



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

**HEARING DATE: February 23, 2023**

**AGENDA ITEM #2**

## Project Description

## Vicinity Map

<b>APN:</b>	0257-031-35, 0257-021-28, 0257-012-12, 0257-021-02
<b>Applicant:</b>	ALL-ERA PROPERTIES, LLC
<b>Community/Supervisory District:</b>	BLOOMINGTON 5 <sup>TH</sup> SUPERVISORIAL DISTRICT
<b>Location:</b>	10719 Linden Avenue Bloomington, CA
<b>Project No:</b>	PROJ-2022-00037
<b>Staff:</b>	Anthony DeLuca/Senior Planner
<b>Rep:</b>	Kevin Kent
<b>Proposal:</b>	A Zoning Amendment from Single Residential 20,000-sf minimum lot size (RS-20M) to Multiple Residential (RM), in conjunction with a Conditional Use Permit (CUP) and a Condominium Tentative Tract Map (TTM 20481) for a 181-unit multi-family condominium complex on approximately 12.6 acres.



**125 Hearing Notices Sent On: February 8, 2023**

**Report Prepared By: Anthony DeLuca**

## **SITE INFORMATION**

**Parcel Size:** 12.6-acres  
**Terrain:** Level  
**Vegetation:** Vacant/natural sparse vegetation

## **SURROUNDING LAND DESCRIPTION:**

Area	Existing Land Use	Land Use Category	Zoning District
Site	Vacant	Medium Density Residential (MDR)	Single Residential 20,000 minimum lot size (RS-20M)
North	Single Residential	Low Density Residential (LDR)	Single Residential (RS)
South	Single Residential	Medium Density Residential (MDR)	Single Residential 20,000 minimum lot size (RS-20M)
East	Single Residential/Vacant	Commercial (C)	General Commercial (CG)/Single Residential (RS)
West	Single Residential	Low Density Residential (LDR)	Single Residential (RS)

## **AGENCY**

City Sphere of Influence: City of Rialto  
Water Service: West Valley Water District  
Sewer Service: City of Rialto

## **COMMENT**

No comments received  
Will Serve Letter Provided  
Will Serve Letter Provided

**STAFF RECOMMENDATION:** That the Planning Commission **RECOMMEND** that the Board of Supervisors **ADOPT** the Mitigated Negative Declaration and MMRP; **ADOPT** the findings as contained in the staff report; **ADOPT** the Zoning Amendment; **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval; **APPROVE** Tentative Tract Map 20481, subject to the Conditions of Approval; and **DIRECT** the Clerk of the Board to file a Notice of Determination<sup>1</sup>.

1. In accordance with Section 86.12.040 of the Development Code, the Planning Commission action is a recommendation to the Board of Supervisors and may only be appealed by the applicant in the event of disapproval.

