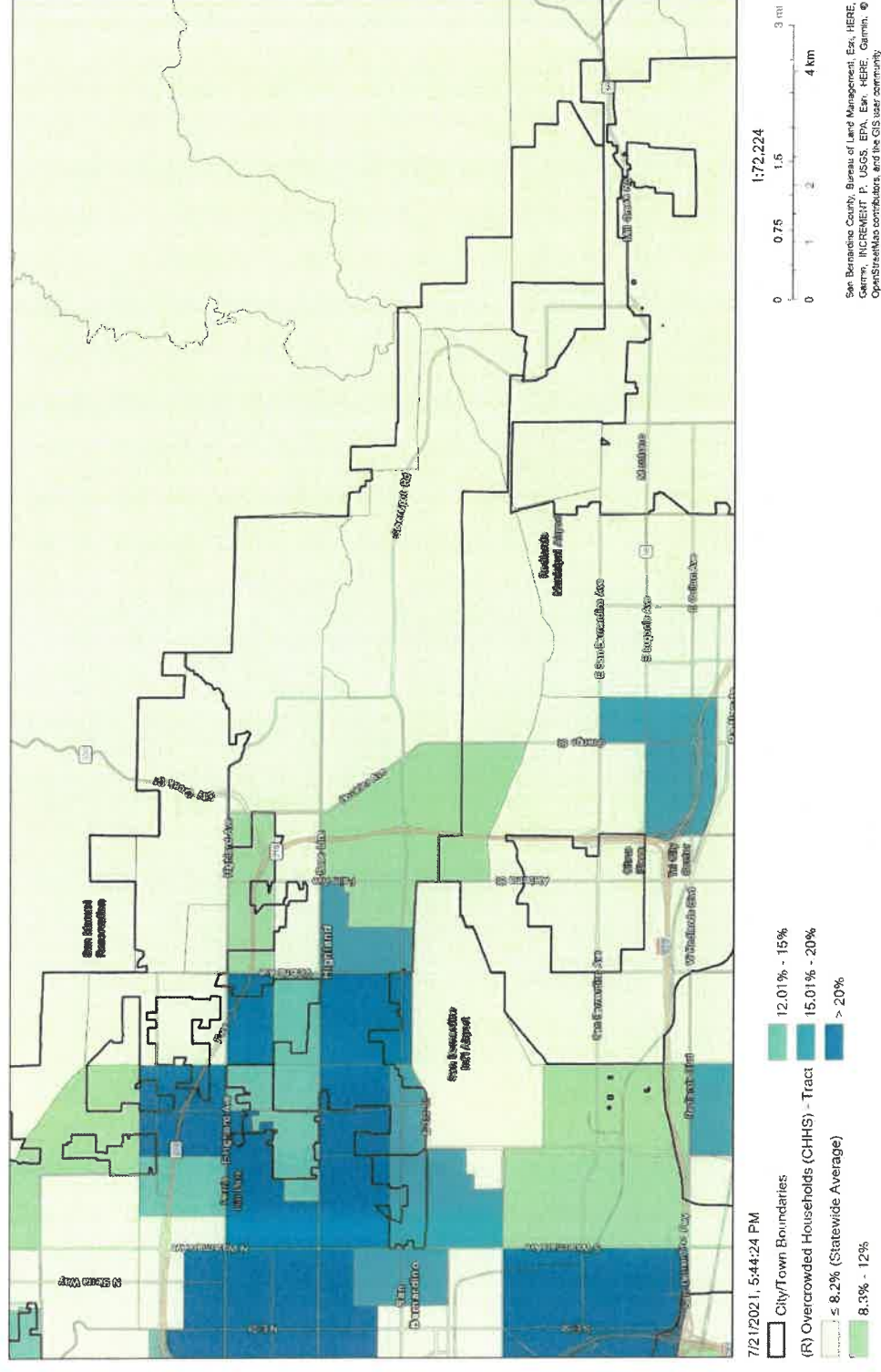


Figure 27A. Overcrowding⁶⁴

⁶⁴ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

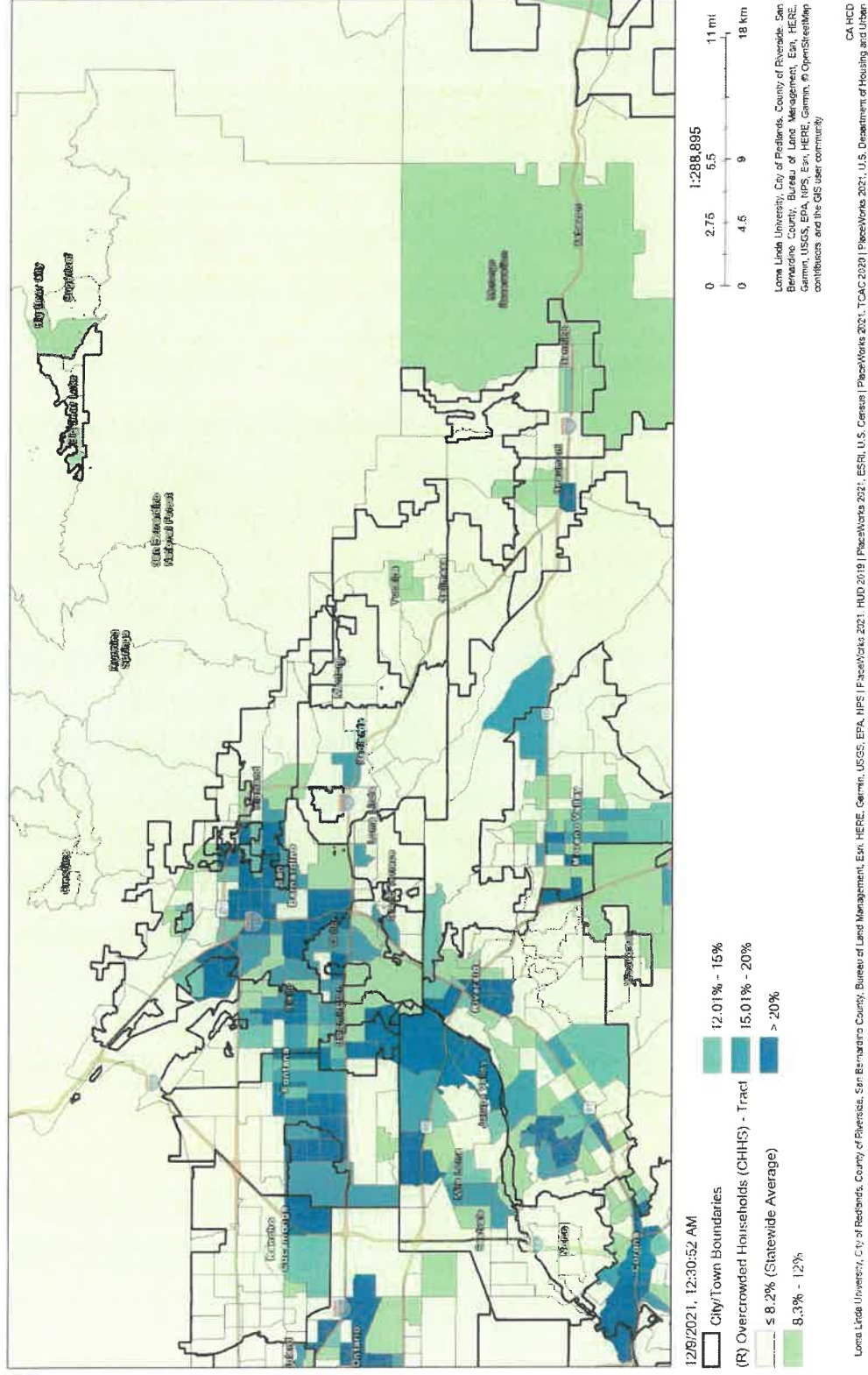


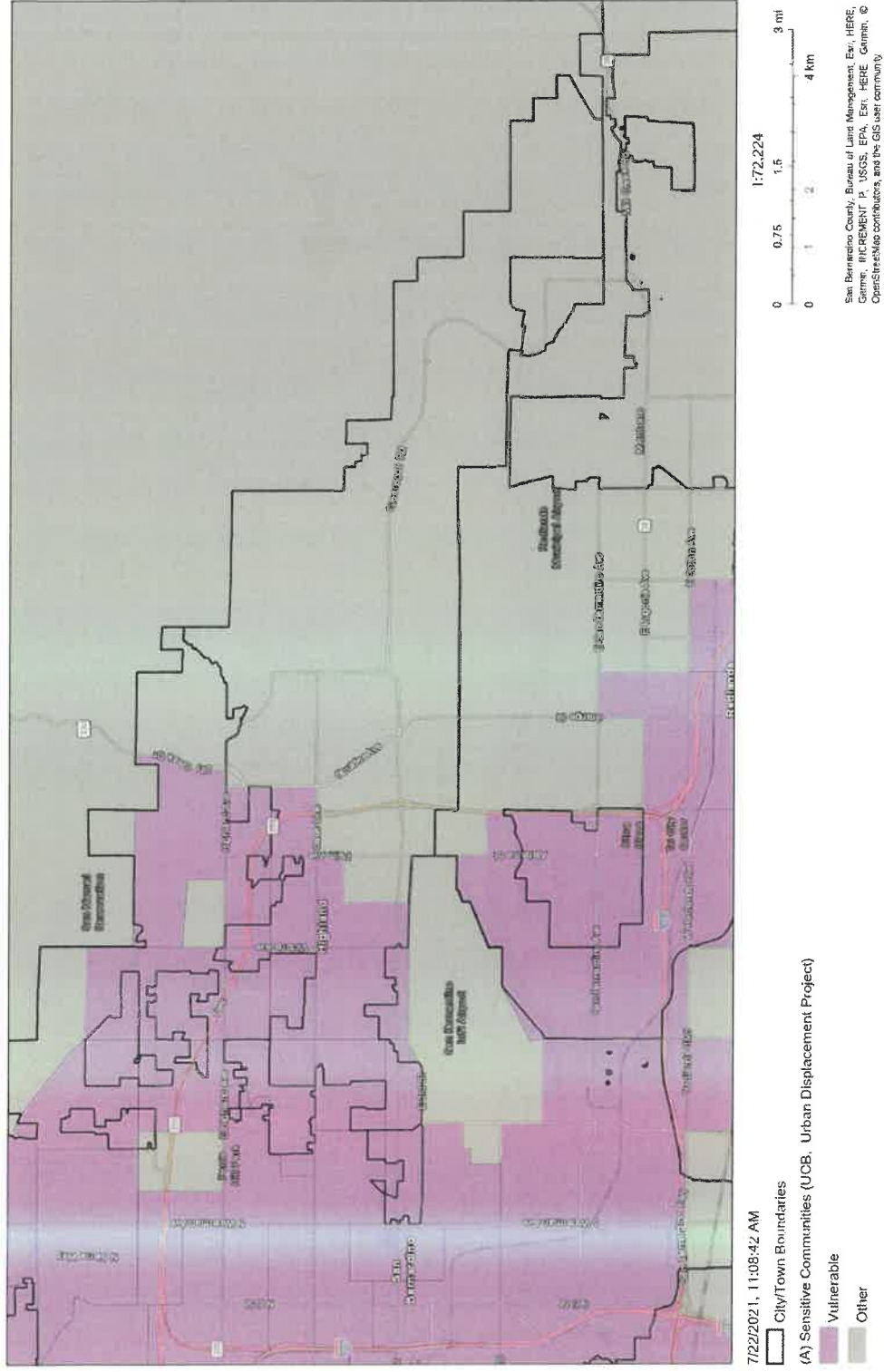
Figure 27B. Overcrowding in the Region⁶⁵

⁶⁵ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

4.6.4. Displacement

Displacement is an event that occurs for various reasons, including investment, disinvestment, or even disasters. Gentrification, or the influx of capital and higher-income residents into working-class neighborhoods, is often associated with displacement, which occurs when an increase in demand increase rents for both residential and commercial properties, and lower-income households and businesses are priced out of the community or excluded from entering into the community.

There are different stages of displacement, including at risk of displacement, early gentrification, and advanced gentrification. It is important to understand these stages in context of an area because certain policies to counteract displacement may be more or less effective depending on the stage of displacement. **Figure 28A**, Communities Sensitive to Displacement, shows western Highland to be vulnerable to displacement. This is not surprising because these communities have higher levels of poverty and therefore are more vulnerable to increases in rent. The bigger picture as shown in **Figure 28B**, Communities Sensitive to Displacement in the Region, reveals that these areas are situated along major freeway corridors such as SR-90, SR-210, I-10, and I-215, where development may be rapidly changing. Due to the seriousness of the public health crisis resulting from Coronavirus (COVID-19) pandemic, there is a lot of economic uncertainty which may result in displacement; however, there is no current data. The effects of COVID-19 on displacement in the City will be evaluated in the future as data becomes available.



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Figure 28A. Communities Sensitive to Displacement⁶⁶

⁶⁶ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

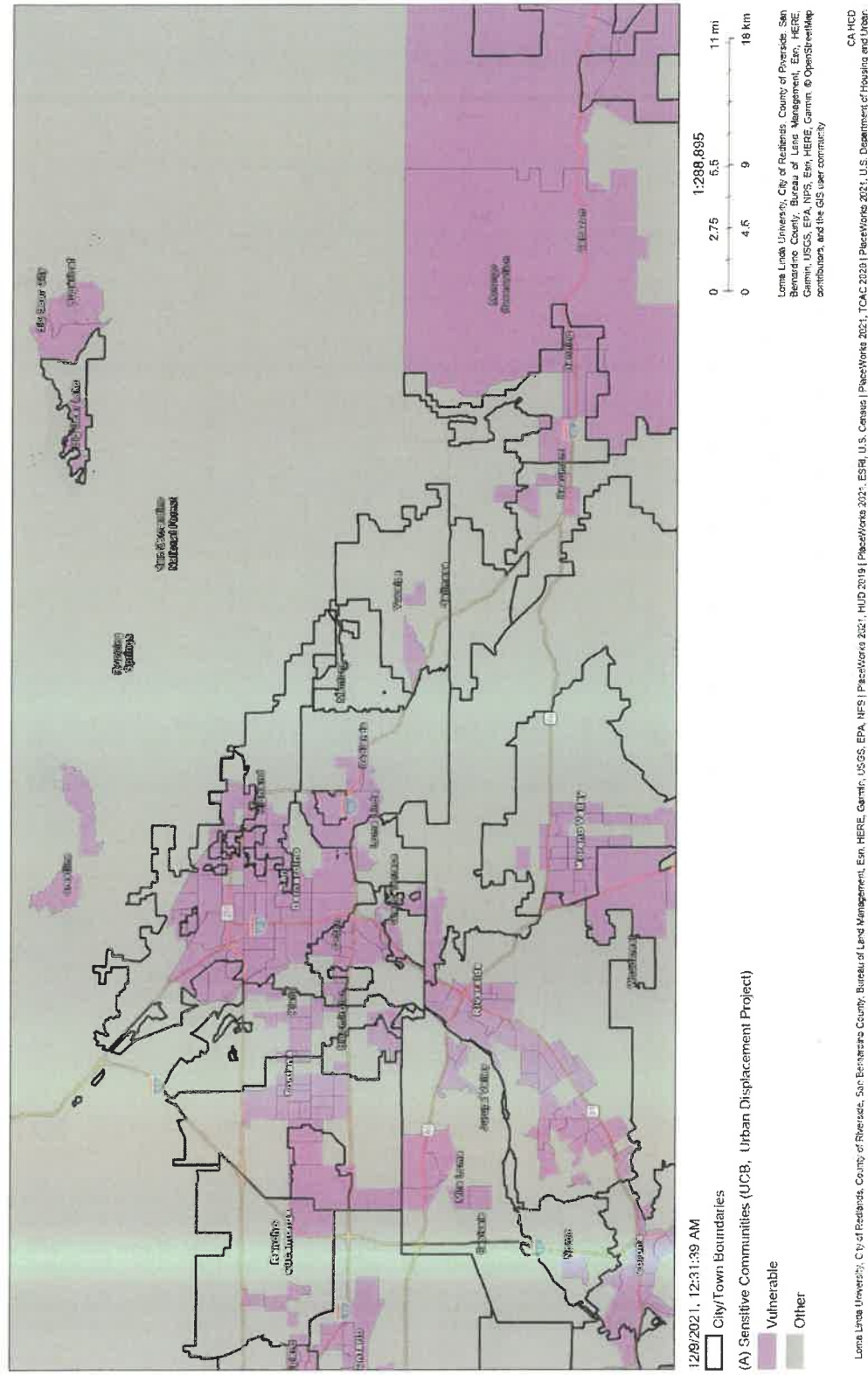


Figure 28B. Communities Sensitive to Displacement in the Region⁶⁷

⁶⁷ HUD, n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

In regard to natural disasters, some areas may be more vulnerable to disaster-driven displacement due to different hazard risks by location. Fires are more likely to impact northern and eastern Highland in the Fire Hazard Severity Zones that can be seen in **Figure 29**, Fire Hazards. Flooding is more of a concern for south-central Highland, and a portion of western Highland along Warm Creek. The flood areas in southern Highland are less of a concern due to the lack of residential land uses there, but along Highland Creek there are some residential areas that could be at risk of flood-driven displacement or concerns with mold after a flood. **Figure 30**, Flood Hazards, displays where these flood zones are located in the City. Seismic hazard is another hazard event that has the potential to cause long- or short-term displacement. There are Alquist-Priolo fault zones that run diagonally across eastern Highland and can be seen in **Figure 31**, Seismic Hazards. While disasters in this area could cause displacement, higher average incomes provide more options for household recovery.

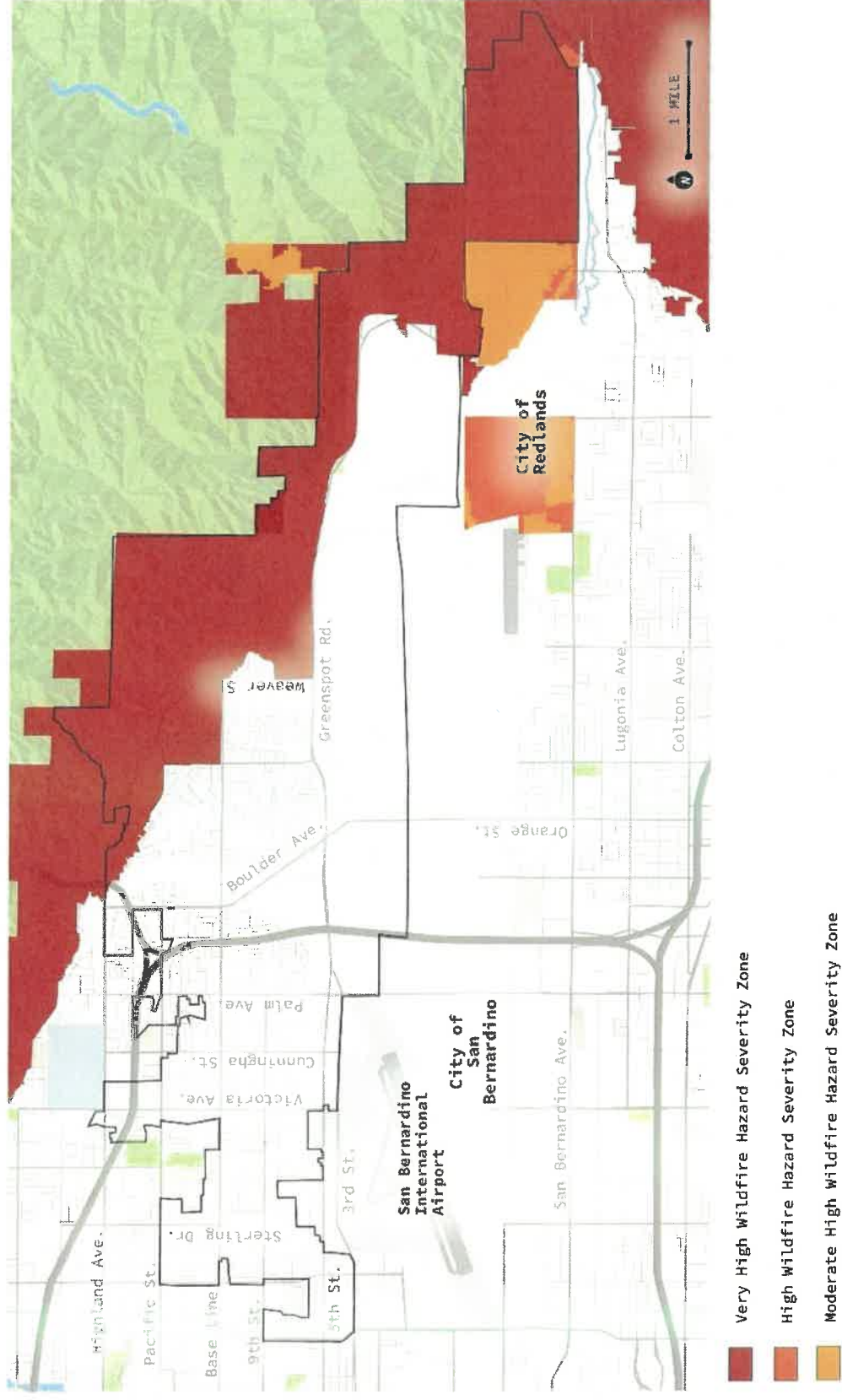


Figure 29. Fire Hazards⁶⁸

⁶⁸ CAL FIRE. 2020. California Fire Hazard Severity Zone Viewer. <https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414>.

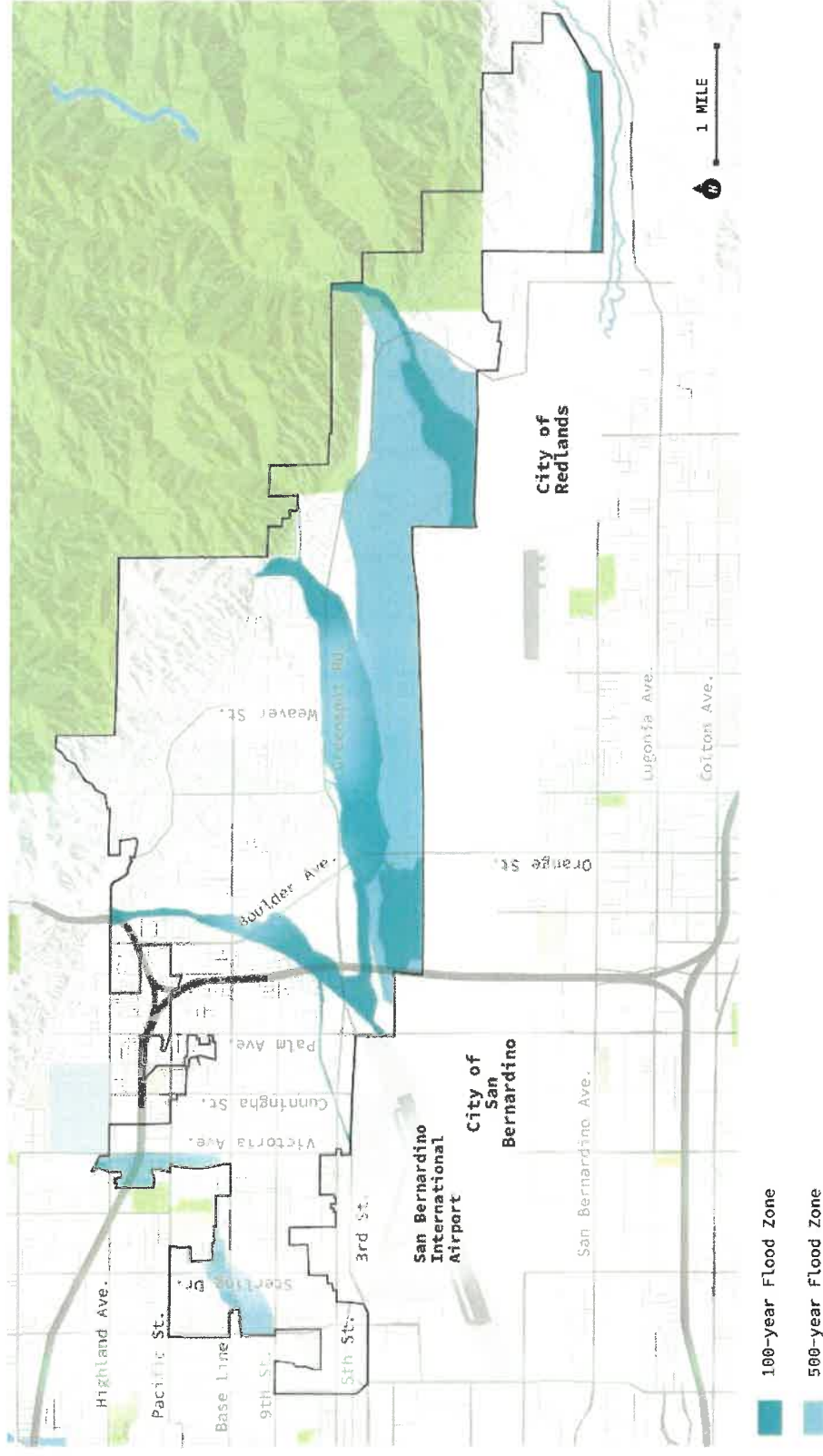


Figure 30. Flood Hazards⁶⁹

⁶⁹ FEMA (Federal Emergency Management Agency). 2020. Flood Hazard Layer Areas. <https://www.floodmaps.fema.gov/NFHL/status.shtml>.

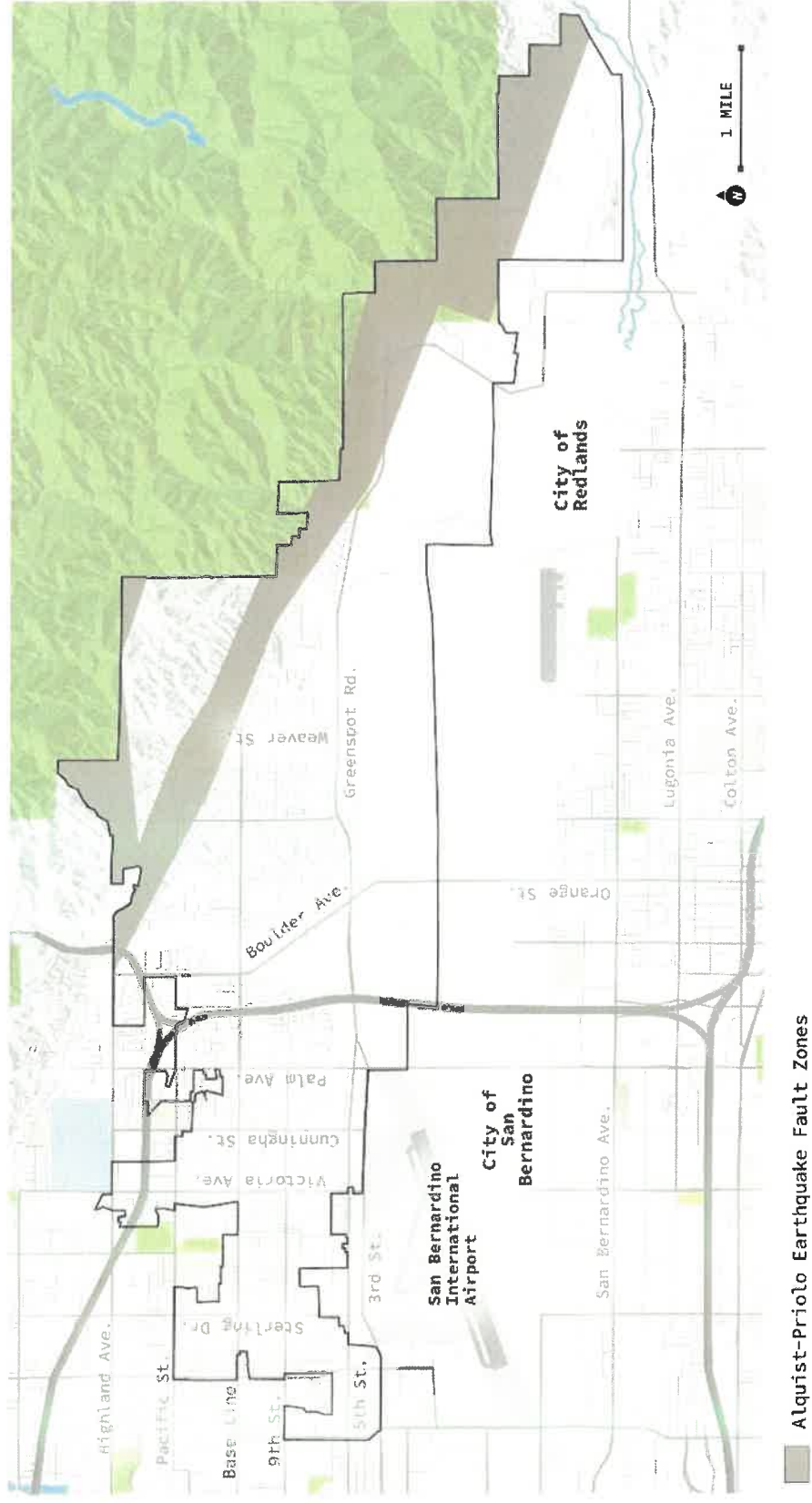


Figure 31. Seismic Hazards⁷⁰

⁷⁰ California Department of Conservation. 2015. Regulatory Maps. <https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

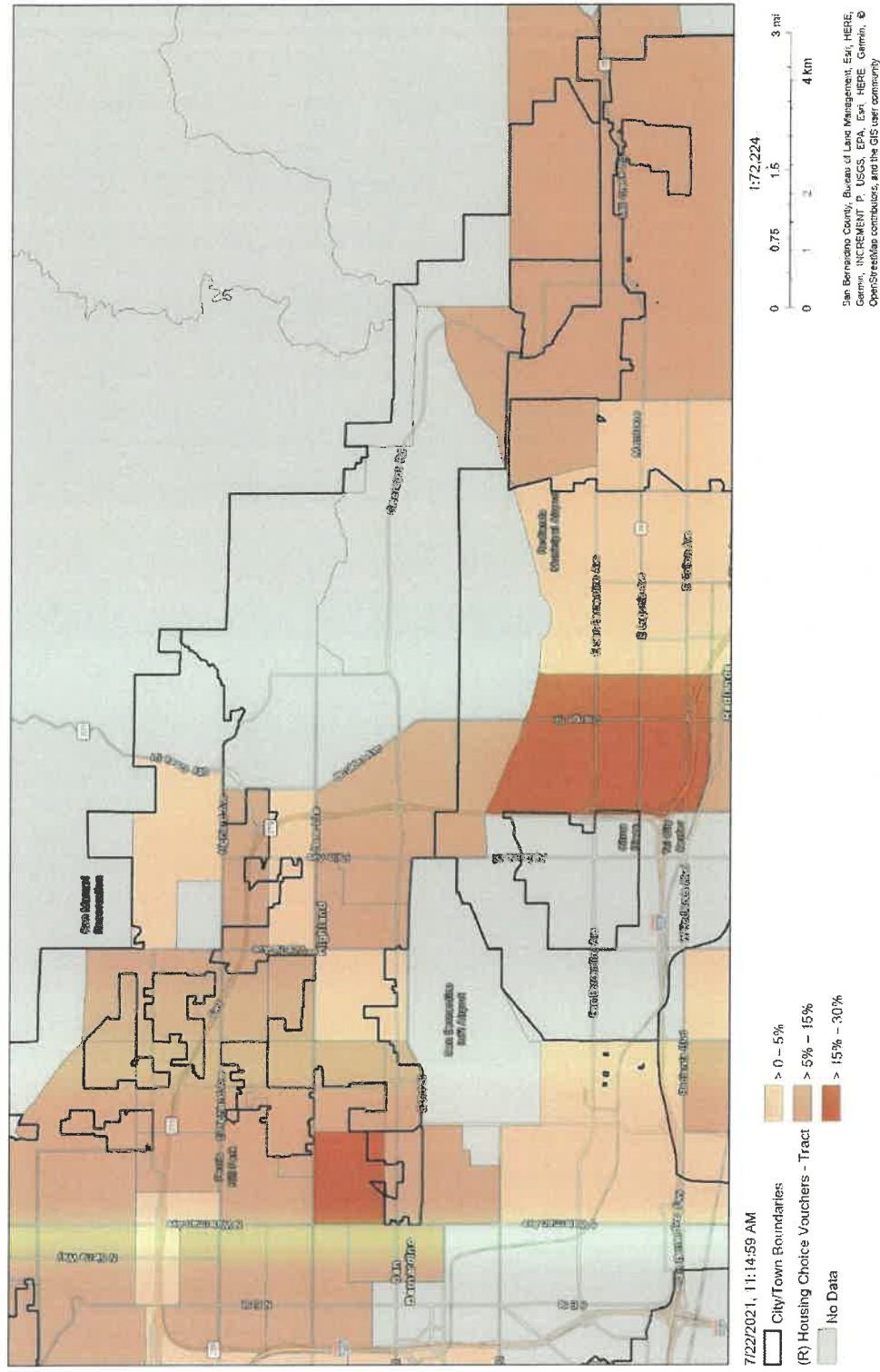
4.7. Other Relevant Components

4.7.1. Demographic Trends

In addition to the demographic trends discussed in this Fair Housing Assessment, further demographic trends regarding race, rates of homelessness, age, and population growth can be found in the Community Profile in **Appendix B, Community Profile**. Trends regarding construction, rent prices, and sale prices can be found in **Appendix C, Constraints and Zoning Analysis**.

4.7.2. Public Assistance

Public housing and Housing Choice Vouchers are two ways that municipalities or housing authorities assist lower-income community members with obtaining affordable rents. As can be seen in **Figure 32A**, Housing Choice Vouchers, most Census tracts across Highland have renters receiving Housing Choice Vouchers. Multiple tracts have over 10 percent of renters receiving Housing Choice Vouchers. **Figure 32B**, Housing Choice Vouchers in the Region, shows that Census tracts with renters receiving Housing Choice Vouchers are in the same areas as where renters are vulnerable to displacement.



San Bernardino County, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, Esri, HERE, Garmin, OpenStreetMap contributors, and the GIS user community

Figure 32A. Housing Choice Vouchers⁷¹

⁷¹ HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

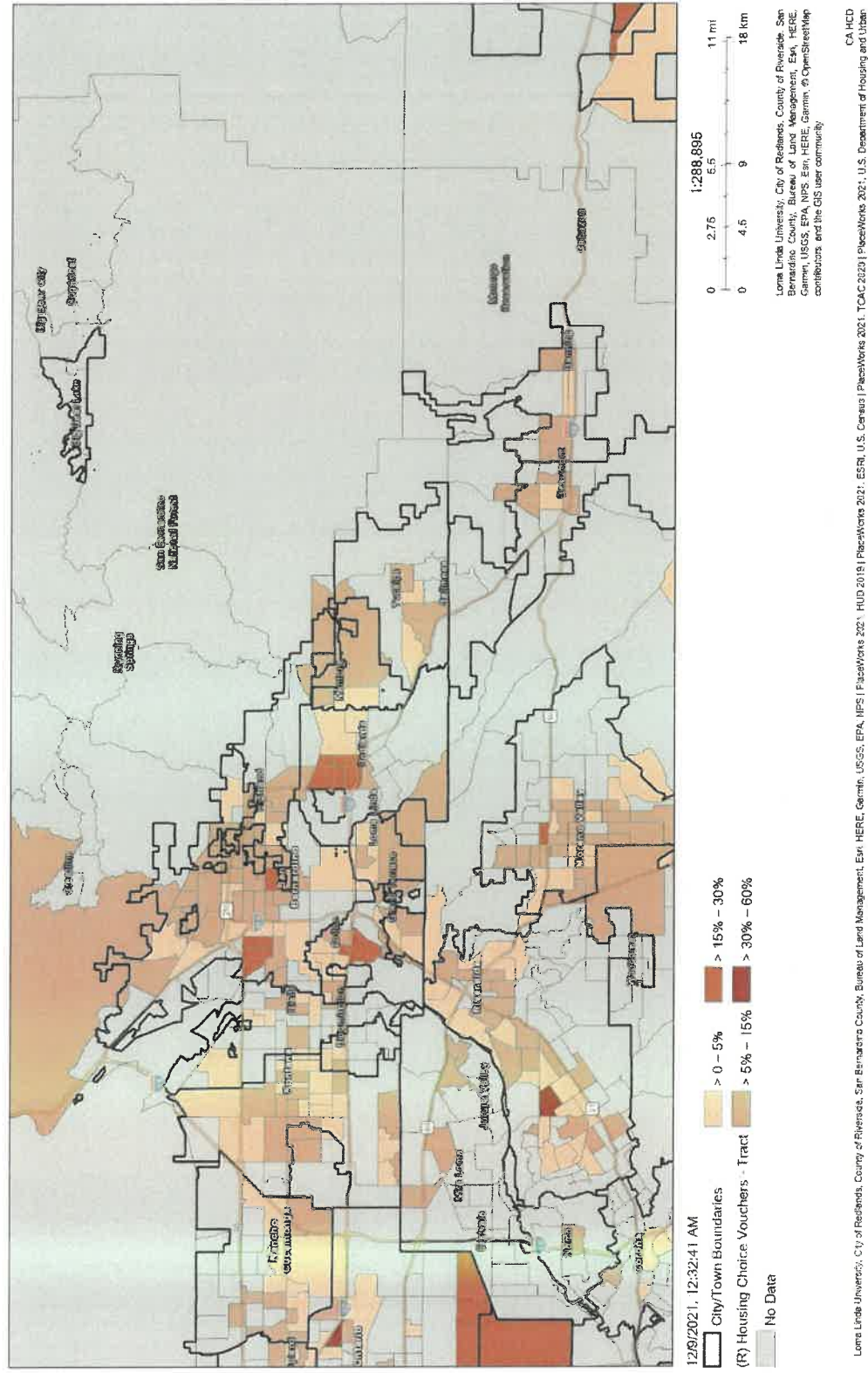


Figure 32B. Housing Choice Vouchers in the Region⁷²

⁷² HUD. n.d. Affirmatively Furthering Fair Housing. <https://egis.hud.gov/affht/>.

5. Sites Inventory Analysis Consistency

State law, Government Code Section 65583.2(a), requires that the sites identified in the Sites Inventory be analyzed with respect to the Affirmatively Furthering Fair Housing analysis to determine if the designation of sites serve the purpose of replacing segregated living patterns with balanced living patterns and transforming R/ECAP into areas of opportunity. Through the various goals, policies, and programs present within the Housing Element, the Regional Housing Needs Allocation (RHNA) should adequately be accommodated in a manner that affirmatively furthers fair housing.

5.1. ~~Improved and Exacerbated Conditions~~ Patterns and Trends

Highland is a city that is primarily segregated, with non-White populations and lower-income households located largely in the western portions of the City, where Boulder Avenue acts as the dividing boundary. Today's segregated living patterns can be explained, in part, by the growth patterns of the past. Historically, the City began as an agricultural community, consisting primarily of citrus orchards. The area west of Boulder Avenue is where the City's earliest suburban development occurred. Initial suburbanization of the area began as early as 1943 with the establishment of the San Bernardino Army Air Depot (now San Bernardino International Airport). This early suburbanization moved east from the San Bernardino area, stopping at City Creek, which intersects Boundary Avenue. Suburban development east of City Creek did not occur until much later, primarily spurred by the development of East Highlands Ranch Planned Unit Development in the 1980s. Development east of City Creek and Boundary Avenue largely consist of single-family zones and planned developments on large swaths of land with few areas of commercial development. Large areas of open space are designated along the City's creeks and along the southern portion of the City, east of City Creek.