OFFICIAL LAND USE DISTRICT MAP

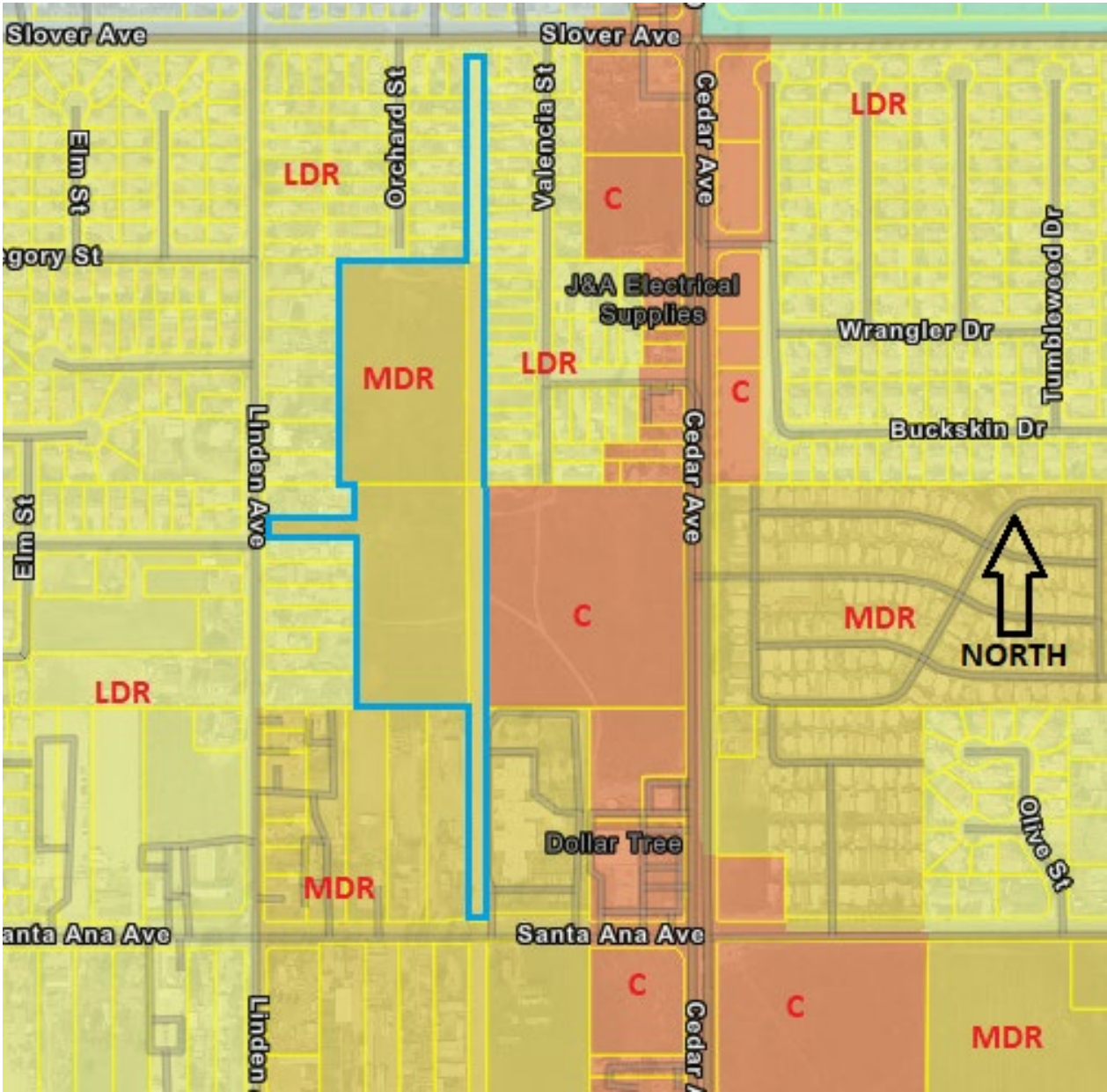


Figure 1 Existing Land Use Designations

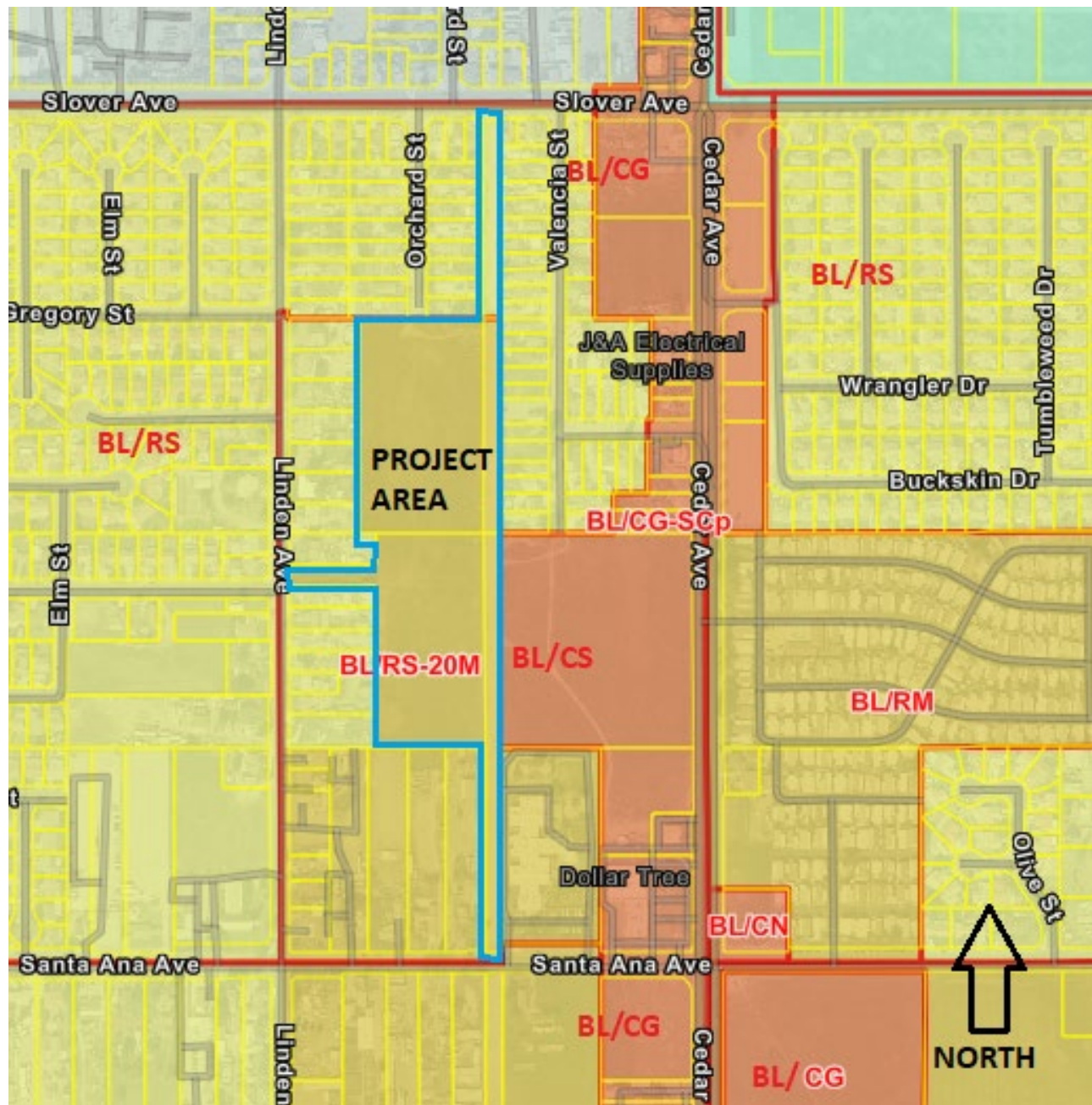
**LDR:** Low Density Residential

**MDR:** Medium Density Residential

**C:** Commercial

**Project Site**





**Figure 2 Current Zoning Designation**

**BL/RS-20M:** Bloomington/Single Residential 20,000 sf minimum lot size

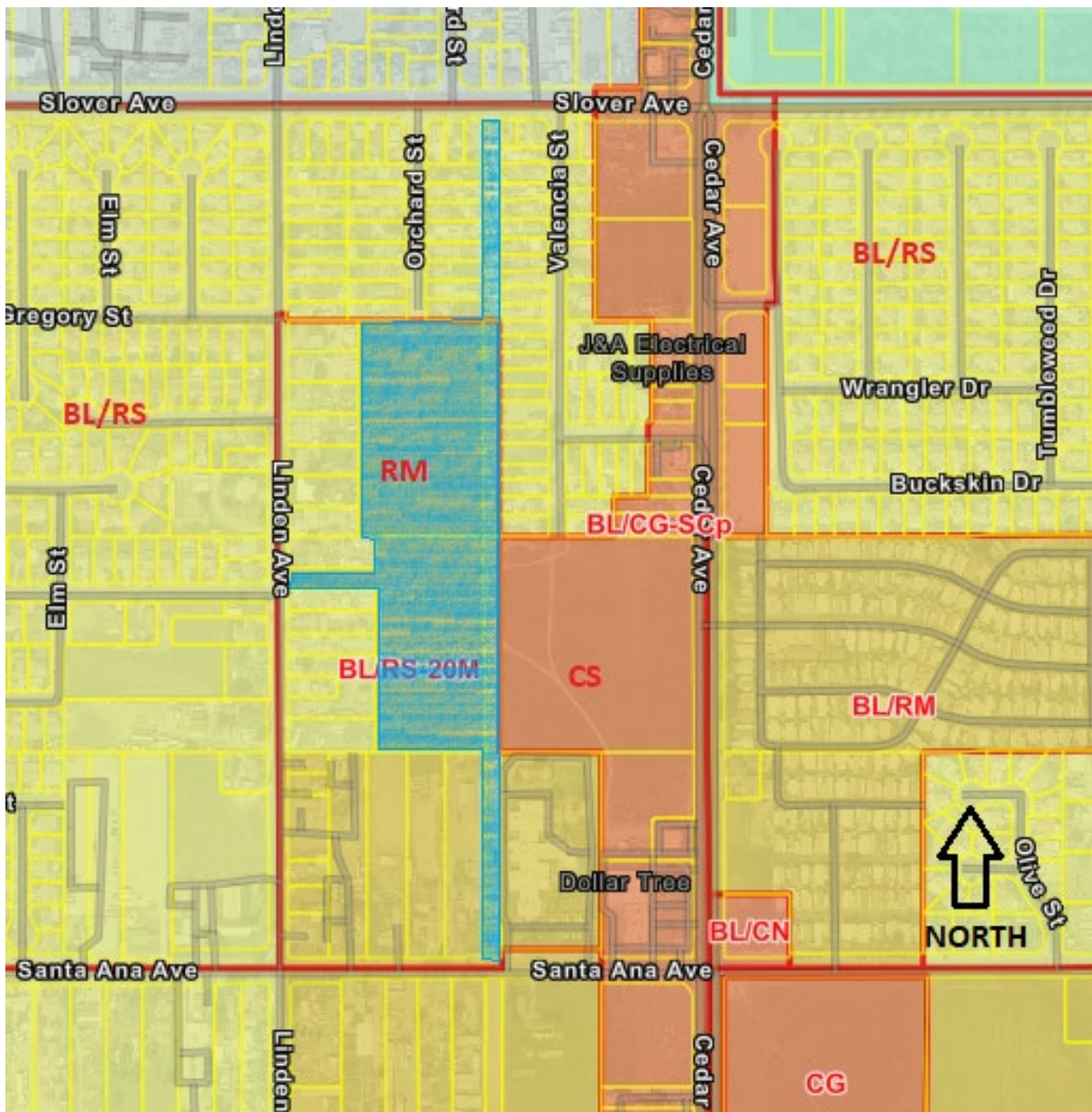
**BL/RS:** Bloomington/Single Residential

**BL/RM:** Bloomington/Multiple Residential

**BL/CG:** Bloomington/General Commercial

**BL/CN:** Bloomington/Neighborhood Commercial

**BL/CS:** Service Commercial



**Figure 3 Proposed Zoning Amendment to Multi Residential (RM)\***

\*The Policy Plan land use category for the Project parcels is Medium Density Residential (MDR). The Zoning Amendment to Multi-Residential will bring the zoning into compliance with the current land use category.