Sites identified to accommodate the RHNA consist of sites both east and west of Boulder Avenue and City Creek. Due to the low-density nature of the available sites east of Boulder Avenue, those sites identified in this area are only identified as appropriate to accommodate the moderate- and above moderate-income RHNA. Sites that qualify as meeting the criteria for the lower-income RHNA are located west of Boulder Avenue where zoning meets the required threshold density to accommodate the lower-income RHNA pursuant to HCD requirements, there is the greatest access to public parks, public transportation, and commercial services. The sites identified in the Sites Inventory (**Appendix E - Sites Inventory and Analysis**) are shown in **Figure 33**. The sites in Figure 33 capture a total of 2,403 lower-, moderate-, and above moderate-income units and 752 above moderate-income units through pipeline projects (refer to Appendix E for a full summary of the capacity to accommodate the RHNA). This section includes several tables that quantify the number of units identified in areas of the City within the R/ECAPs, RCAAs, and by TCAC Opportunity Areas, which are further analyzed in subsequent subsections. Table 4, Existing Capacity and Pipeline Units in R/ECAPs and RCAAs, identifies the number of existing capacity and pipeline units identified in the R/ECAP and RCAA by income group. As shown in Table 4, no pipeline projects are in the R/ECAP and there are 71 total units identified through existing capacity for the moderate- and above moderate-income groups in the R/ECAP. In the RCAA there are 191 above moderate-income units in the pipeline and 174 above moderate-income units identified as existing capacity. The area identified as a

RCAA is low density and does not permit the default density required to identify low-income units in the sites inventory; therefore, no lower-income units have been identified in the RCAA.

Table 4: Existing Capacity and Pipeline Units in R/ECAPs and RCAAs

Concentrated Area	Very Low-/ Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
Existing Capacity				
R/ECAP	0	17	54	71
Existing Capacity				
RCAA	0	0	174	174
Pipeline Projects				
RCAA	0	0	191	191

Table 5, Existing Capacity Units in TCAC Opportunity Areas, provides the number of units by income group identified on sites with existing capacity relative to the TCAC Opportunity Categories that they fall into. **Table 6, Pipeline Units in TCAC Opportunity Areas**, identifies the units credited toward the RHNA through units in pipeline projects by income group relative to the TCAC Opportunity Categories that they fall into. As shown in **Table 5**, a large number of sites identified are located within the “High Segregation & Poverty” or “Low Resource” categories, which are referred to collectively as “Lower Resource” areas in this analysis. The Lower Resource areas contain sites identified as appropriate to accommodate units across all income categories. The largest portion of the sites located in the Lower Resource areas are identified as appropriate to accommodate lower-income units, followed by the second largest portion of sites identified as appropriate to accommodate above moderate-income units. The majority of sites identified in the Lower Resource areas identified to accommodate lower income units, followed by sites identified for above moderate income units, and moderate income units. The “Moderate Resource” areas contain the second largest number of sites identified to accommodate lower-income units. The “Moderate Resource” areas also contain the majority of sites identified to accommodate moderate-income units. The majority of above moderate-income sites are located in “High Resource” and “Highest Resource” categories, which are referred to collectively as “Higher Resource” areas in this analysis. The Higher Resource areas in the City permit low density development and do not currently permit the default density required to identify lower-income sites to accommodate the RHNA. Therefore, there are no lower-income units identified in the Higher Resource areas.

Table 5: Existing Capacity Units in TCAC Opportunity Areas

TCAC Opportunity Category	Very Low-/Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
Lower Resource⁷³	940	143	217	1300
Moderate Resource	321	314	78	713
Higher Resource⁷⁴	0	50	340	390

⁷³ Refers to census tracts with “High Segregation and Poverty” and “Low Resource” designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

⁷⁴ Refers to census tracts with “High Resource” and “Highest Resource” designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

Pipeline projects included in the sites inventory only include above moderate-income units, as shown in Table 6. The majority of units in pipeline projects fall into the Higher Resource areas, followed by units in pipeline projects in the Moderate Resource category. A relatively smaller number of units in pipeline projects are located in the Lower Resource areas.

Table 6: Pipeline Units in TCAC Opportunity Areas

TCAC Opportunity Category	Very Low-/ Low-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
Lower Resource ⁷⁵	0	0	110	110
Moderate Resource	0	0	256	256
Highest Resource ⁷⁶	0	0	386	386

While the City has identified an adequate supply of land to fully accommodate the City's 6th Cycle RHNA, this analysis shows that the sites identified with existing capacity to accommodate lower- and moderate-income units are located primarily in the Lower Resource areas of the City. The location of lower-income sites in Lower Resource areas is related to the zoning across the City which generally permits higher densities in the western areas of the City, corresponding with Lower Resource areas; and zoning that permits lower densities in the eastern areas of the City, corresponding with Higher Resource areas. Since the sites identified to accommodate the very low- and low-income RHNA must be located in zones that permit 30 dwelling units per acre, the sites identified to accommodate lower income units are located in Lower Resource areas. However, through Programs in the Housing Element the City is addressing the patterns of segregation and integration by expanding housing opportunities for affordable housing in higher resource areas, such as through **Program 33, Strategically Enhance Access to Area of Opportunity**, and through several other programs that target investments in the Lower and Moderate Resource areas to mitigate existing and historical land use patterns of access to resources and opportunities.

Programs increasing housing opportunities include, but are not limited to:

- **Program 4, Inclusionary Housing:** Allocate funding to the preservation, rehabilitation, and construction of affordable housing in areas with access to amenities such as recreation, services, education, and other needs;
- **Program 7, Housing Choice Voucher Referrals:** Collaborate with the Housing Authority to assist in outreach to potential households and landlords to participate in the Housing Choice Voucher Referrals and facilitate rent subsidies for low-income, very low-income, and extremely low-income residents in high opportunity/ higher resource areas and increased access to amenities, such as recreation, services, education, and other needs;

⁷⁵ Refers to census tracts with "High Segregation and Poverty" and "Low Resource" designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

⁷⁶ Refers to census tracts with "High Resource" and "Highest Resource" designations as designated by the California Tax Credit Allocation Committee (TCAC) Opportunity Maps.

- **Program 21, Collaborative Partnerships:** Collaborate with an affordable housing developer to support the development of a new affordable senior rental housing project, support the development of the extremely low-, very low-, and low-income units through a multi-million grant from the City of Highland Housing Authority, and provide affordable housing developers and nonprofit organization technical support for funding applications to support affordable housing projects in Higher Resource areas;
- **Program 30, Surplus Lands:** Support the development of 89 new affordable senior rental units, including units affordable to extremely low-income, very low-income, and low-income households, through a long-term ground lease with a below fair market value rent. Identify additional opportunities to facilitate the development of affordable homes, including those affordable to extremely low-income households, on surplus local public land utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in Higher Resource areas;
- **Program 33, Strategically Enhance Access to Areas of Opportunity:** To increase geographic equity and opportunities for residents, the City will identify and rezone areas appropriate for medium and high residential densities that can accommodate lower income units, specifically in moderate- or higher resource areas. The City will rezone a combined area of at least 5 acres of land to provide an additional buffer of sites to mitigate land use patterns of access to resources and opportunities, and patterns of segregation and integration. The rezone will increase new multifamily housing choices, affordability, and upward mobility through access to opportunity and higher resource areas, and integration in historically segregated areas of affluence.

Programs addressing and investing in Lower Resource areas include, but are not limited to:

- **Program 3, Code Enforcement:** Assist with bringing properties into compliance with the Zoning Code through targeted outreach to households in low opportunity/lower resource areas;
- **Program 5, Impact Fees:** Prioritize equitable infrastructure investments funded by development impact fees collected from new development by prioritizing improvements in Lower Resource areas;
- **Program 11, Town Center, Base Line Corridor, and Victoria Avenue Corridor Policy Areas:** Prioritize capital improvements in Lower and Moderate resource areas and oversee the completion of the ongoing and planned projects.

HIGHLAND 6TH CYCLE SITES INVENTORY SELECTED SITES

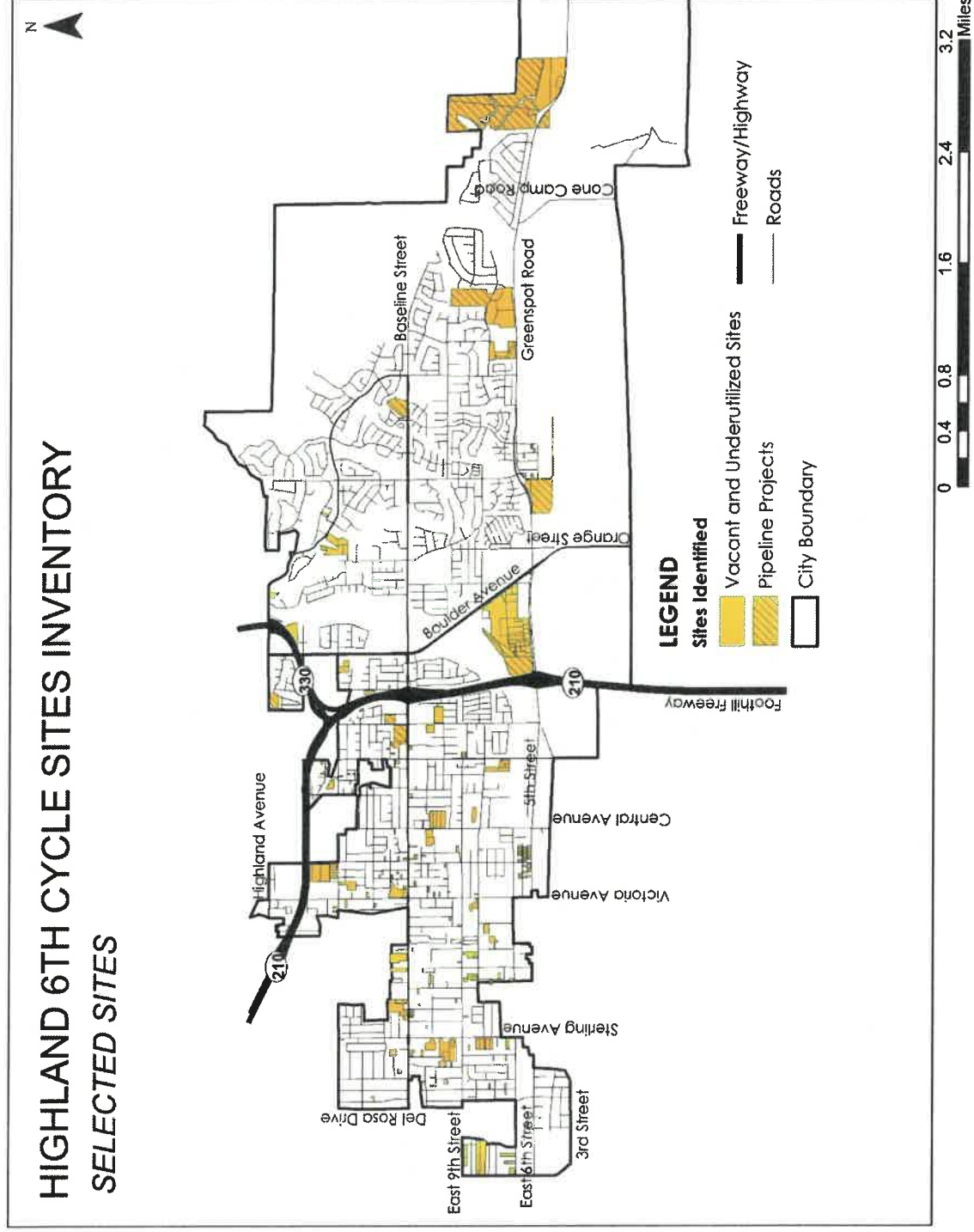


Figure 33. Sites Inventory Map

5.1.1. Segregation and Integration

Racial Demographics

The sites identified in the Sites Inventory to accommodate the lower-income RHNA are located in the areas of the City that are more racially and ethnically diverse, west of Boulder Avenue. As is detailed in **Appendix E**, the selection of lower-income sites is limited in the R-4 Multifamily Zoning District, as this zone is appropriate to accommodate lower-income housing units per State law [Government Code section 65583.2(c)(3)]. This area is also identified as having a predominant Hispanic population in several tracts. ~~However, the~~The Sites Inventory ~~does not~~ improves segregated living patterns in the City ~~as the current zoning limits the sites identified to accommodate the lower-income RHNA to the areas of the City west of Boulder Avenue in order to meet the default density criteria. While the City cannot directly control racial integration, through the programs of the Housing Element, the City will improve segregation living patterns by promoting more racially and ethnically integrated neighborhoods through Program 33. The rezone efforts through implementation of the program will focus on Moderate and/ or Higher Resource areas and allow medium and high densities to support the production of affordable housing in areas that are typically less diverse. by identifying moderate- and above moderate-income sites near lower-income sites, in the western areas of the City, to promote housing opportunities at all income levels in a racially and ethnically diverse area of the City.~~

Household Income

The sites identified in the Sites Inventory ~~combined with Programs in the Housing Element~~ improve segregated living patterns in the City as it relates to median household income, ~~such as through programs that support rehabilitation efforts, affordable housing preservation, and homeownership, which can be a key tool for wealth building through home equity.~~ **Figure 3A**, in Section 4.2.4, indicates that households with lower median incomes are located in the western area of the City with block groups identified as having a median income at less than \$30,000, while the eastern side of the City indicated block groups with a median income greater than \$125,000. Since zoning adequate for lower-income sites is limited to the western area of the City, the Sites Inventory replaces existing segregation by household income by selecting moderate- and above-moderate sites in the western area of the City near low-income sites. ~~Additionally, the City the will target rezoning efforts in Moderate and/ or Higher Resource areas to allow for medium and high density development, therefore facilitating the production of affordable housing in these areas of the City that are occupied by households with higher median incomes.~~ The Sites Inventory also identifies capacity for 200 low-income units within the Greenspot Village and Marketplace Specific Plan which also identifies capacity for moderate-income sites, and 200 above moderate-income units credited toward RHNA as part of a multifamily development project expected to receive their certificate of occupancy within the planning period (see **Appendix E** for further details). Greenspot Village and Marketplace is located in a block group with a median income of greater than \$125,000. As such, the designation of sites ~~paired with programs in the Housing Element aim to at all income levels~~ replaces segregated living patterns and improves conditions by ~~improving neighborhood conditions through targeted investments and mixed-income~~improving ~~housing opportunities at all income levels in all areas of the City.~~ neighborhoods.

Population with a Disability

There are no segregated living patterns of persons with disabilities in the City. Generally, there is an even distribution of the percentage of the population with a disability throughout the City. The sites identified, of all income levels, are located in tracts where there is less than 10 percent and 10 percent to 20 percent of the population has a disability.

5.1.2. R/ECAPs and RCAAs

There are several R/ECAPs identified in the City's western area based on data from 2009-2013, see **Figure 12A** and one tract identified as an RCAA on the eastern side of the City, east of Boulder Ave, see **Figure 12C**; however, As shown in Table 4, the Sites Inventory (Appendix E) does not identify any sites to accommodate lower-income units in the R/ECAPs or RCAA tracts. The sites inventory combined with programs in the housing element improves conditions in the R/ECAP by excluding identification of lower-income sites in this area. In the RCAA tract, only above moderate-income sites are identified through existing capacity and units in pipeline projects. As previously discussed, the RCAA tract is currently zoned for low density; therefore, the area is not adequate to accommodate the City's lower-income RHNA. However, through Programs in the Housing Element, the City is addressing patterns of integration and segregation by improving neighborhood conditions through targeted investments and through rezoning efforts in areas of higher resource including moderate-, high-, and highest-resource for medium and high densities to support the opportunities for the development of affordable housing. While development in the RCAA tract is limited as it is a flood area, as previously discussed and shown in Figure 12D, the City is also committing to place-based strategies that aim to increase access to opportunity in Lower Resource areas which includes the R/ECAPs. City by identifying above moderate-income sites within the R/ECAPs. All of the lower-income sites identified in Appendix E are located outside of the City's R/ECAPs. As such, the Programs in the Housing Element, such as Program 33, Strategically Enhance Access to Areas of Opportunity, bolster the Sites Inventory and aim to replace segregated living patterns by identifying increasing affordable housing opportunities for households with higher-lower incomes in higher resource areas to deconcentrate these areas of poverty and to improve the quality of life and access to resources in current areas of poverty.

5.1.3. Disparities in Access to Opportunity

While the areas of the City located west of Boundary Avenue have lower rates of positive educational outcomes and lower positive economic outcomes, positive environmental outcomes are relatively consistent throughout the City, with two areas identified as having less than positive outcomes, as previously show in Section 4.5.4, Access to a Healthy Environment, of this analysis. As shown in Table 5, Sites identified at all income levels fall within Lower R-resource and high poverty and segregation tracts areas which are more predominant on the western side of the City. Many lower-income sites identified in Appendix E (as noted in Table 5) fall within are within the Lower R-resource areas due to the lower-income unit-site zoning criteria which limits sites to the western area of the City. Therefore, the selection of lower-income sites has the potential to exacerbate conditions of concentrated housing in Lower R-resources areas, based on TCAC's scoring, the Sites Inventory mitigates this potential by identifying 200 lower-income sites within the highest resource areas in the City as part of the Greenspot Village and Marketplace Specific Plan. This area has the highest access to public transportation which is ideal for lower-earning households that have lower rates of automobile ownership. Further, the selection

~~of moderate and above moderate income sites within areas of low resources coupled with~~ However, as previously discussed, programs in the Housing Element aim to increase opportunities for affordable housing in current areas of the City with higher resources, while also investing in lower resource areas to increase access to opportunity in the western areas of the City (detailed below) ~~will increase access to opportunities for residents, incentivize high-quality development projects for all income levels and improve overall conditions in the City.~~

5.1.4. Disproportionate Housing Needs, Including Displacement Risk

The sites identified to accommodate the lower-income RHNA are generally located in areas with higher rates of households that are financially burdened by their housing costs, higher rates of household overcrowding, and increased vulnerability to risk of displacement. The development of affordable housing in these areas could provide opportunities for increased housing security for existing residents. When lower-income residents have access to affordable housing, they are no longer at risk of sudden increases in rent. Residents with consistently affordable housing are at a lower risk of displacement due to rent increases in the area. Additionally, because affordable housing is made affordable based on household income and size, residents tend to be less burdened by the cost of housing, leaving money available for other needs. The sites identified do not improve nor exacerbate conditions related to displacement risk. Through programs in the Housing Element, the City will aim to support existing residents from displacement by administering public investments and activities related to housing and community development in a manner that promotes equity and affirmatively furthering fair housing, including identifying and prioritizing capital improvements in a manner that ensures investments are promoting increased access to resources and investment in communities with the greatest need (Program 25, Fair Housing Outreach). Additionally, the City will partner with the IFHMB to gather and analyze local data to inform their fair housing priorities and opportunities, and lastly, provide annual staff training on available resources and steps to take in the event of a fair housing inquiry or complaint to ensure that residents are provided with timely services and referrals to IFHMB (Program 15, Fair Housing Mediation). Through Program 16, Affordable Housing Preservation Program, the City will also maintain and monitor a list of affordable housing developments and year of possible expiration of deed-restriction or other assistance for 100 percent of lower-income units including extremely low-income units in the City. As such, the sites selected in Appendix E, improve conditions, and will mitigate displacement risk.

6. Summary of Fair Housing Issues

The following is a list of key conclusions from this Affirmatively Further Fair Housing Analysis:

- **Racial and Economic Segregation:** The City contains three Census tracts that are considered ~~as~~ R/ECAPs based on data from 2009-2013. All three R/ECAP tracts have significantly higher levels of poverty than the City as a whole, with the farthest west R/ECAP having the highest poverty rate at 48.7 percent of the population. The west and middle R/ECAPs have nearly three times the number of renter households as ownership households, and the upper R/ECAP has a nearly equal proportion of renters and homeowners.

The concentration of areas that are both racially and economically segregated lie in the westernmost tracts of Highland. These areas also have higher concentrations of housing cost

burden and overcrowding, lower positive outcomes related to education and economics, and the highest concentrations of adults living alone or single female-headed households.

- **Renter Housing Needs:** According to the Census, a total of 10,796 occupied units (66.9 percent) in the City were owner-occupied in 2019, while 5,342 units (33.1 percent) were renter-occupied. The renter households in Highland are primarily located in western Highland, and have access to fewer educational, economic, and transportation opportunities. Over 80 percent of renter households experience one or more of the four severe housing problems, with higher rates of overcrowding and housing cost burden. Ozone and PM_{2.5} levels are higher in western Highland, as are rates for health indicators such as asthma and diabetes. Additionally, access to opportunity for education is higher in eastern Highland and lower in western Highland. These differences follow school district lines, with the Redlands Unified School District Census tracts scoring higher than the San Bernardino Unified School District tracts.
- **Displacement Concerns:** Western Highland is most vulnerable to displacement due to the higher levels of poverty present and lower rates of homeownership, making these residents more vulnerable to increases in rent. Additionally, flooding of Highland Creek could cause hazard-driven displacement in western Highland, causing more strain on the incomes of lower-income residents.
- **Land Use and Zoning:** Zoning across the City generally permits higher densities in the western areas of the City and lower densities in the eastern areas of the City, corresponding with patterns of segregation and integration as it relates to race and ethnicity, income, access to opportunity, varying housing needs, and affordability. The lower densities typically permit single-family residences which often excludes lower-income households who may generally experience higher rates of poverty, overcrowding, cost burden, and lower access to opportunity. Therefore, lower-income households are likely able to afford housing in the western areas of the City which permit for higher densities, conducive to a variety of housing types that are affordable at various income levels.

7.-Contributing Factors to Fair Housing Issues and Strategies for Affirmatively Furthering Fair Housing

An analysis of the contributing factors to fair housing issues is used to inform the strategies employed by the Housing Element for Affirmatively Furthering Fair Housing. The key fair housing issues identified through this analysis include racial and economic segregation, renter housing needs, and displacement concerns. Those factors that contribute to these issues are those that can most directly be tied to income and wealth. Factors that can contribute to a household's access to income and wealth can include poor access to upward mobility afforded by high educational outcomes; higher wage attainment; physical or developmental ability; access to affordable housing, transportation, and childcare; access to capital assets such as land ownership or homeownership; and other factors such as access to generational wealth. Many factors that can contribute to low access to income and wealth often disproportionately impact racial and ethnic minorities, creating income inequality. For example, the Federal Reserve reports that data from the 2019 Survey of Consumer Finances revealed that the typical White family has eight times the wealth of the typical Black/African American family and five times the wealth of the typical Hispanic/Latino family.

Historically in the United States, housing discrimination has occurred through land use policy and zoning, mortgage lending practices, landlord or property owner decisions on rental applications, and patterns of public and private investment and disinvestment. These trends have resulted in residential segregation based on race, ethnicity, income, disability, and other characteristics, and has limited housing choices and access to opportunities for many Americans, especially for communities of color.

Land use policies and planning can help or hinder people's access to fair housing. It is both possible and desirable to adopt and implement proactive policies that will help to reverse past negative trends and achieve balanced, integrated, and stable residential neighborhoods.

7.1. Prioritization of Contributing Factors and Actions Designed to Meaningfully Address Contributing Factors

The City's priorities for addressing impediments to fair housing issues are identified as follows:

1. **New Housing Choices and Affordability in Areas of Opportunity:**~~Affordable Housing.~~ Increased access to quality affordable housing opportunities can greatly improve opportunities for Highland's residents. ~~The City's inclusionary housing ordinance (Program 4) will be used for the allocation of funding to support affordable housing for lower income households. Program 5 calls for an evaluation of existing development impact fees to identify opportunities for reduced fees in exchange for affordable housing development. Other programs of the Housing Element increase coordination and collaboration with City partners to advocate for increased support in meeting the needs of lower income households.~~

~~Additionally, the~~ programs of the Housing Element that have been incorporated to assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households, as well as households with special needs include, but are not limited to, the following:

- ~~Program 4, Inclusionary Housing allocates funding to the preservation, rehabilitation, and construction of affordable housing, with a priority for projects that set-aside a percentage of units for extremely low-income households in areas with access to amenities such as recreation, services, education, and other needs. implements affordable housing production and also collects in-lieu fees that go into the City's affordable housing preservation fund. Through this program the city will identify affordable housing preservation, rehabilitation, and construction opportunities for the expenditure of acquired funds, especially for funding opportunities of housing for extremely low-income households and households with special needs.~~
- ~~Program 8, By-Right Development on Previously Identified Housing Sites creates the opportunity for by-right redevelopment of up to 1,511 residential units⁷⁷ of which a minimum of 20 percent must be affordable to lower-income households, including very low- and extremely low-income households.~~

⁷⁷ Calculated based on maximum densities permitted of 30 dwelling units per acre and previously identified lower-income sites as identified in Table 11, Sites Inventory Table, of Appendix E, Sites Analysis and Inventory (See Section 3.3, Sites Identified in Previous Housing Elements, of Appendix E, for additional details). Refer to Program 8 of the Housing Element for full program details.

- **Program 21, Collaborative Partnerships** commitment to providing a CityHousing Authority grant and land donation/ long-term ground lease that will facilitate the development of 89 new affordable senior rental units in the planning period.
- **Program 22, Lot Consolidation Incentive** provides an expedited development permit review through priority processing in exchange for lot consolidation for 100 percent of affordable multifamily development projects on lower- or moderate-income sites.
- **Program 30, Surplus Lands** facilitates the development of 89 new affordable senior rental units on a local surplus site through a long-term ground lease with a below fair market value rent, and identifies additional opportunities to facilitate the development of affordable homes on surplus local public land utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in Higher Resource areas;
- **Program 33, Strategically Enhance Access to Areas of Opportunity** rezones land to increase multifamily residential options in moderate- and high opportunity/ higher resource areas.
- ~~**Program 5, Impact Fees** will evaluate impact fees for affordable housing developments, especially those that serve extremely low income households and households with special needs.~~
- ~~**Program 6, Density Bonus** the City will update its ordinance, consistent with State requirements, including the provision of a bonus for student affordable housing, senior housing, and 100 percent affordable developments to further support extremely low-income households and households with special needs.~~
- ~~**Program 16, Affordable Housing Preservation Program** is focused on assisting homeowners who may be at risk of foreclosure and providing technical assistance for publicly assisted affordable housing for extremely low , very low , low , and moderate-income tenants.~~
- ~~**Program 17, Housing for Persons with Disabilities** will increase housing opportunities for those with disabilities, widening the pool of available housing. Through this program the City will promote the availability of the reasonable accommodation procedures, refer individuals and families with developmental disabilities to the Inland Regional Center in San Bernardino, which is the largest nonprofit, State-funded social service facility in the State that focuses on persons with developmental disabilities. And to further opportunities for persons with disabilities and older adults with varying levels of ability, the City will explore opportunities to connect residents to resources on increasing in-home accessibility by posting materials on its website related to home retrofit guidance and accessibility in accessory dwelling units.~~
- ~~**Program 18, Residential Care Facilities** is focused on providing an update to the Zoning Code to differentiate between residential care facilities serving six or fewer residents and those serving seven or more residents, permitting residential care facilities serving six or fewer persons by right in all residential zones in accordance with the Welfare and Institutions Code Section 5116.~~
- ~~**Program 19, Emergency Shelters, Transitional Housing, and Permanent Supportive Housing** will update relevant sections of the Zoning Code to assist in the development of~~

housing for those with special needs and extremely low-income households and to ensure consistency with State law as it relates to supportive housing, emergency shelters, and transitional housing.

- ~~Program 20, Affordable Housing Partnerships~~ will support creative models of affordable property ownership and affordable housing preservation through methods such as community land trusts. Informational resources will be provided on the City's website to connect lower-income households, including extremely low-income households and those with special housing needs, to housing advocacy groups, public agencies, and nonprofit organizations in the event that opportunities for purchasing lower-income housing developments become available. The City will conduct outreach to housing advocacy groups to improve coordination and increase publication of how advocacy groups can assist residents.
- ~~Program 21, Mobile Home Preservation~~ will provide additional protections for mobile home park tenants by ensuring that any approval for a proposed conversion of an existing mobile home park will first consider the findings of a report that details the impact upon the ability of the displaced residents of the mobile home park to be converted or closed to find adequate housing in a mobile home park.
- ~~Program 22, Collaborative Partnerships~~ the City will contact and partner with local affordable housing service providers and will continue to seek financial assistance from other agencies.
- ~~Program 23, Lot Consolidation Incentive~~ provides a permit expedite incentive for lot consolidation for multifamily development on sites identified in the Housing Element as having the potential to accommodate lower- or moderate-income units, including those sites with potential for extremely low-income development and development to meet the needs of those with special needs.
- ~~Program 31, Surplus Lands~~ will ensure that any lands that are declared as surplus by the City will first be offered for the development of affordable housing, including housing for extremely low-income households and households with special needs.
- ~~Program 33, Reduced Parking Requirements~~ will provide a process by which parking reductions can be granted in exchange for affordable housing.

2. Land Use and Planning DecisionsHousing Mobility. Land use and planning decisions can influence and restrict needed housing opportunities. Those sites identified in **Appendix E, Sites Inventory and Analysis**, have been identified in those areas with close proximity to employment, education, services, and other resources. However, some of the areas also have lower access to opportunity based on TCAC methodology and are R/ECAPs. Programs aimed at improving housing mobility include:

- Program 7, Housing Choice Voucher Referrals collaborate with the Housing Authority to assist in outreach to potential households and landlords to participate in the Housing Choice Voucher Referrals and facilitate rent subsidies for low-income, very low-income, and extremely low-income residents in high opportunity/ higher resource areas and increased access to amenities, such as recreation, services, education, and other needs
- Program 21, Collaborative Partnerships collaborate with an affordable housing developer to support the development of a new affordable senior rental housing project, support the development of the extremely low-, very low-, and low-income units through

a multi-million grant from the City of Highland Housing Authority, and provide affordable housing developers and nonprofit organization technical support for funding applications to support affordable housing projects in Higher Resource areas.

- **Program 25, Fair Housing Outreach,** evaluates fair housing and equity criteria in the identification and prioritization of capital improvements to ensure investments are promoting increased access to resources and investment in communities with the greatest need.
- **Program 30, Surplus Lands,** identifies additional opportunities to facilitate the development of affordable homes, including those affordable to extremely low-income households, on surplus local public land utilizing mechanisms such as land donations, land sales with significant write-downs, or below-market land leases with a priority on surplus land in Higher Resource areas.
- **Program 33, Strategically Enhance Access to Areas of Opportunity,** rezones land to increase multifamily residential options in moderate- and high opportunity/ higher resource areas and notify affordable housing developers, and provide technical assistance for affordable projects.
- ~~While some of the lower-income sites identified in Appendix E were previously identified in past Housing Element cycles, these areas have been determined to be the most ideal for future housing and the most realistic to be developed. **Program 8** of the Housing Element creates a process by which development may be permitted by right where 20 percent or more of the units are affordable on specified sites. This program will further incentivize the production of affordable housing in areas where it is needed most. **Program 11** will support efforts in creating multimodal mixed-use and transportation corridors that will provide residents of all demographics access to mobility and amenities near their homes.~~

2.3. Place-based Strategies to Encourage Community Conservation and Revitalization Land Use and

Zoning Laws. With the City being less than 50 years old, more than half of the land consists of single-family residential uses with vacant sites scattered throughout. This number increases to the west of the City where much of the land is still largely undeveloped. The City is relatively isolated, being located on the outskirts of the metropolitan Inland Empire. Therefore, it is necessary for the City to plan its resources carefully and avoid haphazard growth. It is important that future and existing developments in the city meet local and State laws, are well maintained, and are deemed affordable for future generations. The following programs ~~may assist affordable housing developers in~~ aim to conserve and improve assets in areas of lower resources and areas of concentrated poverty through targeted investments: ~~producing fair housing for lower income households:~~

- **Program 1, Homeowner Rehabilitation Program,** establish a working relationship with the Neighborhood Partnership Housing Services (NPHS), a mission-based organization which offers homeowner rehabilitation opportunities, through annual meetings to increase the number of loans provided to City residents and provide technical support for grant pursuits such as letters of support.
- **Program 3, Code Enforcement,** develop and implement targeted housing rehabilitation outreach strategies in lower-income areas to provide communities with resources and avoid displacement of lower-income households and assist with bringing properties into

compliance with the Zoning Code through targeted outreach to households in low opportunity/lower resource areas. will ensure that no buildings in the City are violating Building and Zoning codes and are up to date with State legislation. This will help to minimize substandard qualities of housing that is often afforded to lower income households.

- Program 5, Impact Fees, equitable investment of infrastructure improvements by prioritizing a percentage of capital improvement projects funded by development impact fee revenue in low opportunity/ lower resource areas.
- Program 11, Town Center, Base Line Corridor, and Victoria Avenue Corridor Policy Areas, prioritizes capital improvements in lower and moderate resource areas and apply for grants that target funding for Capital Improvement projects located in Lower or Moderate Resource areas.
- ~~Program 4, Inclusionary Housing Ordinance~~, will continue to seek opportunities for funding of housing for extremely low income households in the form of preservation, rehabilitation, or constructions.
- ~~Program 12, Accessory Dwelling Units~~, will provide a program that may incentive the construction and permitting of affordable ADUs.
- ~~Program 23, Lot Consolidation Incentives~~, will amend the code to provide lot consolidation incentives that may increase multifamily developments and can accommodate lower or moderate income units.
- ~~Program 25, No Net Loss~~, will monitor the housing capacity identified in **Appendix E, Sites Inventory and Analysis**, and develop methodology to maintain capacity for remaining RHNA in all income levels.
- ~~Program 28, Low Barrier Navigation Centers~~, will amend the Zoning Code to permit the development of Low Barrier Navigation Centers as a use by right in mixed-use and non-residential zones that permit residential uses.
- ~~Program 29, Affordable Housing Streamlining~~, provides a process of streamlining for qualifying affordable and mixed-income housing developments.
- ~~Program 30, Objective Design Standards~~, will help increase the transparency and certainty in the development process by providing verifiable and measurable design standards for future developments.

4. Protecting Existing Residents from Displacement. Communities in the western areas of the City have higher levels of poverty resulting in a higher risk of displacement. Programs such as Program 2, Residential Rental Program, and However, Program 3, Code Enforcement is aimed at protecting existing residents from displacement. Additional programs addressing and/ or fair housing issues, including protecting existing residents from displacement, include:

- Program 15, Fair Housing Mediation, partner with IFHMB and coordinate annually to gather and analyze local data to inform fair housing priorities and opportunities and provide annual staff trainings on how to refer complaints and inquiries to IFHMB.
- Program 16, Affordable Housing Preservation Program, maintain and monitor a list of affordable housing developments and year of possible expiration of deed-restriction or other assistance for 100 percent of lower-income units including extremely low-income units in the City.

- **Program 25, Fair Housing Outreach**, administer all programs and activities related to housing and community development in a manner to Affirmatively Further Fair Housing by administering public investments and programs in a manner that promotes equity and affirmatively furthering fair housing, including the identification and prioritization of capital improvements to ensure investments are promoting increased access to resources and investment in communities with the greatest need.
- **Accessible Housing**. According to the 2019 ACS Census data, about 9 percent (4,946) of the City's population have a disability. Approximately 33 percent (1,746) of the population age 65 and older have a disability. As the population ages, the need for housing to meet varying levels of ability will increase. Accessible housing also ensures safe and quality of housing not only to disabled persons, but all residents as well. **Program 1**, Homeowner Rehabilitation Program, offers homeowners with funds to finance home improvement projects, including health and safety repairs, that may increase the overall accessibility of a dwelling. **Program 3**, Code Enforcement, ensures that buildings are maintained and are ADA compliant where necessary. **Program 6**, Density Bonus, will provide provision of a bonus that may increase the availability and quality of senior housing. **Program 12**, Accessory Dwelling Units, can provide opportunities for those with special needs and older adults who may wish to live independently, but with near proximity to caregivers. **Programs 17, 18, and 19** can accommodate special needs individuals and older adults by providing access to housing services and care facilities that are temporary or long-term.
- 3. **Fair Housing Outreach**. The Inland Fair Housing and Mediation Board conducts fair housing outreach and other services on behalf of the City. The City is committed to furthering fair housing outreach through the programs of the Housing Element. Through **Program 2**, Residential Rental Enhancement and Rehabilitation Program, the City will continue to provide health and safety hazard checks for landlords, ensuring that tenants are not subject to substandard housing and the City will also continue to provide landlord trainings to ensure property safety measures are taken. **Program 2** further enhances upon this existing program to incorporate fair housing training for landlords. This will expand upon the City's Crime-Free Multiple-Family Rental Housing Program, to ensure that this program is implemented through the lens of fair housing, providing fair housing services for residents and landlords.

Appendix E: Sites Analysis and Inventory

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1 Introduction

As provided under California State law (Government Code Section 65583 [a][3]), a Housing Element must include an inventory of land suitable for residential development, including vacant sites that can be developed for housing within the planning period and nonvacant sites that have realistic and demonstrated potential for redevelopment during the planning period to meet the local housing need at all income levels. As further detailed in the Regional Housing Needs Allocation (RHNA) discussion in Section 2, every local jurisdiction is assigned a number of housing units representing its share of the State's housing needs for an 8-year period. The housing need of the City of Highland (City) for the 6th Cycle 8-year planning period [October 15, 2021– October 15, 2029] (6th Cycle) consists of 2,513 total units, including housing at all income levels.

This appendix (sites analysis) of the Housing Element contains an analysis and inventory of sites within City limits that are suitable for residential development during the 6th Cycle. As presented in this sites analysis, the City has an adequate supply of land to fully accommodate the City's housing allocation of 1,028 lower-income units (including very low- and low-income¹), 471 moderate-income units, and 1,014 above moderate-income units.

This sites analysis describes the City's housing target for the 6th Cycle RHNA projection period [June 30, 2021, to October 15, 2029] (planning period), known as the RHNA; the methodology by which realistic development capacity was determined; and the approach used for the identification of sites. An overview of the existing capacity in the City is also provided, including residential projects in the pipeline with remaining entitlements or pending residential units that are anticipated in the planning period, and the corresponding approved or anticipated affordability for the units in each project, an analysis of vacant and underutilized sites where housing is currently an allowed use, and the projection of accessory dwelling units anticipated for the planning period.

2 Regional Housing Needs Allocation

Pursuant to State law, each jurisdiction in the State has a responsibility to accommodate a share of the projected housing needs in its region. The California Department of Housing and Community Development (HCD) assesses each region's housing needs and allocates a unit count (the RHNA) to each region in the state. The RHNA is mandated by State housing law as part of the periodic process of updating local Housing Elements of General Plans. The RHNA quantifies the need for housing within each jurisdiction during specified planning periods.

As part of the assessment and allocation process, each Councils of Governments develops a methodology to determine each jurisdiction's RHNA as a share of the regional housing need provided by HCD. Each jurisdiction's RHNA is broken down by income category, ensuring that all economic groups are accommodated. The methodology generally distributes more housing, particularly lower-income housing, near jobs, transit, and resources linked to long-term improvements of life outcomes, and must further State objectives, including affirmatively furthering fair housing.

¹ For sites that are identified in the Sites Inventory to meet the lower-income RHNA, it is assumed that 50% of the realistic capacity of a site counts toward the low-income RHNA, and 50% of realistic capacity counts toward the very-low income RHNA.

The City's share of regional housing need was determined by a methodology prepared by the Southern California Association of Governments (SCAG) as part of its Final Regional Housing Needs Assessment Allocation Plan adopted in March 2021 and updated June 2021. In accordance with the Final RHNA Allocation Plan, the City must plan to accommodate 2,513 total housing units for the projection period beginning June 30, 2021, and ending October 15, 2029. This is equal to a yearly average of approximately 303 housing units. The 2,513 total units are split into four RHNA income categories (very low-, low-, moderate-, and above moderate-income). **Table 1** provides the City's RHNA by income category. Of the 2,513 total units, the City must plan to accommodate 619 units for very low-income households, 409 units for low-income households, 471 units for moderate-income households, and 1,014 units for above moderate-income households from 2021 to 2029.