***Figure 4 Project Aerial View***

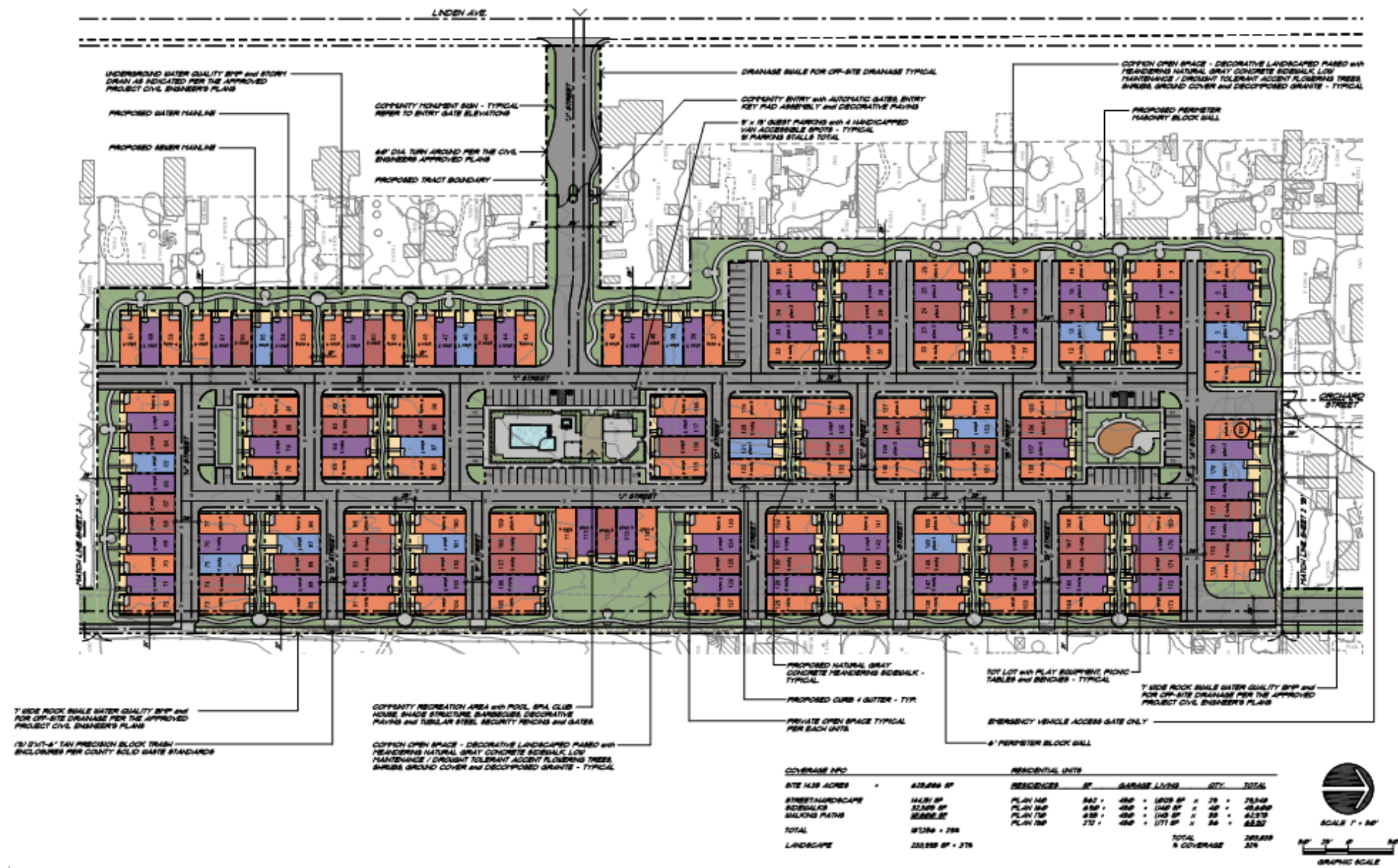


Figure 5 Proposed Site Plan



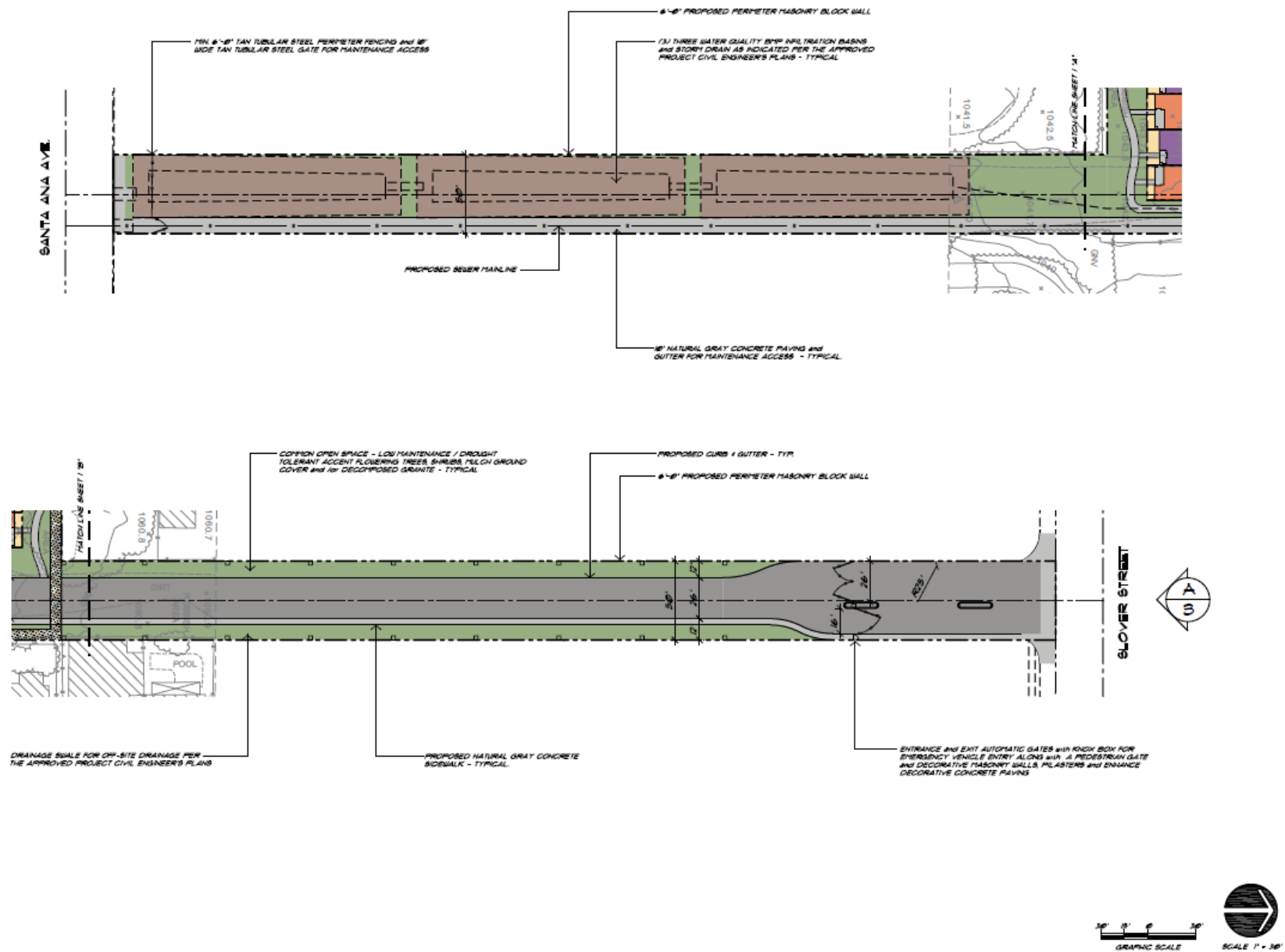
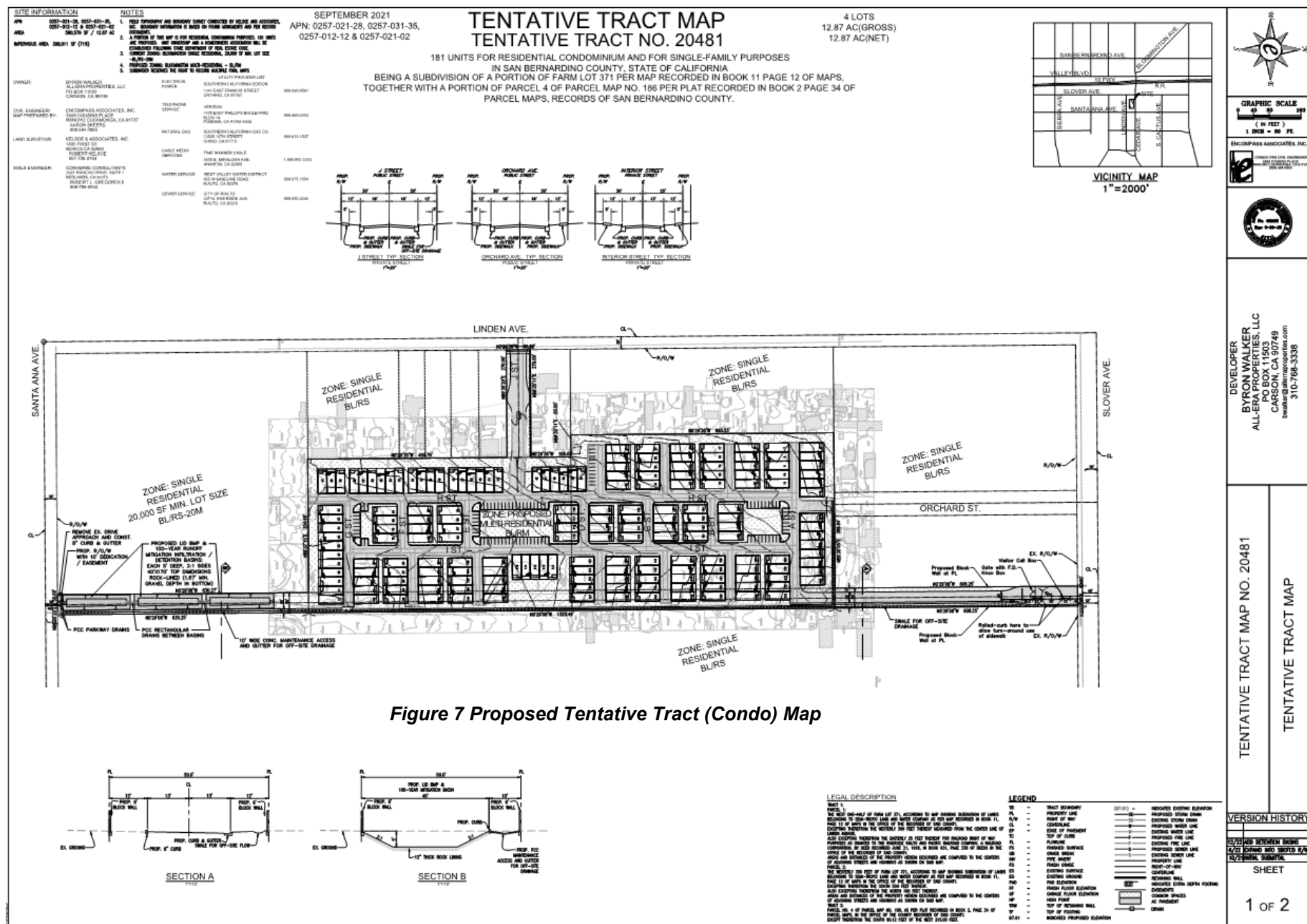


Figure 6 Access north to Slover/Drainage Basins south to Santa Ana





## **Site Photos**



***Figure 8 View of Site looking northwest***



***Figure 9 View of Site looking southwest***

## **PROJECT DESCRIPTION AND BACKGROUND:**

The applicant is requesting approval of a Zoning Amendment from Single Residential 20,000 square-foot minimum lot size (RS-20M) to Multiple Residential (RM), a Conditional Use Permit (CUP) and a Tentative Tract Map (TTM 20481) for a condominium subdivision to develop a 181-unit multi-family project on approximately 12.6 acres (Project), in the Community of Bloomington.

With the adoption of the Countywide Plan and the shift from a one-map to a two-map system, the Land Use Category (LUC) for this parcel was changed to Medium Density Residential (MDR). However, the Zone Classification is currently Single Residential 20,000 square-foot minimum lot size (RS-20M). Until such time as a Zoning Map is approved by the Board of Supervisors (referred to as the “interim period”), specific procedures must be followed when there are inconsistencies between the Policy Plan (General Plan) Land Use Category and the Zoning. During the interim period, if a nonconformity exists between the Land Use Category and the Land Use District (Zone) of a parcel and a property owner desires to use or develop their property in conformance with the Land Use Category, the property owner may apply for a Zone Amendment consistent with the Land Use Category, along with the appropriate development or use application for approval by the County. The requested Zoning Amendment from RS-20M to Multiple Residential (RM) will provide conformity between the Land Use Category and the Zoning.

The proposed Project is located on four parcels encompassing approximately 12.6 acres of vacant land. The main address for parcel 0257-031-35 is identified as 10791 Linden Avenue in the unincorporated community of Bloomington. The proposed condominium subdivision (TTM 20481) will effectively merge the four existing parcels and create a condominium map to accommodate the proposed 181 condominium units, of which 8 units are proposed as affordable housing units.

Currently, the two larger parcels (0257-031-35, and 0257-021-28) equal approximately 5-acres each, and the two smaller parcels (0257-012-12, and 0257-021-02), are equal to approximately 3-acres. The strip of land that makes up the two smaller parcels measures approximately 50 feet in width by 2,600 feet in length, extending between Slover Avenue and Santa Ana Avenue, is currently owned by the San Bernardino County Flood Control District (see Figure 4) and is in the process of being sold to the Applicant. This will provide the required access to the site, as well as adequate drainage, which is proposed to flow south towards Santa Ana Avenue. In a meeting on April 18, 2022, the Flood Control District recommended that the entire length of the District fee-owned property from Slover Avenue to Santa Ana Avenue be declared surplus to the District's needs and that the sale of the property be approved by the San Bernardino County Board of Supervisors. A letter provided by the Flood Control District, dated April 18, 2022, confirms agreement of the sale, and is included in this Staff Report for reference (Exhibit A).

The Project is required to have three (3) points of access including one (1) all access main entrance on Linden Avenue, an emergency vehicle only ingress/egress gate on Orchard Avenue to the north, and one (1) additional all access driveway at the rear of the property leading to Slover Avenue to the north.

## **PROJECT ANALYSIS:**

Adjacent Land Use Zoning Designations: The adjacent parcels to the east are designated Commercial (C) and Single Residential (RS); to the west and north is RS; and to the south is RS-20M.

Floor Plans: There are four floor plans of various square footages planned with the development.

- Plan 140: 1,125 sf., will include 2 bedrooms and 2.5 baths; with 8 units proposed as affordable housing.
- Plan 160: 1,140 square feet; 3 bedrooms and 2.5 bathrooms.
- Plan 170: 1,145 square feet; 3 bedrooms, 1 loft, and 2.5 bathrooms.
- Plan 190: 1,177 square feet; 4 bedrooms, 1 loft, and 2.5 bathrooms.



**Amenities:** The proposed site will include a Community Recreation Area with a pool, spa, clubhouse, shade structures, BBQs, decorative paving, and tubular steel security fencing and gates. Also included are a tot-lot with play equipment, picnic tables and benches.

**Development Code Compliance Summary:** The project satisfies all applicable standards of the Development Code for development in the Multiple Residential (RM) Zoning District, as illustrated in the following table. See **Table 2 Project Code Compliance, Table 82-9A Valley Region**

Table 2 Project Code Compliance for Proposed Multi-Residential (RM) Zone / Valley Region			
Project Component	Development Code Standard		Project Plans
Linden Avenue Condominium Project	TTM/Site Plan		TTM/Site Plan
Building Setbacks	Front:	25'	25'
	Street Side	15'	N/A
	Side Interior:	5'/10'	25'
	Rear	15'	21'
Parking	452		457 spaces including 93 guest spaces with 4 ADA
Lot Coverage	60%		60%
Maximum Height	45'		Approx. 28'
Landscaping	40%		40%
Maximum Density	5-20 du/ac		Approx. 14 du/ac

**Fencing:** A 6-foot perimeter wall is proposed to surround the site. The west boundary where the parcel is adjacent to a commercial zone will include a 10' landscape buffer.

**Water Service:** Water service will be provided by the West Valley Water District pursuant to the will serve letter provided, dated August 19, 2021. Further comments dated January 12, 2023.

**Sewer System:** Sewer service will be provided by the City of Rialto pursuant to the will serve letter provided, dated July 1, 2021.

**Landscaping:** A landscaping plan will be provided and will be required to comply with the Landscaping Standards provided in the Development Code, Section 83.10.060, and Table 83-12 "Minimum Landscaped Area".

**Traffic:** A project-specific traffic assessment was prepared to evaluate potential circulation impacts associated with the proposed Project. The San Bernardino County Transportation Impact Study Guidelines dated July 9, 2019, states that a TIS needs to be prepared if a project generates 100 or more trips during any peak hour without consideration of pass-by trips. Based on the Trip Generation VMT Analysis prepared the Project is anticipated to generate 72 trips in the a.m. peak hour, 92 trips in the p.m. peak hour, and 1,213 daily trips. Because the anticipated number of peak hour trips generated by the proposed Project is lower than the trip threshold (100 peak hour trips) established by the County's TIS Guidelines, a TIS was not required for the proposed Project.

Per the County's TIS Guidelines, a project can be screened out from a VMT analysis if it lies in a low VMT generating area based on VMT per person. The San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool was reviewed to determine whether the proposed Project falls under a low-VMT per person zone and can be screened out. Per the County's TIS Guidelines, the proposed Project can be considered to have a less than significant impact if the Project VMT per person is less than 4 percent below the existing VMT per person for the unincorporated County. Based on the evaluation using the SBCTA VMT Screening Tool, it was determined that the proposed Project lies in a low VMT per person generating area. Therefore, the project can be anticipated to have a less than significant VMT impact and can be screened out from a VMT analysis.