Table 1. City of Highland RHNA 2021–2029		
Income Category	Units	Percent of Total
Very Low-Income ¹	619	24.6%
Low-Income	409	16.3%
Moderate-Income	471	18.7%
Above Moderate-Income	1,014	40.4%
Total	2,513	100%
1. The City has a RHNA of 619 very low-income units. Pursuant to State law (AB 2634), 50% of the very low-income units are assumed to be extremely low-income. Therefore, the City's RHNA of 619 very low-income units may be divided into 309 extremely low-income units and 310 very low-income units. However, for the purposes of identifying adequate sites for the RHNA, the State law does not mandate the separate accounting of units for extremely low-income households.		

To ensure that adequate capacity is maintained in the City throughout the 6th Cycle, additional capacity above and beyond the RHNA assigned to the City has been identified. In accordance with State requirements, the City will monitor the housing capacity identified in this sites analysis throughout the planning period to maintain sufficient capacity for the remaining RHNA at all income levels.

3 Vacant and Underutilized Sites Methodology and Assumptions

State law requires each jurisdiction to include a land inventory to identify specific sites that are suitable for residential development and to demonstrate that sufficient land is available to provide adequate housing capacity to meet the RHNA for each income level. This section of the sites analysis describes the methodology used to calculate the housing capacity on all vacant and nonvacant developable land within the City limits that is zoned to allow for housing and available to develop within the Housing Element planning period.

3.1 Process Overview

As part of the sites analysis, the City and consulting team had to identify specific sites that are suitable for residential development to determine whether there are sufficient sites to accommodate the City's regional housing need in total and by income category. This analysis helped the City determine the programs that the City will adopt to make sites available with appropriate zoning, development standards, and infrastructure capacity to accommodate the new construction needed during the 6th Cycle (see complete infrastructure capacity discussion in the Housing Element's **Appendix C, Constraints and Zoning Analysis**).

The sites analysis was completed using geographic information system (GIS) mapping software using multiple data sets to identify potentially available housing sites, largely depending on SCAG's annual land use parcel-level dataset (ALU v.2019.2) available from SCAG's open GIS data portal (last updated in June 2021). SCAG's land use dataset provides extensive parcel-level data, including existing land uses principally based on 2019 tax assessor records.² In addition, online mapping tools, including Google Earth and Google Maps, as well as City knowledge of the current projects in the pipeline and development interest in certain areas of the City, were used to verify vacant and underutilized status and existing uses.

With the large quantities of vacant land that exist in the City, the sites analysis largely depends on those vacant sites within City limits that permit for residential development under their existing Municipal Code zoning district (zoning district). Additionally, a small number of sites identified in the sites inventory include nonvacant, underutilized parcels. Under State law, if a housing element relies on nonvacant sites to accommodate 50 percent or more of its RHNA for lower-income households, the nonvacant site's existing use is presumed to impede additional residential development, unless the housing element describes findings based on substantial evidence that the use will likely be discontinued during the planning period. However, only 11 total parcels identified to accommodate lower-income households have existing uses, while 27 total parcels identified to accommodate lower-income households are vacant. Meaning that the housing element relies on nonvacant sites to accommodate less than a third of its RHNA for lower-income households. Nonetheless, the nonvacant sites were thoughtfully selected based on clear evidence that the existing uses on the sites identified to be underutilized are not considered an impediment to future development. Determining which nonvacant sites are underutilized and have the strongest potential for redevelopment can help identify ideal areas for accommodating new housing through redevelopment and capitalizing on existing infrastructure. Underutilized sites are identified through thorough and selective criteria to determine which existing uses are most likely to redevelop when paired with the right land use designation, regulations, and policies. As part of this identification process, an analysis of underutilized sites was conducted to determine where to prioritize Housing Element programs that aim to increase opportunities for housing development.

In addition to analyzing the existing uses and proximity to resources and existing infrastructure on each parcel, the methodology for identifying and prioritizing underutilized sites was largely based on the following factors:

² Sources of 2019 existing land use: SCAG_REF – SCAG's regional geospatial datasets; ASSESSOR – Assessor's 2019 tax roll records; CPAD – California Protected Areas Database (version 2020a; accessed September 2020); CSCD – California School Campus Database (version 2018; accessed September 2020); FMMP – Farmland Mapping and Monitoring Program's Important Farmland GIS data (accessed September 2020); MIRTH – U.S. Department of Defense's Military Installations, Ranges, and Training Areas GIS data (accessed September 2020).

- **Existing Use** – No known existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development. Existing Use is reasonably expected to be discontinued within the planning period and is not considered an impediment to development in conjunction with all, or some, of the factors listed below.
- **Building Age** – Building that are 50 years or older (all but two residential buildings identified on underutilized parcels were built prior to 1971). The age of housing is often an indicator of housing conditions. In general, housing that is 30 years or older may need minor repair. Housing over 50 years old is considered aged and more likely to generate major repairs.
- **Floor Area Ratio** – Buildings with a floor area ratio (FAR) less than 0.15. FAR is the ratio of a building's total floor area to the size of the piece of land upon which it is built. The average FAR of nonvacant sites identified to accommodate the RHNA for lower-income households is 0.03.
- **Site Size** – Parcels greater than 0.5 acres or less than 10 acres, or smaller parcels with the potential for lot consolidation resulting in a site greater than 0.5 acres. Development of housing affordable to lower-income households on individual parcels that are smaller than 0.5 acres or larger than 10 acres is not typically considered realistic or feasible. However, parcels less than 0.5 acres may be included if there is the potential for combining small lots into larger sites to accommodate higher-density development through lot consolidation (see additional details in **Section 3.2.1, Lower-Income Sites**), which the City will incentivize through **Program 223, Lot Consolidation Incentive**, of the Housing Element.

While a few nonvacant sites identified to be underutilized have existing residential uses, none of the underutilized sites are known to have been occupied in the past 5 years with housing occupied by lower-income residents. In addition, the existing units on the sites were subtracted from the realistic capacity to calculate the net-new units, and only net-new units were ultimately accounted for toward accommodating the City's RHNA.

All parcels included in the sites inventory were reviewed for any known environmental constraints; the sites included in the inventory have all been designated for residential development and are not constrained by known site-specific constraints that would limit development. Parcels that were identified as having absolute constraints³ were removed from the site inventory.

Land suitable for residential development must be appropriate and available for residential use in the planning period. As such, the sites were also reviewed according to their development standards and regulations, and compared to recently approved or built residential projects in the same designations where housing is an allowed use.

3.2 Density and Affordability Assumptions

Government Code Section 65583.2(c) requires, as part of the analysis of available sites, a local government to demonstrate that the projected residential development capacity of the sites identified in the Housing Element can realistically be achieved. This realistic capacity may use established minimum densities to calculate the housing unit capacity. The sites analysis estimated realistic capacity as shown in **Table 2, Density Assumptions by Zone**. As a conservative estimate of capacity calculations, the sites analysis estimated realistic capacity based on the minimum permitted density of 20 dwelling

³ Per Connect SoCal's Sustainable Communities Strategy Technical Report's (adopted 3, 2020) areas identified to avoid placement of future growth, including absolute constraints such as preserved land where growth has been reduced and redirected, as well as variable constraints where growth could be avoided if possible.

units per acre in the City's R-4 zone and Greenspot Village & Marketplace Specific Plan for sites identified to accommodate the City's lower-income RHNA. This does not limit the ability of a project to be built at the higher densities allowed under either the zoning or the General Plan. Furthermore, it is expected that property owners will strive for densities above the minimums, assuming developers can earn greater profits for construction on the same parcel of land. Sites identified to accommodate the City's RHNA with pending projects have been calculated based on their approved or expected densities and affordability (see Section 4.1, Planned, Approved, and Prospective Projects, for a detailed overview of residential development in the pipeline).

Table 2. Density Assumptions by Zone

Zoning District	Maximum Density (dwelling units per acre)	Realistic Density (units per acre)	Income Level
R-4 (Multifamily District)	30	20	Lower
R-3 (Multifamily District)	18	12	Moderate
MU (Mixed Use District)	18	12	Moderate/ Above Moderate
R-2 (Two-Family District)	12	8	Moderate
R-2C (Corridor Residential District)	9	6	Moderate
R-1 (Single-Family District)	6	4	Above Moderate
VR (Village Residential District)	6	4	Above Moderate
EHV (East Highland Village District)	6	4	Above Moderate
A/EQ (Agricultural Equestrian District)	2	2	Above Moderate
PD (Planned Development District) ¹	Varies ²	Varies	Moderate/ Above Moderate
Greenspot Village & Marketplace (SPR-006-001)	Planning Area 2: 30 Planning Area 3: 40 ³	Varies ³	Lower/ Moderate / Above Moderate
Mediterra Planned Development (PD 13-001)	Varies ⁴	Varies ⁴	Moderate/ Above Moderate

Source: City of Highland Municipal Code, Title 16 Land Use and Development, 2021.

1. The maximum overall intensity of areas designated Planned Development shall be consistent with the provisions of the Highland General Plan or determined through the development review process. Development within areas designated Planned Development are processed using a Specific Plan pursuant to Government Code Section 65450, a planned unit development, a Conditional Use Permit or a similar device.

2. Per the City of Highlands General Plan Land Use Element, Densities for Planned Development areas vary and typically range from 4.6 to 12.0 dwelling units per acre.

3. See Section 4.1.1, Greenspot Village & Marketplace Specific Plan, and Sections 4.2, Lower-Income Sites, and 4.3, Moderate-Income Sites.

4. See Section 4.1.2, Vista Verde at Mediterra, and Sections 4.3, Moderate-Income Sites, and 4.4, Above Moderate-Income Sites.

3.2.1 Lower-Income Sites

In accordance with Housing Element law (Government Code Section 65583.2[c][3]), the City's default density for lower-income sites must permit at least 30 dwelling units per acre. Further, it is detailed under State guidance that sites that are too small or too large (less than 0.5 acres or greater than 10 acres) may not facilitate developments affordable to lower-income households. As such, sites included

in the lower-income sites inventory with only one parcel have been limited to parcels between 0.5 and 10 acres. However, parcels less than 0.5 acres may be included if there is the potential for combining small lots into larger lots/sites to accommodate higher-density development through lot consolidation. In total, only two sites identified as appropriate to accommodate lower-income units (Sites 9A and 18B as identified in **Table 11**, Sites Inventory Table) include more than 1 parcel and have been identified as having the potential to be reasonably consolidate into one site based on evidence discussed in **Section 4.2, Lower-Income Sites**. The City will incentivize lot consolidation through **Program 223, Lot Consolidation Incentive**, of the Housing Element by amending the Highland Municipal Code to incentivize lot consolidation through an expedited development permit review process through priority processing for projects utilizing lot consolidation on sites identified in the Sites Inventory as having the potential to accommodate lower- or moderate-income units. All parcels identified as having the potential to be consolidated as a single site, have been clearly marked by a letter following the site number in **Table 11**.

The City has one zoning district that permits densities of 30 dwelling units per acre, the R-4, Multifamily District. As such, sites identified in this zoning district were included in the inventory as lower-income sites. In addition, the City currently has a Residential High Density Special Overlay (HDS) that permits densities of at least 20 but not greater than 30 units per acre. However, the 52-acre HDS Overlay is now located entirely within the 104-acre Greenspot Village & Marketplace Specific Plan (Specific Plan) area which allows for a greater density range. The Specific Plan, which was adopted in 2013 (SPR-006-001 Greenspot Village & Marketplace), allows a density range of 18 to 40 dwelling units per acre. As such, the sites analysis relied on the development standards of the Specific Plan in lieu of the HDS Overlay, and sites identified in the Specific Plan zoning designation were included in the inventory for all three income categories: lower-, moderate-, and above moderate-income. Specifically, vacant sites in the Specific Plan area were identified as appropriate to accommodate lower- and moderate-income housing, further detailed in **Sections 4.2, Lower-Income Sites**, and **4.3, Moderate-Income Sites**, while units in the project pipeline in the Specific Plan area have been credited toward the above moderate-income RHNA based on their approved affordability (see discussion related to TREH Partners development detailed in **Section 4.1.1, Greenspot Village & Marketplace Specific Plan**).

3.2.2 Moderate-Income Sites

Primarily vacant sites in the R-3 (Multifamily District), MU (Mixed Use District), R-2 (Two-Family District), and R-2C (Corridor Residential District) districts were inventoried at the moderate-income level based on each zoning district's permitted uses and maximum densities ranging from 9 to 18 dwelling units per acre. All four zoning districts provide opportunities for a range of housing choices at medium densities. As such, all sites identified within the designations were inventoried at the moderate-income level. In addition, select sites in the PD (Planned Development District), Mediterra Planned Development (PD 13-001) and Greenspot Village & Marketplace (SPR-006-001) zoning districts were identified as having the capacity to accommodate moderate-income sites.

3.2.3 Above Moderate-Income Sites

Primarily vacant sites in the Single-Family (R-1), Village Residential (VR), East Highland Village (EHV), and Agricultural Equestrian (A/EQ) districts were inventoried at the above moderate-income level based on each zoning district's permitted uses and maximum densities ranging from 2 to 6 dwelling units per acre. All four zoning districts provide opportunities for a range of housing choices at low densities. As such, all sites identified within the designations were inventoried at the above moderate-income level. In

addition, based on the unit count and affordability expected for projects in the pipeline, one site in the Mixed Use (MU) zoning district, and select sites in the Planned Development (PD), Mediterra Planned Development (PD 13-001), and Greenspot Village & Marketplace (SPR-006-001) zoning districts were identified as having the capacity to accommodate above moderate-income sites.

3.3 Sites Identified in Previous Housing Elements

Per the statute (Government Code Section 65583.2[c]), a nonvacant parcel identified in a previous planning period and a vacant parcel that has been included in two or more previous consecutive planning periods cannot be used to accommodate the lower-income RHNA unless the parcel is subject to a program in the Housing Element to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households.

A total of 30 of the parcels identified in the 2021 Housing Element for lower-income housing were included in a previous Housing Element (see below for individual site and parcel details). Housing Element **Program 8** commits the City to permit the development of housing by right on these parcels where 20 percent of the total units in the development will be affordable to lower-income households, consistent with Assembly Bill 1397 (2017). All parcels included in previous cycle(s) in accordance with the criteria of State law, are called out in the first column of **Table 11, Sites Inventory Table**.

4 Existing Capacity

The following is a description of planned, approved, or prospective projects expected to be completed within the planning period, and the residential capacity on vacant and underutilized sites within each zoning district permitting residential uses. **Figure 1, City Overview of Sites Inventory**, provides an overview of the existing capacity identified in the sites inventory. The vacant and underutilized sites identified in Figure 1 are the vacant and nonvacant sites that have been included in the sites inventory. It is not a comprehensive inventory of all vacant and underutilized sites in the City.

Figure 1. City Overview of Sites Inventory

4.1 Planned, Approved, and Prospective Projects

Several development projects in the pipeline are seeking entitlements or actively pursuing construction, or have prospective development expected to be built within the planning period. **Table 3**, Summary of Pipeline Residential Development, summarizes the current inventory of nine residential projects included in the sites inventory with active entitlements or under review, or with prospective development and expected to be built within the planning period. **Figure 2**, Pipeline Residential Projects, provides an overview of the nine residential projects in the pipeline included in the sites inventory. As of August 2021, there were an estimated 752 housing units in the pipeline that are counted toward meeting the 6th Cycle RHNA. There are a number of other projects in the City with residential units, such as single-unit developments, that have not been included in this analysis but are expected to be completed during the planning period.

Table 3. Summary of Pipeline Residential Development				
Project	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units
Total Pipeline Residential Development Credited Toward RHNA	—	—	752	752
Source: City of Highland RHNA = Regional Housing Needs Allocation See Sites 232-240 in Table 11 for individual site and parcel details.				

4.1.1 Greenspot Village & Marketplace Specific Plan

The Greenspot Village & Marketplace Specific Plan is a master-planned, mixed-use development located west of Interstate 210 within the area identified in the City's General Plan Land Use Element as the "Golden Triangle Community Policy Area," and the City's zoning designation SPR-006-001. The Specific Plan includes three planning areas Planning Area 1 allows for commercial uses; Planning Area 2 allows for residential uses; and Planning Area 3 permits a mix of residential, commercial, governmental, and professional office uses. The total number of dwelling units between Planning Areas 2 and 3 may not exceed 800. Planning Areas 2 and 3 allow development at density ranges of 20 to 30 and 18 to 40 dwelling units per acre and permit 500 to 700 units and 100 to 300 units, respectively; within that limit, dwelling units may be transferred between Planning Areas 2 and 3.

As detailed in the section below, a total of 200 multifamily units in Planning Area 2 expected to be completed during the planning period have been credited toward the above moderate-income RHNA (see **Section 4.1.1.1**, Planning Area 2/ TREH Partners Project, for details). In addition, a 200-unit residential project in Planning Area 3 will be completed during the planning period; however, construction is already underway and the units were previously included in the City's 2020 annual progress report during the 5th Cycle planning period, so they have not been credited towards the 6th Cycle RHNA (see **Section 4.1.1.2**, Planning Area 3, for details). Based on the total number of residential units permitted by the Specific Plan, a remaining capacity of 400 total units exists in the Specific Plan area. As a residential project has not been proposed and approved by the City for the remaining capacity of 400 units, they are not credited as pipeline projects, but they have been identified as existing capacity and included in the Sites Inventory (see **Sections 4.2**, Lower-Income Sites, and **4.3**, Moderate-Income Sites).

4.1.1.1 Planning Area 2/ TREH Partners Project

Planning Area 2 is envisioned for high-density residential villages and open space and permits a minimum of 20 and up to 30 dwelling units per acre and allows single-family detached and attached housing, including townhomes, duplexes, and small to large multiple-family attached structures. The planning area permits 500 to 700 dwelling units so long as the total dwelling unit count for the overall Specific Plan area does not exceed 800 dwelling units. A 200-unit, rental multifamily project is expected to be developed by TREH Partners as part of the Greenspot Crossings/Marketplace project, an approximately 19.8-acre mixed-use project (Parcels 1201-331-01, 1201-341-01, 1201-341-08, and 1201-341-09). As of August 2021, City Council approved a Design Review Application (DRA No. 20-012) for the construction of approximately 85,316 square feet of commercial uses (Greenspot Crossings) within Planning Area 1, a 200 attached residential unit complex with a 6,214-square-foot clubhouse in Planning Area 2, and a Tentative Parcel Map (TPM No. 20-002) to increase the number of parcels from four parcels to eight parcels. The 200 units will be built on an 8.79-acre pad for an average density of approximately 22.75 dwelling units per acre. They are expected to be built in the planning period, and they have been credited toward the above moderate-income RHNA.

4.1.1.2 Planning Area 3

Planning Area 3 is envisioned for a mix of residential, retail, office, and commercial uses and permits a minimum 18 and up to 40 dwelling units per acre. The planning area permits 100 to 300 dwelling units so long as the total dwelling unit count for the overall Specific Plan area does not exceed 800 dwelling units. There is currently one active project in Planning Area 3, the San Carlo Townhome Apartments. The San Carlo Townhome Apartments project is a 200-unit development on Greenspot Road, being developed by Rexco Development at an approximate density of 20 dwelling units per acre. The residential project, entitled in 2020, is located on 10.85 acres on the southern portion of Planning Area 3 and was finishing the construction plan check and process for the grading permits in March 2021. As such, the 200 units have been excluded from the sites inventory, leaving a remaining capacity of 100 units permitted in Planning Area 3.

Based on the total number of 800 residential units permitted under the Specific Plan, a remainder of 400 units can be built between Planning Areas 2 and 3. The Sites Inventory assumes housing will be developed at a mix of lower-and moderate-income levels in Planning Areas 2 and 3, including 200 lower-income units and 200 moderate-income units. See **Sections 4.2, Lower-Income Sites, and 4.3, Moderate-Income Sites**, for details on existing capacity.

4.1.2 Vista Verde at Mediterra

Mediterra is a planned development community (PD 13-001) off Greenspot Road on the far eastern side of the City. Mediterra includes eight planning areas that allow for a low-density residential development of 200 residential lots (2.1 to 6 dwelling units per acre); a medium-density development of 110 residential units (4 to 12 dwelling units per acre); six estate lots (0 to 2 dwelling units per acre); and several lettered lots containing two parks, landscaping, and a water quality management basin on approximately 178 gross acres. A Design Review Application (DRA-21-007) was approved by Planning Commission (Resolution No. 2021-014) in August 2021 for Vista Verde at Mediterra by D.R. Horton for the construction of a 149 single-family home community, a public park, public trails, a private common area, a private community pool, and recreation center within Phases 1 and 2 of the Mediterra Planned

Development (Parcels 0297-021-25, 0297-021-26, 0297-021-27, and 0297-021-28). The 149 single-family units in Vista Verde at Mediterra are expected to be built in the planning period, and they have been credited toward the above moderate-income RHNA (see **Table 4**).