### **PUBLIC NOTICE:**

Project Notices were circulated to surrounding property owners within 300 feet of the project boundaries. Notices were sent in both English and Spanish. One phone call from a property owner on Linden Avenue was received inquiring about the project. No additional calls or written comments were received.

The County Planning Division sent out the Notice of Hearing (NOH) on February 8, 2023, advertising the Planning Commission Hearing to be held on February 23, 2023. The NOH was circulated to surrounding property owners within 300 feet of the project boundaries. Both notices were circulated in English and Spanish.

Two comment letters were received (Exhibit B) in response to the NOH stating concerns for traffic (see Traffic section above).

The NOH was published in the Sun Newspaper on February 13, 2023, meeting the 10-day prior to hearing requirement.

### **ENVIRONMENTAL REVIEW:**

Planning staff determined that the project proposal would be subject to the California Environmental Quality Act (CEQA) due its size and proposed square footage of new construction. An Initial Study/Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) was prepared by LSA Associates, Inc., dated November 2022 and made available for public comment during a 30-day review period which began on December 12, 2022 and closed on January 12, 2023. It was determined that any resulting impacts to the environment or the public can be mitigated to a level of less than significant as outlined in the MND. The MND and MMRP are included in this report as Exhibits C and D.

Project Notices pursuant to AB 52 were sent on September 1, 2022 to the following Tribes with ancestral interest in the subject property or who have specifically requested they be notified of new project proposals in the County; Twenty-Nine Palms Band of Mission Indians, Gabrieleno Band of Mission Indians-Kizh Nation, Morongo Band of Mission Indians, San Gabriel Band of Mission Indians, and the San Manuel Band of Mission Indians. The Gabrieleno-Kizh Nation requested consultation which took place on November 3, 2022. The San Manuel Band of Mission Indians responded to the consultation request but did not request formal consultation. Both tribes provided mitigation measures specific to their individual tribes that was incorporated into the Initial Study prepared for this project and are included as conditions in the final Conditions of Approval (Exhibit E). No other tribes responded to the consultation notification.

No comments were received in response to the 30-day public comment review period for the MND.

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**RECOMENDATION: That the Planning Commission recommend that the Board of Supervisors:**

1. **ADOPT** the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program (Exhibit C & D);
2. **ADOPT** the Findings as contained in the staff report (Exhibit F);
3. **ADOPT** the Zoning Amendment to change the zoning designation from Single Residential 20,000 square foot minimum lot size (RS-20M) to Multiple Residential (RM) on four parcels totaling approximately 12.6 acres;
4. **APPROVE** the Conditional Use Permit for the development of a 181-unit multi-family condominium complex on approximately 12.6 acres, subject to the Conditions of Approval (Exhibit E);
5. **APPROVE** Tentative Tract Map 20481 as a single lot subdivision for condominium purposes on approximately 12.6 acres, subject to the Conditions of Approval (Exhibit E); and
6. **DIRECT** the Clerk of the Board of Supervisors to file the Notice of Determination.

**ATTACHMENTS:**

**EXHIBIT A:** Flood Control District Letter, dated April 18, 2022

**EXHIBIT B:** Comment Letters

**EXHIBIT C:** Mitigated Negative Declaration

[www.sbcounty.gov/Uploads/LUS/Valley/LindenAveCondoProject/04-Initial%20Study\\_Linden%20Avenue%20Condo%20Project.pdf](http://www.sbcounty.gov/Uploads/LUS/Valley/LindenAveCondoProject/04-Initial%20Study_Linden%20Avenue%20Condo%20Project.pdf)

**EXHIBIT D:** Mitigation Monitoring and Reporting Program

**EXHIBIT E:** Conditions of Approval

**EXHIBIT F:** Findings

**EXHIBIT G:** Site Plan

# **EXHIBIT A**

Flood Control District Letter,  
dated April 18, 2022





## Flood Control District

**Brendon Biggs, M.S., P.E.**  
Chief Flood Control Engineer

April 18, 2022

Byron Walker  
All-Era Properties, LLC  
PO Box 11503  
Carson, CA 90749

File: 2-100  
W.O. # FCSUR-2021-00003  
RW # SUR353  
PERMIT# N/A

**RE: ZONE 2 – FONTANA-RIALTO DRAINAGE - REQUEST TO PURCHASE LAND –  
APN 0257-021-02 and 0257-012-12**

Dear Sir:

This letter is in response to your written request to purchase property rights from the District in unincorporated Bloomington for the land known as APN 0257-021-02 and 0257-012-12. On April 13, 2022 the District again reviewed your request for the sale of the property rights. At that meeting the District decided that it will recommend that the entire length of the District fee-owned property from Slover Avenue to Santa Ana Avenue be declared surplus to the District's needs and that the sale of the strip of property be approved by the San Bernardino County Board of Supervisors.

The second phase of the District's Surplus Property Process can now commence (see attached Surplus Property Procedure and check list). Costs for the sale include the fee ownership value and all processing costs. An initial deposit of \$5,000 against processing costs is required. Additional deposits will be required as costs are incurred (see attached 2021/2022 Board Fee Schedule). Typical cost for these types of transactions is \$10,000 to \$20,000 plus the fair market value of the property rights. The quality of information submitted has a significant impact on costs that may be incurred by the District, as well as how much negotiation is involved (if any). The next steps are submittal of a legal description and plat prepared by a licensed land surveyor, and an appraisal of the value of the property to be conveyed. Please submit these items directly to the Flood Control Engineering Division, to my attention. Please note that the Real Estate Services Department requires that appraisals use a particular mandatory methodology. The \$5000 Deposit is due at this time and can be paid through the Accela system.

One recent new requirement from the state is the mandatory approval of fee sales of land by the California Department of Housing and Community Development according to the Surplus Lands Act (Government Code 54220 et seq). I am attaching a news article and the State HCD Surplus Land Act Guidelines for your information.

### BOARD OF SUPERVISORS

**COL. PAUL COOK (RET.)**  
First District

**JANICE RUTHERFORD**  
Second District

**DAWN ROWE**  
Vice Chair, Third District

**CURT HAGMAN**  
Chairman, Fourth District

**JOE BACA, JR.**  
Fifth District

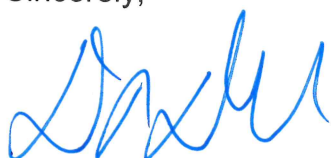
**Leonard X. Hernandez**  
Chief Executive Officer

The Surplus Lands Act provides a possible exemption for this sale in the Public Resources Code 21000 et seq, Section 103. Exemptions (b) (3) E. "Surplus Street Land. Surplus land that is a former street, **right of way**, or easement, and is conveyed to an owner of an adjacent property."

We will require your assistance in providing evidence to satisfy the requirements of the Surplus Lands Act. And since your request letter stated a plan to construct some "affordable housing" units, it would seem helpful to include such information in the submissions to HCD.

If you have any questions or if we can be of any further assistance, please contact me at (909) 387-7962.

Sincerely,



**David Drake, PE, Engineering Manager**  
Flood Control Engineering Division

DLD/GW

Attachments:

2021-2022 Schedule of Fees Ordinance

Surplus Property Check Sheet FY20-21\_working rev

San Bernardino County Flood Control District Surplus Procedure 2020-2021  
EZOP working file

State HCD Surplus Land Act Guidelines FINAL April 2021

"Did Anaheim Violate the Surplus Land Act with Angel Stadium Sale"

cc: Mervat Mikhail – Deputy Director - Flood Control  
Guy Winton – Right of Way  
Kevin Kent, TK Management Services, LLC

# **EXHIBIT B**

## **Comment Letters**

Project # PROJ-2022-0037

Filed April 19, 2022

I think that a 181 unit Condo Community on Linden Ave is a bad idea. The traffic on Linden Ave is bad enough as it is without adding 181 dwellings to it - the extra traffic would/will be terrible.

It will also add more traffic on Cedar Ave, Slover Ave and Santa Ana Sts. It is already too crowded in Bloomington - the traffic is terrible everywhere, this would just make it worse. Slover Ave is ~~terrible~~ - it needs to be resurfaced as it is. People use Linden Ave as a short cut around the signals on Cedar Ave. I think that it is a bad idea all the way around. I cannot support such a project.

Mahe Sinclair  
10710 Linden Ave  
Bloomington CA 92316  
909-877-0738



RECEIVED

2023 FEB 14 PM 1:53

LAND USE SERVICES  
ADMINISTRATION

Project # PROJ-2022-00037

filed 4/19/22

I think this is a terrible idea.

the traffic it will cause will  
be horrible: It is bad now  
with cars avoiding Cedar traffic  
by racing down & up Linden Ave,  
trucks often use the street  
also - big rig trucks.

I strongly oppose a ~~Linden Ave~~ <sup>Linden Ave</sup>  
entrance to a condo. We are single  
family housing between Slover and  
Santa Ana

I'm 89 yrs old and think no good  
would come of this project. I cannot  
make the hearing.

Elaine Sinclair  
10710 Linden Ave  
Bloomington CA 92316  
909-877-0738

# EXHIBIT C

Mitigated Negative Declaration:

[www.sbcounty.gov/Uploads/LUS/Valley/Linden  
AveCondoProject/04-  
Initial%20Study\\_Linden%20Avenue%20Condo  
%20Project.pdf](http://www.sbcounty.gov/Uploads/LUS/Valley/LindenAveCondoProject/04-Initial%20Study_Linden%20Avenue%20Condo%20Project.pdf)

# **EXHIBIT D**

## **Mitigation Monitoring and Reporting Program**

## **MITIGATION MONITORING AND REPORTING PROGRAM LINDEN BLOOMINGTON CONDOMINIUM PROJECT**

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This Mitigation Monitoring and Reporting Program has been prepared for use in implementing mitigation for the:

### **Linden Bloomington Condominium Project PROJ-2022-00037**

The program has been prepared in compliance with State law and the Mitigated Negative Declaration (MND) prepared for the project by the County of San Bernardino (County).

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid significant effects on the environment (Public Resource Code Section 21081.6). The law states the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The monitoring program contains the following elements:

- 1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.
- 2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom and when compliance will be reported.
- 3) The program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

This Mitigation Monitoring and Reporting Program includes mitigation identified in the MND.

### **MITIGATION MONITORING AND RESPONSIBILITIES**

As the Lead Agency, the County is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The County will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project site. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If, during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the County shall be immediately informed, and the County will then inform any affected responsible agencies. The County, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

### **STANDARD CONDITIONS**

Standard Conditions are presented in instances where the proposed Project would not create a significant impact but would be required to adhere to regulatory requirements in order to ensure impacts do not become significant. Standard Conditions outline compliance with various federal, State, and/or local acts, laws, rules, regulations, municipal codes, policies, etc.



## Mitigation Monitoring and Reporting Program Checklist

12/2/22 (G:\PLNDATA\\_\_ACCELA\_DOCS\Accela Docs\Project\_Docs\PROJ-2022-00037\CEQA\Initial Study\Linden Bloomington Condos\_Draft MMRP\_12.2.22.docx)  
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## MITIGATION MONITORING AND REPORTING PROGRAM

### LINDEN BLOOMINGTON CONDOMINIUM PROJECT

Mitigation Measure/Standard Condition	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
prey on nesting bird species.	construction site.				
<p><b>MM BIO-2. Focused Burrowing Owl Breeding Season Surveys.</b> In order to avoid impacts to burrowing owl, a burrowing owl breeding season survey shall be conducted in accordance with the <i>CDFW 2012 Staff Report on Burrowing Owl Mitigation</i>. Four site visits shall be conducted during the breeding season: one between February 15 and April 15 (if possible) and three, at least 3 weeks apart, between April 15 and July 15, with at least one of these after June 15. Surveys are conducted by walking transects spaced up to 20 meters (65 feet) apart throughout the survey area, which includes the project site plus adjacent habitat within 150 meters (500 feet) where access is permitted. Areas within the 500-foot buffer that are inaccessible shall be scanned using binoculars during the survey effort. Surveys are to be conducted between morning civil twilight and 10:00 a.m. or between 2 hours before sunset and evening civil twilight. All burrowing owl sightings, occupied burrows, and potentially suitable burrows shall be mapped. If burrowing owl is found during any of the surveys, the project proponent shall need to inform the CDFW and additional avoidance and minimization measures would then be required.</p> <p><b>Burrowing Owl Take Avoidance.</b> A take avoidance survey for burrowing owls and their burrows should be conducted in accordance with accepted guidelines ("Staff Report on Burrowing Owl Mitigation," California Department of Fish and Game, March 7, 2012). This includes an initial take avoidance survey no more than 14 days prior to initiating ground disturbance activities and a final take avoidance survey within 24 hours of initiating ground disturbance activities. If no burrowing owls are detected during the take avoidance surveys, project activities can proceed. If burrowing owl is found during the pre-construction survey, the project proponent shall need to inform the CDFW and additional avoidance and minimization measures would then be required.</p>	<p>Confirm completion of survey by a qualified biologist.</p> <p>Confirm completion of survey by a qualified biologist.</p>	<p>Prior to the initiation of project activities.</p> <p>No more than 14 days prior to initiating ground disturbance activities, and within 24 hours of initiating ground disturbance activities.</p>	<p>County of San Bernardino</p> <p>County of San Bernardino</p>		
<b>MM BIO-3.</b> Pursuant to the Migratory Bird Treaty Act and California Fish and Game Code, prior to removal of any trees, shrubs, or any other potential nesting habitat, a qualified biologist shall first conduct a pre-construction survey for active bird nests outside the avian nesting season. The nesting season generally extends from early February through August but can vary slightly from year to year based upon seasonal weather conditions. The report shall be provided to	Confirm completion of survey by a qualified biologist.	Prior to removal of any trees, shrubs, or any other potential nesting habitat.	County of San Bernardino/Community Development Department		

## MITIGATION MONITORING AND REPORTING PROGRAM LINDEN BLOOMINGTON CONDOMINIUM PROJECT

Mitigation Measure/Standard Condition	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
the Community Development Department.					
<b>Section V: Cultural Resources</b>					
<p><b>MM CUL-1.</b> Prior to issuance of grading permits, the County of San Bernardino (County) shall verify that the following note shall be included on all grading plans:</p> <p>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, Native American tribe(s) that have expressed interest in consulting on this Project pursuant to Public Resources Code Statute 21080.3.1 shall be contacted regarding any pre-contact and/or historic-era finds so as to provide tribal input with regards to significance and treatment.</p> <p>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.</p> <p>This measure shall be implemented to the satisfaction of the County of San Bernardino's Community Development Director or designee.</p>	Review and approval of grading plans.	Prior to the issuance of grading permits.	County of San Bernardino/County of San Bernardino's Community Development Director or designee		
<p><b>MM CUL-2.</b> 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 Project archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to Native American tribe(s) that have expressed interest in consulting on this Project pursuant to Public Resources Code Statute 21080.3.1 for review and comment, in particular the YSMN for review and comment, as detailed within TCR-1. The Project archaeologist shall</p>	Review and approval of Monitoring and Treatment Plan	In the event that unanticipated significant pre-contact and/or historic-era cultural resources are discovered.	County of San Bernardino		

## MITIGATION MONITORING AND REPORTING PROGRAM

### LINDEN BLOOMINGTON CONDOMINIUM PROJECT

Mitigation Measure/Standard Condition	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
monitor the remainder of the Project and implement the Plan accordingly.					
<b>MM CUL-3.</b> 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.	Confirm implementation of mitigation measure.	In the event that unanticipated human remains, or funerary objects are encountered.	County of San Bernardino		
<b>Section VII: Geology and Soils</b>					
<p><b>MM GEO-1.</b> Prior to the issuance of grading and/or building permits, the Project Applicant shall provide evidence to the County of San Bernardino (County) for review and approval that proposed structures, features, and facilities have been designed and shall be constructed in conformance with applicable provisions of the 2019 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Applicant's development application is deemed complete by the County.</p> <p>Additionally, the Project Applicant shall submit a site-specific geotechnical investigation of the Project and provide evidence to the County that the recommendations cited in the geotechnical investigation are incorporated into Project plans and/or implemented as deemed appropriate by the County. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, and any other surface and subsurface improvements that would not remain in place for use with the new development. Remedial earthwork, over-excavation, and ground improvement shall occur to depths specified in the geotechnical investigation to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface drainage devices and erosion control. Retaining wall parameters shall be in accordance with the geotechnical investigation to protect against lateral spreading and landslides. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently</p>	Review and approval of project plans and site-specific geotechnical investigation.	Prior to issuance of grading and/or building permits and at the time the Applicant's development application is deemed complete by the County.	County of San Bernardino/County Director of Building and Safety or designee		



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<p>densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.</p> <p>As necessary, the County may require additional engineering protocols to meet its requirements. This measure shall be implemented to the satisfaction of the County Director of Building and Safety or designee.</p>					
<p><b>MM GEO-2.</b> Prior to issuance of a grading permit, the Project Applicant must retain a qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year) to prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) and monitor mass grading activities on the site. Implementation of the PRIMP shall include (but not be limited to) the following:</p> <ul style="list-style-type: none"> <li>Review of Project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered;</li> <li>Development of a formal agreement between the project applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal Museum, or other accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data;</li> <li>The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored;</li> <li>Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery;</li> <li>Procedures for the evaluation and option to recover large fossil</li> </ul>	Confirm presence of a qualified paleontologist.	Prior to issuance of a grading permit.	County of San Bernardino/San Bernardino County Planning Division		

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<p>specimens and for the evaluation recovery, and processing of small fossil specimens;</p> <ul style="list-style-type: none"> <li>Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and</li> <li>A report of findings.</li> </ul> <p>Monitoring shall occur from the outset of grading activities since the depth of Pleistocene sediments onsite is unknown. However, the qualified paleontologist shall have the discretion of scaling back monitoring to a schedule approved by the San Bernardino County Planning Division if, at the discretion of the paleontologist, grading is unlikely to reach depths of Pleistocene sediments or if the sediments encountered on the site have little to no potential to yield paleontological resources.</p> <p>If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. The qualified paleontologist shall assess the find for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the San Bernardino County Planning Division, but construction activity may continue unimpeded on other portions of the Project site. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and <b>GEO-3</b> shall apply. This measure shall be implemented to the satisfaction of the San Bernardino County Planning Division.</p>					
<b>MM GEO-3.</b> If the qualified paleontologist determines paleontological resources are encountered on the Project site, the paleontologist shall address the resource(s) pursuant to the Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities.	Review and approval of the Report of Findings.	In the event that unanticipated paleontological resources are	County of San Bernardino/San Bernardino County		

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The paleontologist shall be equipped to record and salvage fossil resources that may be unearthed during construction and shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared at the conclusion of paleontological monitoring. The report and inventory, when submitted to and approved by the San Bernardino County Planning Division, would signify completion of the program. This measure shall be implemented to the satisfaction of the San Bernardino County Planning Division.		encountered.	Planning Division		
<b>Section IX: Hazards and Hazardous Materials</b>					
<b>MM HAZ-1.</b> Prior to the grading of the site, the Project applicant shall retain a Phase I Environmental Assessment conduct a field survey of the single-family residential unit and detached shed. If the specialist determines that there are hazardous materials on site, the specialist shall prepare a mitigation plan to safely and properly remove the structures from the property and to dispose of the hazardous materials pursuant to applicable federal, State, and local regulations. The specialist shall submit the report to the County of San Bernardino and shall proceed with construction of the structures based on report approval. If the specialist determines that the on-site structures are not constructed with lead-based paint or asbestos-containing materials, the results shall be submitted to the County and construction activities can proceed as normal.	Confirmation of Phase 1 Environmental Assessment, and review and approval of project-specific mitigation plan, if required.	Prior to the grading of the site.	County of San Bernardino		
<b>Section X: Hydrology and Water Quality</b>					
<b>MM HYD-1.</b> Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification	Confirm receipt of a copy of the Waste Discharger's Identification Number.	Prior to the issuance of a grading permit.	County of San Bernardino		

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Number) shall be submitted to the County of San Bernardino (County) for coverage under the NPDES General Construction Permit.					
<p><b>MM HYD-2.</b> Prior to issuance of a grading permit, the Project Applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the County of San Bernardino (County). The SWPPP shall include a surface water control plan and erosion control plan citing best management practices (BMPs) to control on-site and off-site erosion during the entire grading and construction period. In addition, the SWPPP shall emphasize structural and nonstructural BMPs to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during the grading and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures would be documented in the SWPPP and utilized if necessary. The SWPPP shall be kept on site for the entire duration of Project construction and shall be available to the local Regional Water Quality Control Board (RWQCB) for inspection at any time. BMPs to be implemented may include the following.</p> <ul style="list-style-type: none"> <li>Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles, and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made, when necessary, as required by the SWPPP</li> <li>All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps</li> <li>The construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and</li> </ul>	Confirmation of receipt of a Storm Water Pollution Prevention Plan.	Prior to the issuance of a grading permit.	County of San Bernardino/County Public Works Department		