The remaining 167 dwelling units that are permitted in the Mediterra Planned Development expected to be completed as part of Phase III and IV of the Mediterra development have not been credited towards the RHNA, however they have been identified as existing capacity and have been included in the sites inventory as moderate- and above moderate-income units based on the range of medium and low densities permitted (see **Sections 4.3**, Moderate-Income Sites, and **4.4**, Above Moderate-Income Sites).

4.1.3 Blossom Trails

Blossom Trails is a residential housing development in East Highlands Ranch on the southwest corner of Church Street and Greenspot Road that will include 137 single-family units on approximately 25.5 acres (Parcels 1201-401-02 and 1201-431-61) at an approximate density of 5.4 dwelling units per acre. The City adopted the development's Tentative Tract Map (TTM 17-001, No. 20090) and Tentative Parcel Map (TPM 17-002, No. 19958) in March 2018. The 137 units are expected to be completed during the planning period and have been included in the sites inventory as above moderate-income units.

4.1.4 Highland Park

Highland Park is a planned development community on the north side of Base Line Street in the eastern side of the City. The project has received a Tentative Tract Map (TTM 19915), which received an extension of 18 months under Assembly Bill 1561 but has not received building permits as of June 2021. The site is approximately 7.9 acres and will include 46 single-family market-rate residential units and a neighborhood park, at an approximate density of 6 dwelling units per acre. The 46 units are expected to be completed during the planning period and have been included in the sites inventory as above moderate-income units.

4.1.5 Crestwood Communities

The Crestwood Communities development is planned to accommodate 50 market-rate, attached condominiums within 12 two-story buildings, associated landscaping, active and passive recreation amenities, and parking. The City approved a Tentative Tract Map (TTM 18-002, No. 20190) for a planned development on approximately 4.2 acres (Parcel 1200-041-02) in 2018 at an approximate density of 12 dwelling units per acre. The 50 units are expected to be completed during the planning period and have been included in the sites inventory as above moderate-income units.

4.1.6 Other Pending Projects

Other pending projects that have been included in the sites inventory are as follows:

Kiel 54 at 29996 Santa Ana Canyon Road (Parcel 1210-371-51)

- 54 single-family homes on approximately 21.6 acres at a density of approximately 2.5 dwelling units per acre. A Tentative Tract Map was approved by the City (TTM 018-001, No. 20142) in 2018. The 54 units are expected to be completed during the planning period and have been included in the sites inventory as above moderate-income units.

Senior Assisted Living Facility (Parcels 1191-181-01 and 1191-191-06)

- 60 units entitled by the City in 2018 (Resolution 2018-008). The site is located on Base Line Street east of Sterling Avenue next to the Mountain Breeze Villas, a 168-unit affordable housing apartment complex. The 60 units are expected to be completed during the planning period on approximately 2 acres at a density of approximately 30 dwelling units per acre, and have been included in the sites inventory as above moderate-income units.

Tractor Supply Co. Project (Parcels 1200-381-43 and 1200-381-05)

- A mixed-use project planned to include 20 market-rate multifamily units and 1 single-family home on approximately 1.7 acres and a residential density of approximately 13.3 dwelling units per acre, and a Tractor Supply Site store, retail space, and a fast-food drive-through restaurant on approximately 9.1 acres overall. The proposed project is being developed by Woodcrest Real Estate Ventures and is located at the intersection of Base Line Street and Church Avenue. As of August 2021, the City had received the project's Design Review Application (DRA-21-004). Construction is expected to begin in 2022 and be completed 1 year later. The 21 units have been included in the sites inventory as above moderate-income units.

Highland Heights (Parcel 1200-421-34)

- 35 small-lot single-family homes being developed by KZ Companies on approximately 2.9 acres at a density of approximately 12 dwelling units per acre. As of August 2021, the project has been entitled by the City, but has not received permits. The project is located across from the Tractor Supply Co. project on Base Line Street and Church Avenue. The 35 units are expected to be completed during the planning period and have been included in the sites inventory as above moderate-income units.

Table 4, Pipeline Residential Development Credited Toward RHNA, provides a detailed overview of the current inventory of nine residential projects included in the sites inventory with active entitlements, under review, or with prospective development and expected to be built within the planning period.

Table 4. Pipeline Residential Development Credited Toward RHNA					
Corresponding Map ID (See Figure 2)	Project	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units Credited Toward RHNA
A	TREH Partners Project in Greenspot Village & Marketplace Specific Plan	—	—	200	200
B	Vista Verde at Mediterra	—	—	149	149
C	Blossom Trails	—	—	137	137
D	Highland Park	—	—	46	46
E	Crestwood Communities	—	—	50	50
F	Senior Assisted Living Facility	—	—	60	60
G	Kiel 54	—	—	54	54
H	Tractor Supply Co.	—	—	21	21
I	Highland Heights	—	—	35	35
Total Units		—	—	752	752
Source: City of Highland RHNA = Regional Housing Needs Allocation					

Figure 2. Pipeline Residential Projects

4.2 Lower-Income Sites

The City has identified capacity for 1,260~~1~~ lower-income units on vacant and underutilized sites. With a total of 1,279~~80~~ lower-income units, including projections for accessory dwelling units discussed in **Section 4.5**, the City has identified an adequate supply of land to accommodate the City's housing allocation of 1,028 lower-income units (including 619 very low- and 409 low-income units), as well as a buffer, as required to accommodate the RHNA throughout the planning period.

All 1,260~~1~~ units on vacant and underutilized sites identified as having the capacity to accommodate lower-income units are located on sites in the Multifamily (R-4) and Greenspot Village & Marketplace Specific Plan (Greenspot Specific Plan) zoning districts. The R-4 zoning district provides for the development of multifamily attached residential dwelling units with enhanced amenities (common open space and recreation areas) at a minimum density of 20 dwelling units per gross acre and a maximum density of 30 dwelling units per gross acre. As previously discussed in **Section 4.1.1**, Greenspot Village & Marketplace Specific Plan, the Specific Plan includes three planning areas. Planning Area 1 is purely commercial, Planning Area 2 permits residential uses, and Planning Area 3 permits a mix of commercial and residential uses. The total number of dwelling units may not exceed 800; within that limit, dwelling units may be transferred between Planning Areas 2 and 3. Planning Areas 2 and 3 include the following density ranges and maximum dwelling units permitted:

- Planning Area 2 has an allowed density range of 20 to 30 dwelling units per acre and permits a maximum of 500 to 700 dwelling units.
- Planning Area 3 has an allowed density range of 18 to 40 dwelling units per acre and permits a maximum of 100 to 300 dwelling units.

Based on the total number of residential units permitted by the Specific Plan and the two projects currently in the pipeline, there is a remaining capacity of 400 total units in the Specific Plan area. 100 of those units may be built in Planning Area 3, and the remaining 300 to 400 dwelling units may be built in Planning Area 2 unless dwelling units are transferred between Planning Areas 2 and 3. Considering permitted densities, purely residential uses, range in housing types permitted, and vacant land available, the Sites Inventory assumes housing will be developed at a mix of lower- and moderate-income levels in Planning Areas 2 and 3. As such, 100 lower-income units in Planning Area 2 and 100 lower-income units in Planning Area 3 have been included in the Sites Inventory. The remaining 200-unit capacity has been identified as appropriate to accommodate moderate-income units (see **Section 4.3**, Moderate-Income Sites). It should be noted that the parcels in Planning Areas 2 and 3 have been grouped together as Sites 27C and 27D, respectively, in **Table 11**; however, unlike the other sites identified to be consolidated and denoted by a letter following their site number in **Table 11**, all of the parcels included in Sites 27C and 27D are not expected to all be consolidated and developed as a single site. Instead, the developers have the flexibility to develop the sites in accordance with the unit cap set for each Planning Area.

Approximately 69 acres of the City are in the R-4 designation, and 104 acres are in the Greenspot Specific Plan. However, as discussed in **Section 3.2.1**, only parcels or consolidated sites (sites can be made up of single parcels, or two or more parcels that are anticipated to be consolidated and developed into a single site) greater than 0.5 acres or less than 10 acres have been included in the sites inventory. Based on the permitted density and range of permitted multifamily residential uses and neighborhood-serving amenities, the sites have been identified as appropriate to accommodate lower-income housing.

The two lower-income sites that were identified as having the potential for combining two small lots into larger lots through lot consolidation are sites 9A and 18B as identified in **Table 11, Sites Inventory Table**. Both sites include a total of two parcels that have been identified as having the potential to be reasonably consolidated into one site. Each site contains a parcel that is individually larger than the minimum 0.5-acre requirement, and as such, those parcels would still be appropriate to accommodate the lower-income RHNA without assuming they will be consolidated. However, both parcels in Site 9A and 18B are owned by the same property owners. Under each site's common ownership and adjacent geographical locations, it is reasonable to assume that the parcels could be consolidated as one site. To facilitate this opportunity, the City will incentivize lot consolidation through an expedited development permit review process. See **Program 223, Lot Consolidation Incentive**, of the Housing Element for program details.

Both parcels in Site 9A are owned by the same property owner. The larger parcel (Assessor's Parcel Number 1191-181-07) is a 4.56-acre vacant lot. The second parcel (Assessor's Parcel Number 1191-181-06) is a 0.16-acre vacant lot. As shown on the image (i. Site 9A), it would be extremely reasonable to assume that the parcels could be consolidated into one site to maximize the lot size and development opportunity.

Both parcels in Site 18B are also owned by the same property owner. The larger parcel (Assessor's Parcel Number 1191-241-17) on the right is a 0.66-acre vacant lot and was identified as underutilized based on the existing use and structure built in 1965 with a floor area ratio of 0.06. The second parcel (Assessor's Parcel Number 1191-241-18) on the left is a 0.41-acre vacant lot. As shown on the image (ii. Site 18B), it would be reasonable to assume that the parcels could be consolidated into one site to capitalize on the adjacent vacant lot and maximize the lot size and development opportunity.



Image i. Site 9A



Image ii. Site 18B

Based on a realistic residential development potential of 20 dwelling units per acre in the R-4 zone and Greenspot Specific Plan, a total of 28 sites with 1,260~~4~~ units on approximately 94 total acres have been included in the sites inventory. **Table 5** provides a summary of all vacant and underutilized lower-income sites in the R-4 and Greenspot Specific Plan zoning districts identified in the sites inventory, including 27 vacant parcels and 11 underutilized parcels making up a total of 28 sites.

4.2.1 Nonvacant Sites

All but two of the underutilized parcels identified have structures built over 55 years ago, and the average year of construction for all underutilized parcels is 1949. While many of the underutilized sites have existing residential uses, the majority are single-family homes with one residential unit on large parcels, and the average floor-area-ratio for all underutilized parcels included is 0.04. The majority of the land in the underutilized parcels remain largely undeveloped without any existing structures that may constitute an impediment to additional residential development. A site by site description and explanation for the methodology used to determine the additional development potential of the parcels identified as underutilized within the planning period is provided below. It is expected that the programs of the Housing Element that aim to streamline and facilitate affordable housing, as outlined in Section 4 of **Appendix C**, coupled with market conditions related to housing market trends, are strong incentives to encourage additional residential development on the sites identified as underutilized.

4.2.1.1 Site 2 (APN 0278-131-48)



Image iii. Site 2

Site 2 was determined to have additional development potential within the planning period. As can be clearly seen on **Image iii. Site 2**, the majority of the site remains completely undeveloped and is currently underutilized as a large, open dirt field. On the northern portion of the site, there appear to be three nonresidential structures. Assessor's land use data recognizes two structures on the property built in 1980 and classifies the structures as facilities. The overall floor area ratio is 0.04 and the parcel has an unbuilt acreage of approximately 3.4 acres. There is opportunity for redevelopment of the parcel, or development of the southern undeveloped portion of the lot, by the current owner or a potential developer through a lot split or lot line adjustment. While they are not part of Site 2, two large, vacant parcels south and west of Site 2 are owned by the same owner, and, they have been identified as Sites 3 and 5 in the Sites Inventory. Market conditions related to housing market trends and record-prices,

could be a strong incentive to encourage additional residential development on Site 2. Based on the realistic development potential and minimum density permitted in the R-4 zone, Site 2 could accommodate approximately 76 lower-income dwelling units.

4.2.1.2 Site 6 (0278-201-26)

Site 6 was identified as underutilized largely based on the clearly abandoned existing use and underutilized parcel as a large portion of the lot remains undeveloped. The existing structure is a vacant and extremely dilapidated building with a floor area ratio of 0.08 and a for sale sign as shown on **Image iv, Site 6**. While they are not part of Site 6, the two large, vacant parcels east and west of Site 6 share common ownership with Site 6 and are included as Sites 7 and 8 in the Sites Inventory. Based on the realistic development potential and minimum density permitted in the R-4 zone, Site 6 could accommodate approximately 19 lower-income dwelling units.



Image iv. Site 6



Image v. Site 6 Aerial View

4.2.1.3 Sites 12 through 14

Sites 12 through 14 are located on the north side of the City. They are each adjacent to each other and share common ownership. As is clearly shown on **Image vi. Sites 12 through 14 Aerial View**, the majority of each parcel remains largely undeveloped as open dirt or grass fields. The sites are within a half mile to many resources including a grocery store, public park, senior center, two high schools and an elementary school. They are also near several commercial and residential projects in the City's development pipeline, signaling developer interest in the area.



Image vi. Sites 12 through 14 Aerial View

Site 12 (1191-241-09)

The northern parcel shown on **Image vi. Sites 12 through 14 Aerial View**, Site 12, has one existing residential unit built in 1979 with a floor area ratio of 0.033. The 1.46-acre site remains largely undeveloped and has an unbuilt acreage of approximately 1.25 acres, as shown on **Image vii. Site 12**. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 29 lower-income dwelling units (28 net new units).



Image vii. Site 12

Site 13 (1191-241-10)

The middle parcel shown on **Image vi. Sites 12 through 14 Aerial View**, Site 13, has one, 66-year-old existing residential unit built in 1955 with a floor area ratio of 0.0099. The approximately 4.91-acre site remains largely undeveloped and has an unbuilt acreage of approximately 4.77 acres, as shown on **Image viii. Site 13**. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 98 lower-income dwelling units (97 net new units).



Image viii. Site 13

Site 14 (1191-241-12)

The bottom parcel shown on **Image vi. Sites 12 through 14 Aerial View**, Site 14, has one, 58-year-old existing residential unit built in 1963 with a floor area ratio of 0.0099. The 4.92-acre site remains largely undeveloped and has an unbuilt acreage of approximately 4.77 acres, as shown on **Image ix. Site 14**.

Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 98 lower-income dwelling units (97 net new units).



Image ix. Site 14

4.2.1.4 Site 17 (1191-241-15)

Site 17 is identified as underutilized, largely based on the existing structure, including the age of the structure, and building condition, and the floor area ratio and development potential remaining on the unbuilt portion of the site. Site 17 is adjacent to two other sites identified in the Sites Inventory, including the vacant parcel directly to the east, shown on **Image x. Site 17 Aerial View**. Site 17 is within a half mile to many resources including a grocery store, public park, senior center, two high schools, and an elementary school. The site is also near several commercial and residential projects in the City's development pipeline, signaling developer interest in the area.

The site has one existing structure on the southern boundary of the parcel and the remainder of the parcel remains largely undeveloped with an overall site floor area ratio of 0.0075. The existing structure is a 70-year-old residential unit built in 1951 that appears to be in need of rehabilitation, as shown on **Image xi, Site 17**. The 0.71-acre site remains largely undeveloped and has an unbuilt acreage of approximately 0.65 acres. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 14 lower-income dwelling units (13 net new units).



Image x. Site 17 Aerial View



Image xi. Site 17

4.2.1.5 Site 18B (1191-241-17)

One of the parcels in Site 18B (see previous **Image ii. Site 18B**, for an aerial image of the site) is identified as underutilized, largely based on the existing structure, including the age of the structure and building condition, and the floor area ratio and development potential remaining on the unbuilt portion of the Site. The Site is within a half mile to many resources including a grocery store, public park, senior center, two high schools and an elementary school. They are also near several commercial and residential projects in the City's development pipeline, signaling developer interest in the area.

The 0.66-acre parcel has one existing structure on the south east corner of the parcel and the remainder of the parcel remains largely undeveloped with an unbuilt acreage of approximately 0.6 acres. The parcel has a floor area ratio of 0.046. The existing structure is a 56-year-old residential unit built in 1956 that appears to be in need of rehabilitation with a for sale sign, as shown on **Image xii, Site 18B**. In combination with the vacant parcel identified as part of Site 18B (1191-241-17), the site could accommodate approximately 21 lower-income dwelling units (20 net-new units) based on the realistic development potential and minimum density permitted in the R-4 zone.

See **Image ii. Site 18B Aerial View**, for an arial image of the Site.



Image xii. Site 18B

4.2.1.6 Site 20 (1192-431-04)

Site 20, shown on **Image xiii. Site 20 Aerial View**, is identified as underutilized, based on the clearly dilapidated, vacant residential unit and extremely low floor area ratio. The parcel has one vacant, dilapidated residential unit that appears to be uninhabitable, as shown on **Image xiv., Site 20**. The structure was built in 1945 and has a floor area ratio of 0.014.

The 1.74-acre parcel has an unbuilt acreage of 1.7 acres. The property is owned by the Housing Authority. The City's Housing Authority is currently in the process of declaring the properties as surplus consistent with the provisions of Government Code Section 54221. The City's Housing Authority anticipates development of an affordable senior housing project through a ground lease with an affordable housing developer. The City anticipates the redevelopment of the parcel to generate **8990** affordable senior housing units **and one market rate manger unit** in combination with vacant Site 21 during the planning period. Site 20 has been included in the Sites Inventory with a realistic capacity to accommodate approximately 40 lower-income units.



Image xiii. Site 20 Aerial View



Image xiv. Site 20

4.2.1.7 Site 22 (1192-581-03)

Site 22 is identified as underutilized, largely based on the existing structure, including the age of the structure, and building condition, and large portion of the lot that remains undeveloped, as shown on **Image xv. Site 22 Aerial View**. The site has one existing structure on the northern boundary of the parcel and the remainder of the parcel remains largely undeveloped with an overall site floor area ratio of 0.017. The parcel has one small residential unit with a for sale sign as shown on **Image xvi, Site 22**. The existing structure is a 73-year-old residential unit built in 1948.

The 1.88-acre site remains largely undeveloped and has an unbuilt acreage of approximately 1.78 acres. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 38 lower-income dwelling units (37 net new units).



Image xv. Site 22 Aerial View



Image xvi. Site 22

4.2.1.8 Sites 28 and 29

Sites 28 and 29 are located directly south of the Housing Authority property (Sites 20 and 21). Like the majority of sites identified as underutilized, both sites have older, residential units that appear to be in need of substantial rehabilitation on the front end of the lot, and as clearly shown on **Image xvii. Sites 28 and 29 Aerial View**, the majority of each parcel remains largely undeveloped as open dirt or grass fields.



Image xvii. Sites 28 and 29 Aerial View

Site 28 (1192-431-06)

The northern parcel on **Image xvii. Sites 28 and 29 Aerial View**, Site 28, has one existing 100-year-old residential unit built in 1920 with a floor area ratio of 0.016 that appears in need of rehabilitation as shown on **Image xviii. Site 28**. The approximately 2.14-acre site remains largely undeveloped and has an unbuilt acreage of approximately 2.08 acres. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 43 lower-income dwelling units (42 net new units).



Image xviii. Site 28

Site 29 (1192-431-07)

The southern parcel on **Image xvii. Sites 28 and 29 Aerial View**, Site 28, has two small, existing residential units built in 1920. One of the units has 1 bedroom and the other has 2 bedrooms, and appear in need of repairs, as shown on **Image xix. Site 29**. Site 29 has a floor area ratio of 0.01. The approximately 2.7-acre site remains largely undeveloped and has an unbuilt acreage of approximately 2.6 acres. Based on the realistic development potential and minimum density permitted in the R-4 zone, the site could accommodate approximately 54 lower-income dwelling units (52 net new units).



Image xix. Site 29

See **Figure 3**, Lower-Income Sites, for an overview of lower-income sites. The vacant and underutilized sites identified in **Figure 3** are vacant and nonvacant sites that have been included in the sites inventory. It is not a comprehensive inventory of all vacant and nonvacant sites in the R-4 or Greenspot Specific Plan zoning designation.

Table 5. Lower-Income Sites Summary							
Vacant Parcels	Underutilized Parcels	Total Sites	Total Acreage	Maximum Units Permitted	Realistic Capacity (Total Units)	Total Net- New Units	Income Level
11	27	28	93.6	2,098	1,26 01	1,25 12	Lower- Income
See Sites 1–29 in Table 11 for individual site and parcel details.							

Figure 3. Lower-Income Sites

4.3 Moderate-Income Sites

The City has identified capacity for a total of 507 moderate-income units on vacant and underutilized sites. As such, the City has identified an adequate supply of land to accommodate the City's housing allocation of 471 moderate-income units.

The 507 units on vacant and underutilized sites identified as having the capacity to accommodate moderate-income units are located on sites in the Multifamily (R-3), Mixed Use (MU), Two-Family (R-2), Corridor Residential (R-2C), Planned Development (PD), Greenspot Village & Marketplace (SPR-006-001), and Mediterra Planned Development (PD 13-001) zoning districts. The R-3 zoning district provides for the development of multifamily attached residential dwelling units with enhanced amenities (common open space and recreation areas) at a maximum allowable density of 18 dwelling units per acre. The MU zoning district provides opportunities for an integrated mix of residential, retail, service, civic, entertainment, and office opportunities in attached or detached structures, developed as a single project or multiple related projects at a maximum allowable residential density of 18 dwelling units per acre. The R-2 District provides for residential development, including small-lot single-family detached, single-family attached, and multifamily residential uses and mobile homes, at a maximum allowable density of 12 dwelling units per acre. The R-2C District provides for small-lot single-family detached, single-family attached, and multifamily residential uses at a maximum allowable density of nine dwelling units per acre. Based on the permitted densities and range of permitted residential uses and neighborhood-serving amenities, the sites have been identified as appropriate to accommodate moderate-income housing.

As previously discussed in **Section 4.1.1**, Greenspot Village & Marketplace Specific Plan, and **Section 4.2**, Lower-Income Sites, the Greenspot Specific Plan includes three planning areas. Planning Area 2 permits residential uses, and Planning Area 3 permits a mix of commercial and residential uses. Based on the total number of residential units permitted by the Specific Plan and the two projects currently in the pipeline, there is a remaining capacity of 400 total units identified in Planning Areas 2 and 3. Due to the permitted densities, purely residential uses, range in housing types permitted, and vacant land available, the Sites Inventory assumes housing will be developed at a mix of lower- and moderate-income levels in Planning Areas 2 and 3. As such, 200 moderate-income units in the Greenspot Specific Plan have been identified in the Sites Inventory (see **Site 27D** in **Table 11**, Sites Inventory Table). The remaining 200-unit capacity has been identified as appropriate to accommodate lower-income units (see **Section 4.2**, Lower-Income Sites).

Mediterra is a planned development community (PD 13-001) off Greenspot Road. As discussed in **Section 4.1.2**, Vista Verde at Mediterra, Mediterra primarily allows for low-density residential development between 2.1 to 6 dwelling units per acre and medium-density development between 4 to 12 dwelling units per acre. Considering the total number of residential units permitted in the Mediterra plan area and the Vista Verde at Mediterra project currently in the pipeline, there is a remaining capacity of 167 units identified in the Mediterra Planned Development. Based on the range of medium and low densities permitted and the range in housing types permitted, the Sites Inventory assumes housing will be developed at a mix of moderate- and above moderate-income levels. As such, 50 moderate-income units in the Mediterra Planned Development have been included in the Sites Inventory (see **Site 231E** in **Table 11**, Sites Inventory Table). The remaining 117-unit capacity has been identified as appropriate to accommodate above moderate-income units (see **Section 4.4**, Above Moderate-Income Sites).

Approximately 172 acres of the City are in the R-3, MU, R-2, or R-2C zoning designations. However, approximately 130 acres have existing, multifamily residential uses. As such, the sites analysis largely focuses on the remaining vacant parcels. Five moderate-income sites were also identified on parcels in the PD zoning designation. In addition to the combined 250 moderate-income units identified in the Greenspot Specific Plan and Mediterra Planned Development, 35 sites in the in the R-3, MU, R-2, R-2C, and PD zones with 257 units on approximately 28.5 total acres have been included in the sites inventory. The unit calculations are based on the realistic residential development potentials included in **Table 2**, Density Assumptions by Zone. **Table 6** provides a summary of all vacant and underutilized moderate-income sites in the R-3, MU, R-2, R-2C, PD, and Greenspot Specific Plan and Mediterra Planned Development zoning designations identified in the sites inventory, including 38 vacant parcels and 5 underutilized parcels making up a total 37 sites. All of the underutilized parcels identified have structures built over 70 years ago, and the average year of construction for all underutilized parcels is 1936. Although four of the underutilized sites have existing residential uses, only one of the sites has two dwelling units and the other three have single-family homes with single dwelling units on large parcels, and the average floor-area-ratio for all underutilized parcels included is 0.03.

See **Figure 4**, Moderate-Income Sites, for an overview of moderate-income sites. The vacant and underutilized sites identified in **Figure 4** are vacant and nonvacant sites that have been included in the sites inventory. It is not a comprehensive inventory of all vacant and nonvacant sites in the R-3, MU, R-2, R-2C, PD, and Greenspot Specific Plan and Mediterra Planned Development zoning designations.

Table 6. Moderate-Income Sites Summary							
Vacant Parcels	Underutilized Parcels	Total Sites	Total Acreage	Maximum Units Permitted	Realistic Capacity (Total Units)	Total Net- New-Units	Income Level
38	5	37	82.9	923	507	502	Moderate- Income
See Sites 27D, 30–64, and 231E in Table 11 for individual site and parcel details.							

Figure 4. Moderate-Income Sites

4.4 Above Moderate-Income Sites

In addition to the 752 above moderate-income units identified in **Section 4.1**, the City has identified capacity for 63~~65~~ above moderate-income units on vacant and underutilized sites. With a total of 1,38~~87~~ above moderate-income units, the City has identified an adequate supply of land to accommodate the City's housing allocation of 1,014 above moderate-income units.

The 63~~65~~ units on vacant and underutilized sites identified as having the capacity to accommodate above moderate-income units are located on sites in the Single-Family (R-1), Village Residential (VR), East Highland Village District (EHV), Agricultural Equestrian District (A/EQ), and Mediterra Planned Development (PD 13-001) zoning districts.

The R-1 zoning district provides for the development of single-family residential, small lot single-family detached, and mobile homes at a maximum allowable density of six dwelling units per acre. The VR zoning districts is intended to preserve and enhance the character of the historic townsite while permitting new development and the rehabilitation and reuse of existing structures at a maximum allowable density of six dwelling units per acre. The EHV zoning district provides for small-lot single-family residential detached housing with a maximum allowable density of six dwelling units per acre. The A/EQ zoning district provides for development of low-density, large-lot, single-family detached residential dwelling units at a maximum allowable density of two dwelling units per acre. Based on the lower densities and residential uses permitted, the sites have been identified as appropriate to accommodate above moderate-income housing.

As previously detailed in **Section 4.1.2**, Vista Verde at Mediterra, and **Section 4.3**, Moderate-Income Sites, Mediterra primarily allows for low- and medium-density residential development. Taking into account the total number of residential units permitted in the Mediterra plan area and the project currently in the pipeline, there is a, a remaining capacity of 167 units identified in the Mediterra Planned Development. Based on the range of medium and low densities permitted and the range in housing types permitted, the Sites Inventory assumes housing will be developed at a mix of moderate- and above moderate-income levels. As such, 117 above moderate-income units in the Mediterra Planned Development have been included in the Sites Inventory (see **Site 231E** in **Table 11**, Sites Inventory Table). The remaining 50-unit capacity has been identified as appropriate to accommodate moderate-income units (see **Section 4.3**, Moderate-Income Sites).

The sites analysis largely focuses on vacant parcels in the R-1, VR, EHV, and A/EQ zoning designations. One above moderate-income site was also identified on a parcel in the PD zoning designation. In addition to the 117 above moderate-income units identified in the Mediterra Planned Development, 164 sites with 518 units on approximately 126 total acres have been included in the Sites Inventory based on the realistic residential development potentials included in **Table 2**, Density Assumptions by Zone. **Table 7** provides a summary of all vacant and underutilized above moderate-income sites in the R-1, VR, EHV, A/EQ, PD, and Mediterra Planned Development zoning designations identified in the Sites Inventory, including 163 vacant parcels and 4 underutilized parcels making up a total 165 sites. The existing uses on the underutilized parcels include one old, nonresidential structure in need of rehabilitation, one old shed, and one older commercial building built in 1964 with a FAR of 0.0066. In addition, the three underutilized parcels with existing structures are being considered by the City for a rezone. While the rezone is not part of the Housing Element, the City is separately considering rezoning

Sites 149, 150 and 218–228 identified in the Sites Inventory from their current R-1 zoning designation to a PD zoning designation to provide a greater degree of design and land use flexibility for future development opportunities.

See **Figure 5**, Above Moderate-Income Sites, for an overview of above moderate-income sites. The vacant and underutilized sites identified in **Figure 5** are vacant and nonvacant sites that have been included in the sites inventory. It is not a comprehensive inventory of all vacant and nonvacant sites in the R-1, VR, EHV, A/EQ, PD, and Mediterra Planned Development zoning designations.

Table 7. Above Moderate-Income Sites Summary							
Vacant Parcels	Underutilized Parcels	Total Sites	Total Acreage	Maximum Units Permitted	Realistic Capacity (Total Units)	Total Net- New-Units	Income Level
163	4	165	157.8	873	6365	6365	Above Moderate- Income
See Sites 65–231E in Table 11 for individual site and parcel details.							

Figure 5. Above Moderate-Income Sites

4.5 Accessory Dwelling Unit Projection

The Housing Element may satisfy its RHNA requirement through methods alternative to the identification of sites. One such methodology is through an analysis of the expected number of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) to be developed within the planning period. The number of ADUs and JADUs that can be credited toward potential development must be based on the following factors:

- ADU and JADU development trends since January 2018
- Community need and demand for ADUs and JADUs
- Resources and incentives available to encourage their development
- The availability of ADUs and JADUs for occupancy
- The anticipated affordability of ADUs and JADUs

Recent changes to legislation governing the development and provision of ADUs and JADUs have sparked growth in these units in cities across California. ADU and JADU production is an ideal strategy for producing needed housing while capitalizing on existing infrastructure, such as water and sewer. Additionally, this is often a strategy that is more easily accepted by stakeholders who may be resistant to change because these units provide a form of “unseen” density that is palatable to many.

From 2018 through 2020, eight ADUs were permitted in the City. **Table 8** details recent ADU and JADU development in the City.

Table 8. Accessory Dwelling Unit and Junior Accessory Dwelling Unit Development Trends	
Year	Permitted Units
2018	3
2019	2
2020	5

Source: City of Highland, 2021. Permit Listing Activity Report, 2018–2020.

Because ADU and JADU legislation has been revised several times since 2017, providing increased opportunities for the development of housing, it is expected that development trends will continue upward. To account for this increased potential, this sites analysis used the trends in ADU construction since January 2018 to estimate new production, which averages 2.66 ADUs per year. Based on the local incentives and ADU and JADU trends since January 2018, a conservative estimate of the number of units to be produced under this approach is 4 units each year during the planning period (June 30, 2021, to October 15, 2029), for a total of 33 units.

In addition to calculating the expected number of ADUs and JADUs to be developed within the planning period, the sites analysis must calculate the anticipated affordability of ADUs and JADUs to determine which RHNA income categories they should be counted toward. To facilitate the ADU affordability assumptions for jurisdictions, SCAG conducted the SCAG Regional Accessory Dwelling Unit Affordability Analysis.⁴ As part of the analysis, SCAG conducted a survey of rents of 150 existing ADUs from April

⁴ SCAG (Southern California Association of Governments). 2020. “SCAG Regional Accessory Dwelling Unit Affordability Analysis.” https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527.

through June 2020. Efforts were made to reflect the geographic distribution, size, and other characteristics of ADUs across counties and subregions.

SCAG concluded that 22.7 percent of ADUs were affordable to very low-income households. Based on these assumptions, of the total 33 ADUs that are projected to be built during the planning period, 8 are estimated to be affordable to very low-income households, 11 to low-income households, 11 to moderate-income households, and 3 to above moderate-income households. **Table 9** shows the assumptions for ADU affordability based on the SCAG survey for San Bernardino/Riverside Counties.

Table 9. Estimated Affordability of Projected ADUs 2021–2029		
Income Level	Percent of ADUs	Projected Number of ADUs
Very Low-Income	22.7%	8
Low-Income	34.8%	11
Moderate-Income	34.8%	11
Above Moderate-Income	7.7%	3
Total	100%	33
Source: SCAG (Southern California Association of Governments). 2020. "SCAG Regional Accessory Dwelling Unit Affordability Analysis." https://scag.ca.gov/sites/main/files/file-attachments/adu_affordability_analysis_120120v2.pdf?1606868527 .		
ADU = accessory dwelling unit		

In coordination with the updated policies and programs in the Housing Element and the City's ongoing efforts to promote the development of ADUs and JADUs, it is likely that these units will be produced at a higher rate.

5 Summary of Capacity to Accommodate the RHNA

The City of Highland is a growing community San Bernardino County. Although the western portion of the City (west of Interstate 210) is largely built-out, large amounts of vacant land remain in the eastern portions of the City with the possibility of providing new housing opportunities. There are also opportunities for ADUs and for the redevelopment of underutilized sites that meet density requirements, have an aging structure, and have a low floor to area ratio (i.e., low ratio of a building's total floor area to the size of the piece of land upon which it is built). The identification of these sites paired with the programs of the Housing Element will ensure that the City can realistically meet the RHNA targets at all income levels for the 6th Cycle.

Table 10 provides a summary of total residential capacity included in the final sites inventory compared to the City's 6th Cycle RHNA. As shown in **Table 10**, the City has a total capacity for 1,279~~80~~ lower-income units, 518 moderate-income units, and 1,391~~0~~ above moderate-income units within the residential pipeline of projects, vacant and underutilized sites, and through the expected number of ADUs and JADUs, which is sufficient capacity to accommodate the RHNA of 2,513 units.

A site-by-site overview for all sites identified in this sites inventory is included in **Table 11**. The overview includes each parcel's Assessor's Parcel Number; acres; potential number of units under the realistic capacity assumptions; income level; and, if applicable, existing use, age of building, and floor area ratio.

Table 10. Summary of Residential Capacity Compared to 6th Cycle RHNA by Income, City of Highland, June 30, 2021 through October 15, 2029					
Category	Total Units	Lower-Income Units	Moderate-Income Units	Above Moderate- Income Units	
RHNA	2,513	1,028	471	1,014	
Pipeline Residential Development Credited Toward RHNA	752	—	—	752	
Vacant and Underutilized Site Capacity	2,403	1,260 4	507	636 5	
Potential Accessory Dwelling Units	33	19	11	3	
Total Capacity	3,188	1,279 80	518	1,391 0	
Total Net-New-Units	3,174	1,270 4	513	1,391 0	
Total Capacity Surplus (+)/ Deficit (-)	—	+242 3	+42	+37 6	

RHNA = Regional Housing Needs Allocation

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Lower-Income Sites									
Yes	1	0278-121-42	3.06	R-4	61	0	0	61	Vacant
Yes	2	0278-131-48	3.8	R-4	76	0	0	76	Underutilized, 2 nonresidential buildings built 1980, FAR 0.04, large dirt lot
Yes	3	0278-131-45	4.24	R-4	85	0	0	85	Vacant
Yes	4	0278-131-46	0.71	R-4	14	0	0	14	Vacant
Yes	5	0278-131-47	1.76	R-4	35	0	0	35	Vacant
Yes	6	0278-201-26	0.93	R-4	19	0	0	19	Underutilized, vacant and extremely dilapidated building, FAR 0.08
Yes	7	0278-201-27	0.53	R-4	11	0	0	11	Vacant
Yes	8	0278-201-28	0.97	R-4	19	0	0	19	Vacant
No	9A	1191-181-06	0.16	R-4	3	0	0	3	Vacant
Yes	9A	1191-181-07	4.56	R-4	91	0	0	91	Vacant
Yes	11	1191-181-08	0.81	R-4	16	0	0	16	Vacant
Yes	12	1191-241-09	1.46	R-4	29	0	0	29	Underutilized, 1 older residential unit, built 1979, FAR 0.03
Yes	13	1191-241-10	4.91	R-4	98	0	0	98	Underutilized, 1 older residential unit, built 1955, FAR 0.01
Yes	14	1191-241-12	4.92	R-4	98	0	0	98	Underutilized, 1 older residential unit, built 1963, FAR 0.007
Yes	15	1191-241-13	0.67	R-4	13	0	0	13	Vacant
Yes	16	1191-241-14	0.71	R-4	14	0	0	14	Vacant
Yes	17	1191-241-15	0.71	R-4	14	0	0	14	Underutilized, 1 older residential unit, built 1951, FAR 0.05

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	18B	1191-241-17	0.66	R-4	13	0	0	13	Underutilized, 1 older residential unit, built 1965, FAR 0.06
Yes	18B	1191-241-18	0.41	R-4	8	0	0	8	Vacant
Yes	19	1192-381-38	1.82	R-4	36	0	0	36	Vacant
Yes	20	1192-431-04	1.74	R-4	4039	0	01	4039	Underutilized, 1 vacant and dilapidated residential unit, built 1945, FAR 0.01. Owned by the Housing Authority. The Housing Authority anticipates generating 8990 to 110 affordable senior housing units and 1 manager unit during the Planning Period between Sites 20 and 21.
Yes	21	1192-431-05	1.98	R-4	50	0	0	50	Vacant. Owned by the Housing Authority. The Housing Authority anticipates generating 8990 to 110 affordable senior housing units and 1 manager unit during the Planning Period on Sites 20 and 21.
Yes	22	1192-581-03	1.88	R-4	38	0	0	38	Underutilized, 1 older residential unit, built 1948, FAR 0.02
Yes	23	1192-601-02	1.77	R-4	35	0	0	35	Vacant
No	24	1192-601-38	0.99	R-4	20	0	0	20	Vacant
Yes	25	1192-601-39	0.52	R-4	10	0	0	10	Vacant
No	26	1192-601-40	0.92	R-4	18	0	0	18	Vacant
No	27C	1201-351-14	2.35	PD	100	0	0	100	Vacant, Greenspot Specific Plan (SP) (PA 3)