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<p>reviewed by the City and representatives of the RWQCB. In the event that it is not feasible to implement specific BMPs, the County can make a determination that other BMPs would provide equivalent or superior treatment either on or off site</p> <ul style="list-style-type: none"> <li>This measure shall be implemented to the satisfaction of the County Public Works Department.</li> </ul>					
<p><b>MM HYD-3.</b> Prior to the issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the County of San Bernardino (County) for review and approval. The Project shall include Project design features identified in the Final WQMP. The Final WQMP shall demonstrate that any proposed on-site development plan includes best management practices (BMPs) for source control, pollution prevention, site design, low-impact development (LID) implementation, and structural treatment control. BMPs to be implemented may include the following:</p> <ul style="list-style-type: none"> <li>Property Owner/Occupant will be required to review and implement Storm Water Pollution Brochures, Hazardous Waste Guidelines, and the "After the Storm" handouts</li> <li>Property Owner/Occupant shall clean and dispose of any hazardous spills and educate and train employees on use of pesticides and in pesticide application techniques to prevent pollution. Pesticide application must be under the supervision of a California qualified pesticide applicator</li> <li>Property Owner/Occupant shall clean and maintain all proposed LID BMPs and ensure that underground infiltration BMP is in proper working order by inspecting and cleaning out the system of silt/sediment as needed after every qualifying event</li> <li>Property Owner/Occupant shall implement trash management and litter control procedures in the common areas aimed at reducing</li> </ul>	Review and approval of Final Water Quality Management Plan.	Prior to the issuance of a grading permit.	County of San Bernardino/County Public Works Department		

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<p>pollution of drainage water</p> <ul style="list-style-type: none"> <li>Stenciling shall be provided at all catch basin inlets that states "No Dumping—Drains to Ocean."</li> <li>Drainage is routed around the trash enclosure area. Additionally, the trash enclosure area shall be walled to prevent off-site transport of trash. Enclosure area shall also have a roof and attached lids to prevent rainfall from entering the containers</li> <li>A landscape plan is to be submitted to the County for approval. The landscape plan shall have an emphasis on efficient water use and irrigation methods and on water conservation</li> </ul> <p>BMPs shall be designed and implemented to address Section 303(d) listed pollutants and retain the Project site's minimum design capture volume and, if applicable, hydromodification volume to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development stormwater runoff by more than 5 percent of the two-year peak flow in accordance with the <i>Technical Guidance Document for Water Quality Management Plans</i> prepared for the County of San Bernardino Areawide Stormwater Program, National Pollutant Discharge Elimination System Permit Number CAS618036, Order Number R8-2010-0036. The proposed LID BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the County for review and approval. Periodic maintenance of any required BMPs and landscaped areas during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the County Public Works Department.</p>					
<b>Section XIII: Noise</b>					
<b>Standard Condition (SC) NOI-1.</b> The construction contractor shall limit construction activities to between the hours of 7:00 a.m. and 7:00 p.m. on	Confirm implementation of	During construction	Construction Contractor		

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<p>weekdays and Saturdays. Construction is prohibited outside these hours or at any time on Sundays and federal holidays.</p> <p>During all project site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards.</p> <p>The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and most noise-sensitive receptors nearest the project site during all project construction.</p> <p>The construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from the sensitive receptors nearest the project site.</p>	standard condition.				
<b>Section XVIII: Tribal Cultural Resources</b>					
<p><b>MM TCR-1.</b> 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 resource 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.</p>	<p>Review and approval of cultural resource Monitoring and Treatment Plan, if required.</p> <p>Confirm presence of YSMN representative.</p>	In the event of any pre-contact and/or historic-era cultural resources are discovered during project implementation.	YSMN/County of San Bernardino		
<p><b>MM TCR-2.</b> Any and all archaeological/cultural documents created as 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.</p>	Confirm dissemination of all archaeological/cultural documents to YSMN	During life of the project	County of San Bernardino		

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<b>MM TCR-3.</b> Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities: <ul style="list-style-type: none"> <li>a. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</li> <li>b. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</li> <li>c. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</li> <li>d. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point</li> </ul>	<p>Confirm presence of Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation.</p> <p>Confirm receipt of a copy of the executed monitoring agreement.</p>	<p>Prior to commencement of ground-disturbing activities.</p> <p>Prior to commencement of ground-disturbing activities, or the issuance of any permit necessary to commence a ground-disturbing activity.</p>	<p>County of San Bernardino</p> <p>County of San Bernardino</p>		

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<p>of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p> <p><b>e.</b> Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>					
<p><b>MM TCR-4.</b> Unanticipated Discovery of Human Remains and Associated Funerary Objects:</p> <p><b>a.</b> Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p><b>b.</b> If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by</p>	Confirm implementation of mitigation measure.	In the event of unanticipated discovery of human remains and/or associated funerary objects.	County of San Bernardino		



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<p>telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.</p> <p><b>c.</b> Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).</p> <p><b>d.</b> Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f)).</p> <p><b>e.</b> Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p> <p><b>f.</b> Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>					
<p><b>MM TCR-5.</b> Procedures for Burials and Funerary Remains:</p> <p><b>a.</b> As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the</p>	Confirm implementation of mitigation measure.	In the event of unanticipated discovery of human burials and/or funerary remains.	County of San Bernardino		

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<p>preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p> <p><b>b.</b> If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p> <p><b>c.</b> The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p> <p><b>d.</b> In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.</p> <p><b>e.</b> In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</p> <p><b>f.</b> Each occurrence of human remains and associated funerary objects</p>					

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<p>will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p> <p><b>g.</b> The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>					

# EXHIBIT E

## Conditions of Approval

**CONDITIONS OF APPROVAL**  
Linden Avenue Condominium Project  
Conditional Use Permit/Tentative Tract Map 20481

**GENERAL REQUIREMENTS**  
Ongoing and Operational Conditions

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

1. Project Approval Description. A Conditional Use Permit (CUP) and a Condominium Tentative Tract Map (TTM 20481) for a 181-unit residential gated community within the City of Rialto Sphere of Influence.

This CUP is approved in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g., elevations).

The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project Site with APN: 0257-031-35, 0257-021-28, 0257-012-12, and 0257-021-02; Project No. PROJ-2022-00037.

2. Concurrent Actions. Zoning Amendment from Single Residential 20,000 square foot minimum lot size (RS-20M) to Multi Residential (RM).
3. Project Location. The project is located at 10719 Linden Avenue, between Slover Avenue and Santa Ana Avenue in the community of Bloomington.
4. Revisions. Any proposed change to the approved use/activity on the site or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval by the County. The developer shall prepare, submit with fees and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
5. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree, to defend, indemnify, and hold harmless the County or its “indemnitees” (herein collectively the County’s elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

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

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

The developer’s indemnification obligation applies to the indemnitees’ “passive” negligence but does not apply to the indemnitees’ “sole” or “active” negligence or “willful misconduct” within the meaning of Civil Code Section 2782.

6. Expiration. This project permit approval shall expire and become void if it is not “exercised” within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed “exercised” when either:



- a. The permittee has commenced actual construction or alteration under a validly issued building permit, or
- b. The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060)
- c. Occupancy of approved land use occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:
  - Construction permits for all or part of the project are not issued, or the construction permits expire before the structure is completed and the final inspection is approved.
  - The land use is determined by the County to be abandoned or non-conforming.
  - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

7. Continuous Effect/Revocation. All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
8. Extension of Time. Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
9. Project Account. The Project account number is PROJ-2022-00037. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g., Land Use Services, Public Works, and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
10. Condition Compliance: In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
  - Grading Permits: a copy of the signed CCRF for grading/land disturbance.
  - Building Permits: a copy of the signed CCRF for building permits.
  - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by the Planning Division.
11. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
12. Additional Permits. The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:

- a) FEDERAL: N/A;
- b) STATE: Santa Ana RWQCB, South Coast AQMD, California Department of Fish and Wildlife
- c) COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire/HazMat; Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor, and
- d) LOCAL: N/A

13. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:

- a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
- b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
- c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire-retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
- d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
- e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
- f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
- g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
- h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
- i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. “No Trespassing”) in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
- j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
- k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations, and signs, stop signs, pedestrian crossing, speed humps and “No Parking”, “Carpool”, and “Fire Lane” designations.
- l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including “No Parking” designations and “Fire Lane” designations.

14. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste.

15. Lighting. All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
16. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90-degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
17. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128 and avoids disturbing any existing/natural vegetation or the site appearance. Existing utilities around the site perimeter shall also be placed underground, in coordination with the utility provider.
18. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
19. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
  - All construction equipment shall be muffled in accordance with manufacturer's specifications.
  - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
  - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g., residences and schools) nearest the project site.
20. Diesel Regulations. The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.

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

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

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

23. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.

24. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
25. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
26. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to ensure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
27. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

**PUBLIC HEALTH - Environmental Health Services (800) 442-2283**

28. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
29. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least one (1) time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least two (2) times per week, or as often, if necessary, to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

**COUNTY FIRE DEPARTMENT—Community Safety Division (760)995-8190**

30. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. 1. If the proposed project is 3 stories or greater than a 30' Fire Dept. Access will be required.
31. Access – 150+ feet: Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
32. Jurisdiction: The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.
33. Sprinkler Installation Letter: The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.
34. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS. This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.

35. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING: This standard applies to the marking of all buildings with address numbers for identification.
36. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.
37. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS. This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

38. Franchise Hauler Service Area. This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste Industries - Edco Disposal).
39. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill (AB) 2176.
40. Mandatory Commercial Recycling. As of July 1, 2012, AB 341 (Enacted October 5, 2011) requires businesses defined to include a commercial or public entity that generate 4 or more cubic yards of solid waste per week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
41. Mandatory Commercial Organics Recycling. As of September 15, 2020, AB 1826 (Enacted September 28, 2014) requires businesses that generate two (2) cubic yards or more of solid waste per week to recycle their organic waste. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County or contract waste hauler on efforts to recycle organics materials once operational.
42. Recycling and Organic Waste Collection Container Information. As of July 1, 2020, AB 827 (Enacted October 2, 2019) requires those MCR and MORE-covered businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

43. Project vehicles shall not back out into the public roadway.
44. Signage: All required directional signage for traffic entering and exiting the site shall, including turning restrictions, be installed and continuously maintained outside the public road right-of-way in good condition for both day and nighttime visibility.



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

The Following Shall Be Completed

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

45. Mitigation Measures: Please see Mitigation Monitoring and Reporting Program (MMRP attached) prepared by LSA Associates, Inc., for mitigation measures to be completed prior to grading permit issuance.
46. GHG-1 GHG Emissions Screening Tables: Prior to the approval of grading permits, the project applicant shall demonstrate that it would implement a minimum of 100 points of GHG reduction measures listed in the County's GHG Emissions Screening Tables. Per County standards, projects that exceed 3,000 MT CO<sub>2</sub>e and implement a minimum of 100 points would be consistent with the County's GHG Plan and would therefore result in a less than significant impact.

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

47. Retaining Wall Plans: Submit plans and obtain separate building permits for any required walls or retaining walls.
48. Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.

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

49. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
50. FEMA Flood Zone: The project is located within Flood Zone X Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
51. Grading Plans: Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
52. NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)
53. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
54. On-site Flows: On-site flows need to be directed to the nearest drainage facility unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.

55. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>
56. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to the Department of Public Works for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
57. Flood Control District Review. A proof of applying for an encroachment permit from Flood Control District shall be submitted to Land Development for permit requirements and working within the District right-of-way. Contact Flood Control District, Flood Permits Section for permit information at (909) 387-7995

**DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149**

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

Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:

- a) Monuments set to mark property lines or corners;
- b) Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
- c) Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

59. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at 1-800-442-2283.

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**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed:

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

60. Mitigation Measures: Please see Mitigation Monitoring and Reporting Program (MMRP attached) prepared by LSA Associates, Inc., for mitigation measures to be completed prior to building permit issuance.
61. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.

62. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit a separate landscape and irrigation plan to County Planning via the County's online permitting system (EZOP).
63. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. Pursuant to SBCC Chapter 83.13, *Sign Regulations*, and SBCC §83.07.030, *Glare and Outdoor Lighting Valley Region*, all signs shall comply with the following minimum standards:
- a) Light Trespass Prohibited. Outdoor lighting of commercial or industrial land uses shall be fully shielded to preclude light pollution or light trespass on any of the following:
    1. An abutting residential land use zoning district;
    2. A residential parcel; or
    3. Public right-of-way.
  - b) Determination of Light Trespass. A determination of light trespass shall be made through a quantitative measurement utilizing a standard yardstick (3 ft x 1½ in.). The yardstick shall be placed at the building setback line in the complainant's yard. The yardstick shall be in contact with the ground or may be raised to window level of the dwelling and in a vertical position. The person taking the measurement shall then determine if a shadow is cast by the light source, that is, the light source, yardstick, and shadow shall be in alignment. Measurements shall not be taken when there is a moon in the night sky.
  - c) Maximum Allowed Foot-Candles. Direct or indirect light from any light fixture shall not cause glare above five-tenths (0.5) foot-candles when measured at the property line of a residential land use zoning district, residential parcel, or public right-of-way. Light levels shall be measured with a photoelectric photometer, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

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

64. Construction Plans. Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
65. Temporary Use Permits: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

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

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

**Linden Avenue (Collector – 66')**

- Road Dedication. A 10-foot grant of easement is required to provide a half-width right-of-way of 33 feet.
- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "B".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.

- Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

**Santa Ana Avenue (Secondary Highway – 88')**

- Road Dedication. A 14-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Street Improvements. Design curb and gutter with match up paving 32 feet from centerline.
- Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road

**Slover Avenue (Major Highway – 104')**

- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

67. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
68. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
69. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.
70. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
71. Slope Easements. Slope rights shall be dedicated where necessary.
72. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
73. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
74. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.

75. Slope Tests. Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
76. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted, and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$5,486 per unit for Multi Family Use, which includes the 180 units per the site plan dated September 2021.
- Therefore, the estimated Regional Transportation Fees for the Project is \$987,480. The current Regional Transportation Development Mitigation Plan can be found at the following website: <https://www.sbcounty.gov/uploads/DPW/docs/Fee-Schedule-Regional-Plan.pdf>
77. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

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

78. Combustible Protection: Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
79. Access: The development shall have a minimum of **three** points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
- a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
  - b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.
80. Primary Access Paved: Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.
81. Secondary Access Paved: Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
82. Solar: Solar / Photovoltaic System Plans: Plans shall be submitted online through EZOP to the Fire Department for review and approval. Plans must be submitted and approved prior to Conditional Compliance Release of Building.
83. Surface: Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
84. Turnaround: An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District areas, there are additional requirements.
85. Water System: Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code.



86. Water System Certification: The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

87. Building Plans: Building plans shall be submitted to the Fire Department for review and approval.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

88. Construction and Demolition Waste Management Plan (CWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued.

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

89. Swimming Pool Plan Check Required: Plans for swimming pools and associated restroom facilities shall be reviewed and approved by EHS. For information, call EHS Plan Check at: (800) 442-2283.

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

91. Water and Sewer - LAFCO: Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to EHS verification of Local Agency Formation Commission (LAFCO) approval of either: 1. Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, 2. Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133.

92. New OWTS: If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283. b. An Alternative Treatment System, if applicable, shall be required.

93. Sewer Service Verification Letter: Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference all Assessor's Parcel Number(s).

94. Sewage Disposal: Method of sewage disposal shall be sewer service provided by City of Rialto or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).

95. Existing Wells: If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

96. Water Purveyor: Water purveyor shall be **West Valley Water District** or EHS approved.

97. Water Service Verification Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address will suffice. For information, contact the Water Section at 1-800-442-2283.
98. California Regional Water Quality Control Board Clearance: Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day. Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130.

**DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149**

99. If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
100. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
1. Monuments set to mark property lines or corners;
  2. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
  3. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

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**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

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

101. Mitigation Measures: Please see Mitigation Monitoring and Reporting Program (MMRP attached) prepared by LSA Associates, Inc., for mitigation measures to be completed prior to occupancy permit issuance.
102. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2022-00037
103. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC
104. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
105. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
106. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
107. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

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

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

109. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans.
110. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.
111. Flood Control District Approval. Submit an official letter issued by the Flood Control District indicates that all items under the issued encroachment permit have been satisfied and the encroachment permit has been closed.

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

112. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
113. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
114. Structural Section Testing. A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.
115. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.
116. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
117. Phased Projects. Projects within any phase of a phased project shall have all required on-site and off-site public road and drainage improvements required for such a phase sufficiently completed by the applicant and inspected/approved for construction of that phase prior to final inspection or occupancy for any buildings or other structures in that phase.

The term “phase” as used here shall mean the following: “The block of building permits drawn on less than the whole project” or “A plan of building construction which indicates blocks of construction of less than the whole project.”

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

**PUBLIC HEALTH – Environmental Health Services (800) 442-2283**

118. New Recreational Health Permit: A Recreational Health annual permit for public swimming pool, spa or bathing place shall be required. For information, contact EHS at: (800) 442-2283.

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

119. Fire Alarm – Automatic. An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

120. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
121. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
122. Combustible Vegetation: Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater -Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less.
123. Hydrant Marking: Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.
124. Illuminated Site Diagram: The applicant shall submit for review and approval a site diagram plan to the Fire Department. The applicant shall install at each entrance to a multi-family complex an illuminated diagrammatic representation of the complex, which shows the location of each unit and each fire hydrant.
125. Key Box. An approved Fire Department key box is required. In commercial, industrial, and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
126. Override Switch: Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required.
127. Residential Addressing: The street address shall be installed on the building with numbers that are a minimum of four (4) inches in height and with a one half (½) inch stroke. The address shall be visible from the street. During the hours of darkness, the numbers shall be internally and electrically illuminated with a low voltage power source. Numbers shall contrast with their background and be legible from the street. Where the building is fifty (50) feet or more from the roadway, additional contrasting four (4) inch numbers shall be displayed at the property access entrances.
128. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
129. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management – (909) 386-8701**

130. Construction and Demolition Waste Management Plan (CDWMP) Part 2 – The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

**PRIOR TO RECORDATION OF TRACT MAP 20481**

The Following Shall Be Completed

**DEPARTMENT OF PUBLIC WORKS – Surveyor – (909) 387-8149**

131. A Tract Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
132. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
133. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record, which cannot be relinquished or relocated, shall be redesigned.
134. Review of the Tract Map by our office is based on actual cost and requires an initial \$8000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
135. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.
136. Final Monumentation, not set prior to recordation, shall be bonded for with a cash deposit to the County Surveyor's Office as established per the current County Fee Ordinance on file with the Clerk of the Board.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186**

137. Prior to recordation of the subdivision map, all street names shall be reviewed and approved by the Department of Public Works, Traffic Division pursuant to 87.06.050(j) of the Development Code.

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

138. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
139. On-site Flows. On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
140. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: (<https://dpw.sbcounty.gov/wqmp-templates-and-forms/>)
141. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

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

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

**Linden Avenue (Collector – 66')**

- Road Dedication. A 10-foot grant of easement is required to provide a half-width right-of-way of 33 feet.

- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "B".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Paved Access Road. This project is required to have a minimum 26-foot wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

**Santa Ana Avenue (Secondary Highway – 88')**

- Road Dedication. A 14-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Street Improvements. Design curb and gutter with match up paving 32 feet from centerline.
- Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road

**Slover Avenue (Major Highway – 104')**

- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Paved Access Road. This project is required to have a minimum 26-foot-wide paved access road within 40-foot of right-of-way and designed to County Standard 114b that ties into a maintained paved public road.

143. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
144. Improvement Securities. Any required public road, drainage, WQMP, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
145. Maintenance Bond. Once all required public road, drainage, WQMP, and/or utility improvements have been constructed and approved, then a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
146. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

147. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.
148. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
149. Slope Easements. Slope rights shall be dedicated where necessary.
150. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
151. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
152. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
153. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
154. Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.
155. Private Roads/Improvements. Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.
156. Physical Access. Physical access shall be required to all newly created parcels. Physical access is defined as a route which is traversable in a standard (two-wheel drive) sedan. The Developer's Engineer or Surveyor shall submit a signed and sealed letter to Land Development Division certifying that physical access has been completed.

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

157. Composite Development Plan (CDP) Note Requirements: The following Composite Development Plan (CDP) Requirements shall be placed on the CDP submitted as a requirement for Recordation of the final map.
  - Wall Plans: Submit plans and obtain separate permits for any required retaining walls.
  - Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading and/or building permits.
  - Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
  - Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required.
  - A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.



158. Geotechnical Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the tract map.
159. CDP/LDD - Roads. A Composite Development Plan (CDP) is required, and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Tract Map (Statements in quotations shall be verbatim):

"Land Use Services Department / Land Development Division – Drainage (909) 387-8311"

"Grading Plans. Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/land-development-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule."

"NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov) "

"Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total."

"Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule."

"FEMA Flood Zone. The project is located within Flood Zone X Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit."

"WQMP. A completed Final Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained prior to construction. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: <https://dpw.sbcounty.gov/wqmp-templates-and-forms/> "

"WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule."

"Land Use Services Department / Land Development Division – Roads (909) 387-8311"

"Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design."

"Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction."

“Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.”

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

“Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Public Works.”

“Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted, and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$5,486 per unit for Multi Family Use, which includes the 180 units per the site plan dated September 2021.

Therefore, the estimated Regional Transportation Fees for the Project is \$987,480. The current Regional Transportation Development Mitigation Plan can be found at the following website: <https://www.sbcounty.gov/uploads/DPW/docs/Fee-Schedule-Regional-Plan.pdf>

END OF CONDITIONS

# EXHIBIT F

## Findings

**FINDINGS:** Zoning Amendment

A zoning amendment from Single Residential-20,000-sf minimum lot size (RS-20M) to Multiple Residential (RM) on four parcels totaling approximately 12.6 acres in the Community of Bloomington (Zoning Amendment or Project).

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for the Zoning Amendment:

**1. The proposed amendment is internally consistent with all other provisions of the Policy Plan.**

Based on the evidence contained in the Project's supporting documents, the Zoning Amendment is consistent with and will further the goals and policies of the County Policy Plan and will not obstruct their attainment as further indicated below:

**Policy H-1.1. Appropriate Range of Housing.** We encourage the production and location of a range of housing types, densities, and affordability levels in a manner that recognizes the unique characteristics, issues, and opportunities for each community.

**Consistency:** The land use category for the parcels is Medium Density Residential which allows for multi-residential projects. This Project will offer an attached condominium product of varying sizes to accommodate various family sizes, and affordability levels among adjacent single-family residential uses. With approval of the zoning amendment the Project will be in compliance with the land use category of the Policy Plan.