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
No	27C	1201-351-15	1.5	PD	see above	0	0	see above	Vacant, Greenspot SP (PA 3)
No	27C	1201-351-16	1.92	PD	see above	0	0	see above	Vacant, Greenspot SP (PA 3)
No	27C	1201-351-28	6.9	PD	see above	0	0	see above	Vacant, Greenspot SP (PA 3)
No	27D	1201-341-29	4.4	PD	100	200	0	300	Vacant, Greenspot SP (PA 2)
No	27D	1201-341-30	0.1	PD	see above	see above	0	see above	Vacant, Greenspot SP (PA 2)
No	27D	1201-341-33	20.65	PD	see above	see above	0	see above	Vacant, Greenspot SP (PA 2)
No	27D	1201-341-59	0.02	PD	see above	see above	0	see above	Vacant, Greenspot SP (PA 2)
No	27D	1201-341-60	0.001	PD	see above	see above	0	see above	Vacant, Greenspot SP (PA 2)
Yes	28	1192-431-06	2.14	R-4	43	0	0	43	Underutilized, 1 older residential unit, built 1920, FAR 0.02
Yes	29	1192-431-07	2.7	R-4	54	0	0	54	Underutilized, 2 older residential units, built 1920, FAR 0.01
Moderate-Income Sites									
Yes	30	0278-121-08	0.4	R-2	0	3	0	3	Vacant
Yes	31	0278-121-12	0.13	R-2	0	1	0	1	Vacant
Yes	32	0278-121-14	0.21	R-2C	0	1	0	1	Vacant
Yes	33	0278-121-16	0.33	R-2C	0	2	0	2	Vacant
Yes	34	0278-131-22	0.21	R-2	0	2	0	2	Vacant
Yes	35	0278-262-26	1	R-2	0	8	0	8	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
No	36	0278-252-33	1.50	R-2	0	12	0	12	Underutilized, older residential unit, built 1900, FAR 0.07
No	37	0278-252-34	1.46	R-2	0	12	0	12	Underutilized, 2 older residential units, built 1946, FAR 0.02
No	38	0278-252-35	0.49	R-2	0	4	0	4	Underutilized, commercial building built 1948, FAR 0.03
No	39	0278-262-20	0.98	R-2	0	8	0	8	Underutilized, older residential unit, built 1946, FAR 0.02
No	40	0278-262-38	1.52	R-2	0	12	0	12	Underutilized, older residential unit, built 1944
Yes	41	1191-141-28	0.21	PD	0	3	0	3	Vacant
Yes	42	1191-141-31	0.21	PD	0	3	0	3	Vacant
Yes	43	1191-181-49	0.56	PD	0	7	0	7	Vacant
Yes	44	1191-191-11	1.9	R-2C	0	11	0	11	Vacant
Yes	45	1191-201-12	4.94	R-2C	0	30	0	30	Vacant
Yes	46	1191-231-02	0.55	R-2	0	4	0	4	Vacant
Yes	47	1191-231-14	0.23	R-2	0	2	0	2	Vacant
Yes	48	1191-341-32	0.17	R-3	0	2	0	2	Vacant
No	49	1191-341-33	0.14	R-3	0	2	0	2	Vacant
No	50	1191-381-01	4.56	MU	0	55	0	55	Vacant
No	51	1191-381-02	1.06	MU	0	13	0	13	Vacant
No	52	1191-501-77	0.47	MU	0	6	0	6	Vacant
Yes	53	1192-011-09	0.19	R-2C	0	1	0	1	Vacant
Yes	54	1192-011-10	0.18	R-2C	0	1	0	1	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	55	1192-011-11	0.18	R-2C	0	1	0	1	Vacant
Yes	56	1192-011-12	0.18	R-2C	0	1	0	1	Vacant
Yes	57	1192-011-33	0.09	R-2C	0	1	0	1	Vacant
Yes	58	1192-011-34	0.18	R-2C	0	1	0	1	Vacant
No	59	1192-071-08	0.22	R-2	0	2	0	2	Vacant
Yes	60	1192-201-23	0.35	R-2	0	3	0	3	Vacant
Yes	61	1192-411-06	0.42	R-2C	0	3	0	3	Vacant
Yes	62	1200-431-02	2	PD	0	24	0	24	Vacant
Yes	63	1200-431-04	1	PD	0	12	0	12	Vacant
No	64	1201-011-08	0.32	MU	0	4	0	4	Vacant
Above Moderate-Income Units									
No	65	0273-152-07	0.24	R-1	0	0	1	1	Vacant
Yes	66	0273-253-17	0.33	R-1	0	0	1	1	Vacant
Yes	67	0273-261-26	0.17	R-1	0	0	1	1	Vacant
Yes	68	0273-261-27	1.04	R-1	0	0	4	4	Vacant
Yes	69	0278-085-09	0.3	R-1	0	0	1	1	Vacant
Yes	70	0278-101-27	0.16	R-1	0	0	1	1	Vacant
Yes	71	0278-102-20	0.23	R-1	0	0	1	1	Vacant
Yes	72	0278-111-16	0.11	R-1	0	0	1	1	Vacant
Yes	73	0278-111-21	0.23	R-1	0	0	1	1	Vacant
Yes	74	0278-113-02	0.45	R-1	0	0	2	2	Vacant

Table 11. Sites Inventory Table

Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	75	0278-113-05	0.45	R-1	0	0	2	2	Vacant
Yes	76	0278-113-14	0.23	R-1	0	0	1	1	Vacant
Yes	77	0278-201-01	5.86	R-1	0	0	23	23	Vacant
Yes	78	0278-201-09	0.24	R-1	0	0	1	1	Vacant
Yes	79	0278-201-11	2.21	R-1	0	0	9	9	Vacant
Yes	80	0278-201-12	2.27	R-1	0	0	9	9	Vacant
Yes	81	0278-221-01	1.14	R-1	0	0	5	5	Vacant
Yes	82	0278-221-05	0.23	R-1	0	0	1	1	Vacant
Yes	83	0278-221-08	1.33	R-1	0	0	5	5	Vacant
Yes	84	0278-221-22	0.69	R-1	0	0	3	3	Vacant
Yes	85	0278-242-23	0.24	R-1	0	0	1	1	Vacant
Yes	86	0278-243-04	0.23	R-1	0	0	1	1	Vacant
Yes	87	0278-244-07	0.25	R-1	0	0	1	1	Vacant
Yes	88	0278-252-29	0.32	R-1	0	0	1	1	Vacant
Yes	89	0278-261-07	0.22	R-1	0	0	1	1	Vacant
Yes	90	0278-261-15	0.11	R-1	0	0	1	1	Vacant
Yes	91	0278-262-31	0.01	R-1	0	0	1	1	Vacant
Yes	92	1191-341-16	1.51	R-1	0	0	6	6	Vacant
Yes	93	1191-341-18	0.36	VR	0	0	1	1	Vacant
No	94	1191-341-48	0.19	VR	0	0	1	1	Vacant
Yes	95	1191-341-69	0.17	VR	0	0	1	1	Vacant
Yes	96	1191-361-07	0.4	R-1	0	0	2	2	Vacant

Table 11. Sites Inventory Table

Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	97	1191-371-29	0.16	R-1	0	0	1	1	Vacant
Yes	98	1191-371-42	0.16	R-1	0	0	1	1	Vacant
Yes	99	1191-381-03	0.18	R-1	0	0	1	1	Vacant
Yes	100	1191-381-35	0.15	R-1	0	0	1	1	Vacant
Yes	101	1191-381-36	0.15	R-1	0	0	1	1	Vacant
Yes	102	1191-381-43	0.15	R-1	0	0	1	1	Vacant
Yes	103	1191-381-55	0.15	R-1	0	0	1	1	Vacant
Yes	104	1191-411-08	0.18	R-1	0	0	1	1	Vacant
Yes	105	1191-421-03	0.17	R-1	0	0	1	1	Vacant
Yes	106	1191-421-19	0.17	R-1	0	0	1	1	Vacant
Yes	107	1191-421-24	0.15	R-1	0	0	1	1	Vacant
Yes	108	1191-471-03	0.19	VR	0	0	1	1	Vacant
Yes	109	1191-471-34	0.09	VR	0	0	1	1	Vacant
Yes	110	1191-471-55	0.14	VR	0	0	1	1	Vacant
Yes	111	1191-472-07	0.12	VR	0	0	1	1	Vacant
Yes	112	1192-011-28	0.07	R-1	0	0	1	1	Vacant
Yes	113	1192-011-41	0.15	R-1	0	0	1	1	Vacant
Yes	114	1192-021-04	0.1	R-1	0	0	1	1	Vacant
Yes	115	1192-021-09	0.32	R-1	0	0	1	1	Vacant
Yes	116	1192-041-33	0.69	R-1	0	0	3	3	Vacant
Yes	117	1192-061-44	0.18	R-1	0	0	1	1	Vacant
Yes	118	1192-081-10	0.25	R-1	0	0	1	1	Vacant

Table 11. Sites Inventory Table

Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
No	119	1192-081-11	0.28	R-1	0	0	1	1	Vacant
No	120	1192-081-29	0.94	R-1	0	0	4	4	Vacant
Yes	121	1192-081-30	0.71	R-1	0	0	3	3	Vacant
No	122	1192-081-31	0.25	R-1	0	0	1	1	Vacant
Yes	123	1192-131-13	0.12	R-1	0	0	1	1	Vacant
Yes	124	1192-141-51	0.21	R-1	0	0	1	1	Vacant
Yes	125	1192-141-62	0.16	R-1	0	0	1	1	Vacant
Yes	126	1192-151-14	2.16	R-1	0	0	9	9	Vacant
Yes	127	1192-151-24	0.25	R-1	0	0	1	1	Vacant
Yes	128	1192-161-06	0.57	R-1	0	0	2	2	Vacant
Yes	129	1192-161-09	1.27	R-1	0	0	5	5	Vacant
Yes	130	1192-181-04	0.22	R-1	0	0	1	1	Vacant
Yes	131	1192-181-05	0.22	R-1	0	0	1	1	Vacant
Yes	132	1192-201-12	0.44	R-1	0	0	2	2	Vacant
Yes	133	1192-251-13	1.42	R-1	0	0	6	6	Vacant
Yes	134	1192-251-18	0.17	R-1	0	0	1	1	Vacant
Yes	135	1192-261-07	1.38	R-1	0	0	6	6	Vacant
Yes	136	1192-261-08	0.16	R-1	0	0	1	1	Vacant
Yes	137	1192-331-28	0.21	R-1	0	0	1	1	Vacant
Yes	138	1192-331-29	0.23	R-1	0	0	1	1	Vacant
Yes	139	1192-341-17	0.16	R-1	0	0	1	1	Vacant
Yes	140	1192-341-18	0.16	R-1	0	0	1	1	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	141	1192-341-20	0.16	R-1	0	0	1	1	Vacant
Yes	142	1192-341-23	0.16	R-1	0	0	1	1	Vacant
Yes	143	1192-341-29	0.32	R-1	0	0	1	1	Vacant
Yes	144	1192-341-49	0.16	R-1	0	0	1	1	Vacant
Yes	145	1192-351-07	0.22	R-1	0	0	1	1	Vacant
Yes	146	1192-351-10	0.23	R-1	0	0	1	1	Vacant
Yes	147	1192-351-21	0.23	R-1	0	0	1	1	Vacant
No	149	1192-361-45	1.8	R-1	0	0	9	9	Vacant
No	150	1192-361-47	2.18	R-1	0	0	11	11	Vacant
Yes	151	1192-371-12	0.09	R-1	0	0	1	1	Vacant
Yes	152	1192-371-21	0.14	R-1	0	0	1	1	Vacant
Yes	153	1192-371-26	0.09	R-1	0	0	1	1	Vacant
Yes	154	1192-391-76	0.17	R-1	0	0	1	1	Vacant
Yes	155	1192-421-25	0.21	R-1	0	0	1	1	Vacant
Yes	156	1192-471-21	1.95	R-1	0	0	8	8	Vacant
No	157	1192-501-04	0.17	R-1	0	0	1	1	Vacant
No	158	1192-531-48	0.2	R-1	0	0	1	1	Vacant
No	159	1192-531-50	0.2	R-1	0	0	1	1	Vacant
No	160	1192-531-53	0.18	R-1	0	0	1	1	Vacant
No	161	1192-531-56	0.18	R-1	0	0	1	1	Vacant
No	162	1192-531-59	0.18	R-1	0	0	1	1	Vacant
No	163	1192-531-61	0.19	R-1	0	0	1	1	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
No	164	1192-531-63	0.19	R-1	0	0	1	1	Vacant
No	165	1192-531-64	0.19	R-1	0	0	1	1	Vacant
No	166	1192-531-65	0.19	R-1	0	0	1	1	Vacant
No	167	1192-531-68	0.19	R-1	0	0	1	1	Vacant
No	168	1192-542-09	0.24	R-1	0	0	1	1	Vacant
No	169	1192-542-10	0.24	R-1	0	0	1	1	Vacant
No	170	1192-542-11	0.24	R-1	0	0	1	1	Vacant
No	171	1192-542-12	0.24	R-1	0	0	1	1	Vacant
No	172	1192-542-13	0.24	R-1	0	0	1	1	Vacant
No	173	1192-542-14	0.24	R-1	0	0	1	1	Vacant
No	174	1192-542-17	0.25	R-1	0	0	1	1	Vacant
No	175	1192-542-18	0.2	R-1	0	0	1	1	Vacant
No	176	1192-542-19	0.19	R-1	0	0	1	1	Vacant
No	177	1192-542-20	0.19	R-1	0	0	1	1	Vacant
No	178	1192-542-21	0.19	R-1	0	0	1	1	Vacant
No	179	1192-542-22	0.19	R-1	0	0	1	1	Vacant
No	180	1192-542-23	0.19	R-1	0	0	1	1	Vacant
No	181	1192-542-24	0.19	R-1	0	0	1	1	Vacant
No	182	1192-542-25	0.19	R-1	0	0	1	1	Vacant
No	183	1192-542-30	0.19	R-1	0	0	1	1	Vacant
No	184	1192-542-31	0.19	R-1	0	0	1	1	Vacant
No	185	1192-542-32	0.19	R-1	0	0	1	1	Vacant

Table 11. Sites Inventory Table

Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
No	186	1192-542-33	0.19	R-1	0	0	1	1	Vacant
No	187	1192-542-34	0.19	R-1	0	0	1	1	Vacant
No	188	1192-542-35	0.19	R-1	0	0	1	1	Vacant
No	189	1192-542-36	0.19	R-1	0	0	1	1	Vacant
No	190	1192-542-37	0.19	R-1	0	0	1	1	Vacant
Yes	191	1200-071-02	0.3	R-1	0	0	1	1	Vacant
Yes	192	1200-071-20	0.16	R-1	0	0	1	1	Vacant
No	193	1200-091-16	4.97	R-1	0	0	20	20	Vacant
No	194	1200-102-34	1.18	R-1	0	0	5	5	Vacant
Yes	195	1200-291-39	4.58	A/EQ	0	0	9	9	Vacant
Yes	196	1200-311-02	2.75	A/EQ	0	0	6	6	Vacant
No	197	1200-341-09	0.59	R-1	0	0	2	2	Vacant
Yes	198	1200-371-08	0.15	R-1	0	0	1	1	Vacant
Yes	199	1200-381-30	0.15	R-1	0	0	1	1	Vacant
Yes	200	1200-451-04	0.15	R-1	0	0	1	1	Vacant
Yes	201	1200-551-41	1.66	A/EQ	0	0	3	3	Vacant
No	202	1200-591-01	1.87	A/EQ	0	0	4	4	Vacant
No	203	1201-021-09	1.97	R-1	0	0	8	8	Vacant
Yes	204	1201-041-23	0.33	R-1	0	0	1	1	Vacant
Yes	205	1201-041-57	0.27	R-1	0	0	1	1	Vacant
Yes	206	1201-041-58	0.26	R-1	0	0	1	1	Vacant
Yes	207	1201-041-59	0.26	R-1	0	0	1	1	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	208	1201-061-02	4.75	R-1	0	0	19	19	Vacant
No	209	1210-201-02	0.21	R-1	0	0	1	1	Vacant
No	210	1210-201-03	0.27	R-1	0	0	1	1	Vacant
No	211	1210-201-12	0.2	R-1	0	0	1	1	Vacant
No	212	1210-201-13	0.15	R-1	0	0	1	1	Vacant
No	213	1210-202-14	0.21	R-1	0	0	1	1	Vacant
No	214	1210-202-46	0.17	R-1	0	0	1	1	Vacant
No	215	1210-202-47	0.17	R-1	0	0	1	1	Vacant
No	216	1210-202-52	0.15	EHV	0	0	1	1	Vacant
No	217	1210-202-53	0.18	EHV	0	0	1	1	Vacant
Yes	218	1210-271-01	3.35	R-1	0	0	13	13	Underutilized, older nonresidential structure
No	219	1210-271-02	0.88	R-1	0	0	4	4	Vacant
Yes	220	1210-271-03	1.96	R-1	0	0	8	8	Underutilized, older shed
No	222	1210-271-08	1.21	R-1	0	0	5	5	Vacant
No	223	1210-271-09	1.62	R-1	0	0	6	6	Vacant
No	224	1210-271-11	1.78	R-1	0	0	7	7	Vacant
No	225	1210-371-13	6.97	R-1	0	0	28	28	Vacant
No	226	1210-371-14	3.04	R-1	0	0	12	12	Vacant
Yes	227	1210-371-15	10.29	R-1	0	0	41	41	Underutilized vacant commercial structure, built 1964, FAR 0.0066
No	228	1210-371-16	10.2	R-1	0	0	41	41	Vacant

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
Yes	229	1200-401-80	1.04	R-1	0	0	4	4	Vacant, pending project (La Praix)
No	230	1191-351-04	3.37	PD	0	0	15	15	Vacant, pending project for 15 single-family homes from Hispano Investors.
No	231E	0297-021-18	179 total	PD	0	50	117	167	Mediterra Specific Plan (See Vista Verde at Mediterra for Phases 1 & 2 of development)
No	231E	0297-051-12	See above	PD	0	0	0	0	Mediterra Specific Plan (See Vista Verde at Mediterra for Phases 1 & 2 of development)
No	231E	0297-051-16	See above	PD	0	0	0	0	Mediterra Specific Plan (See Vista Verde at Mediterra for Phases 1 & 2 of development)
Planned, Approved, and Prospective Projects									
No	232	1210-371-51	21.6	R-1	0	0	54	54	Underutilized, pending project (Kiel 54)
No	233	0288-562-03	7.9	PD	0	0	46	46	Vacant, pending project (Highland Park)
No	234F	0297-021-25	See above	PD	0	0	149	149	Vacant, pending project (Vista Verde at Mediterra)
No	234F	0297-021-26	See above	PD	0	0	0	0	Vacant, pending project (Vista Verde at Mediterra)
No	234F	0297-021-27	See above	PD	0	0	0	0	Vacant, pending project (Vista Verde at Mediterra)
No	234F	0297-021-28	See above	PD	0	0	0	0	Vacant, pending project (Vista Verde at Mediterra)
Yes	235G	1201-401-02	22.97	PD	0	0	137	137	Vacant, pending project (Blossom Trails)
Yes	235G	1201-431-61	2.41	PD	0	0	0	0	Vacant, pending project (Blossom Trails)
No	236H	1201-331-01	—	PD	0	0	200	200	Vacant, pending project (TREH Partners)

Table 11. Sites Inventory Table									
Included in Previous Cycle(s)	Site ID*	Assessor's Parcel Number	Acres	Zoning Designation	Lower-Income Units	Moderate-Income Units	Above Moderate-Income Units	Total Units	Site Description
									project in Greenspot SP)
No	236H	1201-341-01	—	PD	0	0	0	0	Vacant, pending project (TREH Partners project in Greenspot SP)
No	236H	1201-341-08	—	PD	0	0	0	0	Vacant, Pending project (TREH Partners project in Greenspot SP)
No	236H	1201-341-09	—	PD	0	0	0	0	Vacant, pending project (TREH Partners project in Greenspot SP
No	237I	1191-191-06	1.95	R-4	0	0	60	60	Vacant, pending project (senior assisted living)
No	237I	1191-181-01	0.30	R-4	0	0	see above	see above	Vacant, pending project (senior assisted living)
No	238J	1200-381-43	2.08	MU	0	0	21	21	Vacant, pending project (Tractor Supply Company)
No	238J	1200-381-05	6.96	MU	0	0	see above	see above	Vacant, pending project (Tractor Supply Company)
Yes	239	1200-041-02	4.19	PD	0	0	50	50	Vacant, pending project (Crestwood Communities)
Yes	240	1200-421-34	2.9	MU	0	0	35	35	Vacant, pending project (Highland Heights)
Total Units					1,260 1	507	1,388 7	3,155	—
* Generally, a site is a parcel or a group of parcels that can accommodate a portion of the jurisdiction's Regional Housing Needs Allocation. All multi-parcel sites are denoted by a number and letter in their Site ID. All parcels belonging to one site have the same Site ID listed in this table.									