**Policy H-1.2. Concurrent Infrastructure.** We support the integrated planning and provision of appropriate infrastructure (including water, sewer, and roadways) concurrent with and as a condition of residential development to create more livable communities.

**Consistency:** The proposed zoning amendment to multi-residential (RM) will be compatible with the land use category of the Policy Plan. The proposed Project is located in an area of single-family homes, schools, and businesses, and will be conditioned to provide new or upgraded appropriate infrastructure such as water, sewer, roadway dedication and drainage facilities to the benefit of the surrounding community.

**2 The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.**

The Zoning Amendment facilitates a project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health, safety and welfare. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes and development impact fees, resulting in enhanced local public services. A multi-family residential project on this site will also offer varying sized units at a lower price point than single family homes. The Project will also promote significant economic development within the community, including construction jobs.

**3 The proposed zoning district change is in the public interest, therefore will be a community benefit, and other existing and allowed uses will not be compromised.**

The Project will promote significant economic development within the community, including construction jobs, as well as providing residential options that are lacking in the community.

**4 The proposed zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.**

The recent adoption of the Policy Plan established a land use pattern for the surrounding area, including the subject Project site. The proposed Zoning Amendment is consistent with the pattern established by the Policy Plan and will provide a reasonable and logical extension of the existing land use pattern in the surrounding area. The parcel will become an extension of the residential zones to the north, west and south.

**5 The proposed zoning district change does not conflict with provisions of the Development Code.**

The proposed Project will be development in compliance with the Development Code. Conditions of approval and the plan check process will ensure compliance of countywide development standards and standards for specific land uses and activities. The Zoning Amendment is required to remain consistent with the Policy Plan and would not conflict with provisions of the Development Code.

**6 The proposed zoning district change will not have a substantial adverse effect on surrounding property.**

An Initial Study/Mitigated Negative Declaration was prepared for the Project and concludes that the Project will not have a substantial impact with the implementation of recommended mitigation measures which are included as conditions of approval for the Project. Appropriate mitigation measures and conditions of approval will ensure countywide performance standards are met and that the Project will not have an adverse effect on the surrounding property.

**7 The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.**

All components of the Project were analyzed by the appropriate County departments and determined to be physically suitable in terms of design, location, shape, size, operating characteristics, as well as provide for provisions of public and emergency vehicle access and public services and utilities to the Project site, to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

**FINDINGS:** Conditional Use Permit

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for the Project's Conditional Use Permit (PROJ-2022-00037) to construct and operate a 181-unit multi-family condominium project (Project).

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, open space, setbacks, walls and fences, yards, and other required features pertaining to the application.**

The Project's site plan has been prepared in compliance with Development Code standards in terms of setbacks, parking, landscaping, walls, and fences. A 6-foot block wall is proposed for the perimeter of the site.

2. **The site for the proposed use has adequate legal and physical access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.**

The site for the proposed use has three (3) points of vehicle access: One full access gated driveway to the front of the property on Linden Avenue; One Emergency Vehicle Access (EVA) on the north boundary out to Orchard Avenue; and, one full gated access to the north on Slover Avenue. The design and proposed conditions of approval provide for the streets within the site as well as access driveways to be fully improved to provide legal and physical access to the site.

3. **The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.**

The proposed use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance. The Project is required to comply with all requirements of the County Development Code with respect to noise, vibration, lighting, and glare. In addition, the use will not interfere with the present or future ability to use solar energy systems.

4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Policy Plan.**

The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Policy Plan. The Project specifically implements the following goals and policies:

**Goal LU-1:** Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable.

**Policy LU-1.1 Growth:** We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.

**Policy LU-1.2 Infill Development:** We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.

**Goal/Policy Implementation:** The proposed Project is located on four vacant lots in a populated, developed area west of Cedar Avenue between Slover Avenue and Santa Ana Avenue approximately 0.86 miles south of Interstate 10. The Project is appropriately sited

and compatible with the surrounding area. The Project is located in an area of single-family homes, schools, and businesses, and will be conditioned to provide new or upgraded appropriate infrastructure such as water, sewer, roadway dedication and drainage facilities to the benefit of the surrounding community.

**Goal LU-2 Land Use Mix and Compatibility:** An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.

**Policy LU-2.1 Compatibility with Existing Uses:** We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

**Goal/Policy Implementation:** The Project is located in an area with a mix of single-family residential, multi-family, and commercial uses. Considering features of the site design, the arrangement of land uses within the vicinity, and data included in the supporting studies, the Project is appropriately sited and compatible with the surrounding area.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed project without significantly lowering service levels.**

There is supporting infrastructure including water service provided by the West Valley Water District, and sewer service provided by the City of Rialto.

6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety, and general welfare.**

The conditions of approval include measures that require the developer to comply with the performance measures outlined in the County Development Code.

7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.**

Through the orientation and design of the buildings, the Project will be able to take advantage of passive solar heating capabilities.

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**FINDINGS:** Tentative Tract Map (TTM 20481)

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 87.02.060 and supporting facts for Tentative Tract Map No. 20481 (TPM 20481) as a single lot subdivision for condominium purposes on approximately 12.6 acres (Project).

1. **The proposed map, subdivision design, and improvements are consistent with the Policy Plan.**

The proposed parcels are consistent with the Development Code design standards for the Valley Region in terms of size, setbacks, maximum height, coverage, parking, landscaping, etc.



**2. The site is physically suitable for the type and proposed density of development.**

The Project will meet the residential land use zoning district subdivision standards as required by Development Code Section 82.04.050, Table 82-8A for the Valley Region, as well as site planning and building standards required by Section 82.04.060, Table 82-9A for the Valley Region.

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

An Initial Study/Mitigated Negative Declaration was prepared for the Project and concludes that the Project will not have a substantial impact with the implementation of recommended mitigation measures which are included as conditions of approval for the Project. Appropriate mitigation measures and conditions of approval will ensure the subdivision of the parcels will not result in environmental damage to wildlife or habitat on the Project site.

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

As indicated in the Project's Initial Study/Mitigated Negative Declaration, the subdivision of the parcels will not likely result in serious public health or safety problems.

**5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. This finding may also be made if the review authority finds that alternate easements for access or use will be provided, and that they will be substantially equivalent to ones previously acquired by the public. This finding shall apply only to easements of record, or to easements established by judgment of a court of competent jurisdiction, and no authority is hereby granted to the review authority to determine that the public at large has acquired easements of access through or use of property within the proposed subdivision.**

The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The proposed map will provide a separate parcel for each of the project components as described above. The three proposed access driveways would provide access to the subdivision through the establishment of access easements as necessary. The proposed TPM and Project design will not conflict with existing easements, including utility, right-of-way, or future right-of-way as conditioned through review by the Land Use Services Department, Land Development Division.

**6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.**

The Land Use Services Department, Land Development drainage section has reviewed and approved a Preliminary Drainage Study for the Project, to be finalized as a condition of approval. The TPM will not alter the Project design and proposed drainage patterns.

**7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.**

The proposed TPM will allow the Project site to be designed with building orientation placed in such a way that would enhance passive, or natural heating, and cooling opportunities.

**8. The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law.**

The proposed TPM in coordination with the proposed development is in conformance with the regulations of the Development Code and the regulations of any public agency having jurisdiction by law.

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**ENVIRONMENTAL FINDINGS:**

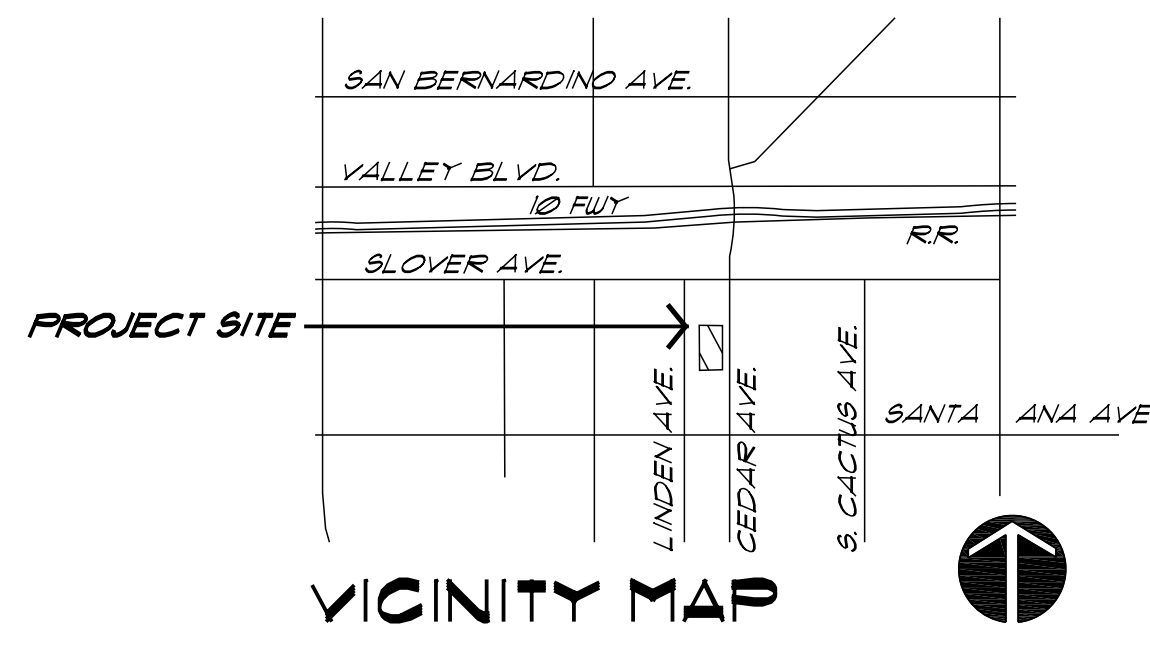
The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the review authority finds that the above referenced Project has been determined to not have a significant adverse impact on the environment with the implementation of all the required mitigation measures. A Mitigated Negative Declaration (MND) is adopted and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk of the Board of Supervisors office. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

# EXHIBIT G

## Site Plan





APN 0251-021-28, 0251-031-35 and 0251-012-12 and 0251-021-02 12.81 ACRES

UTILITY PURVEYOR CONTACT INFORMATION	
ELECTRICITY	SOUTHERN CALIFORNIA EDISON 800-655-4555
NATURAL GAS	SOUTHERN CALIFORNIA GAS 800-421-2222
WATER & SANITARY SEWER	800-421-2222
CABLE TV	SPECTRUM 855-633-6449
TELEPHONE	VERIZON 800-VERIZON

PARKING INFO

REQUIRED	457 SPACE
2 COVERED GARAGE 180 RESIDENTIAL UNITS	360 SPACE
PROVIDE	93 GUEST PAGES 4 HANDICAPPED
TOTAL PROVIDED	457 SPACES @ 2.53/UNIT

OWNER/DEVELOPER BYRON WALKER ALL-ERA PROPERTIES, LLC PO BOX 11503 CARSON, CA 90749

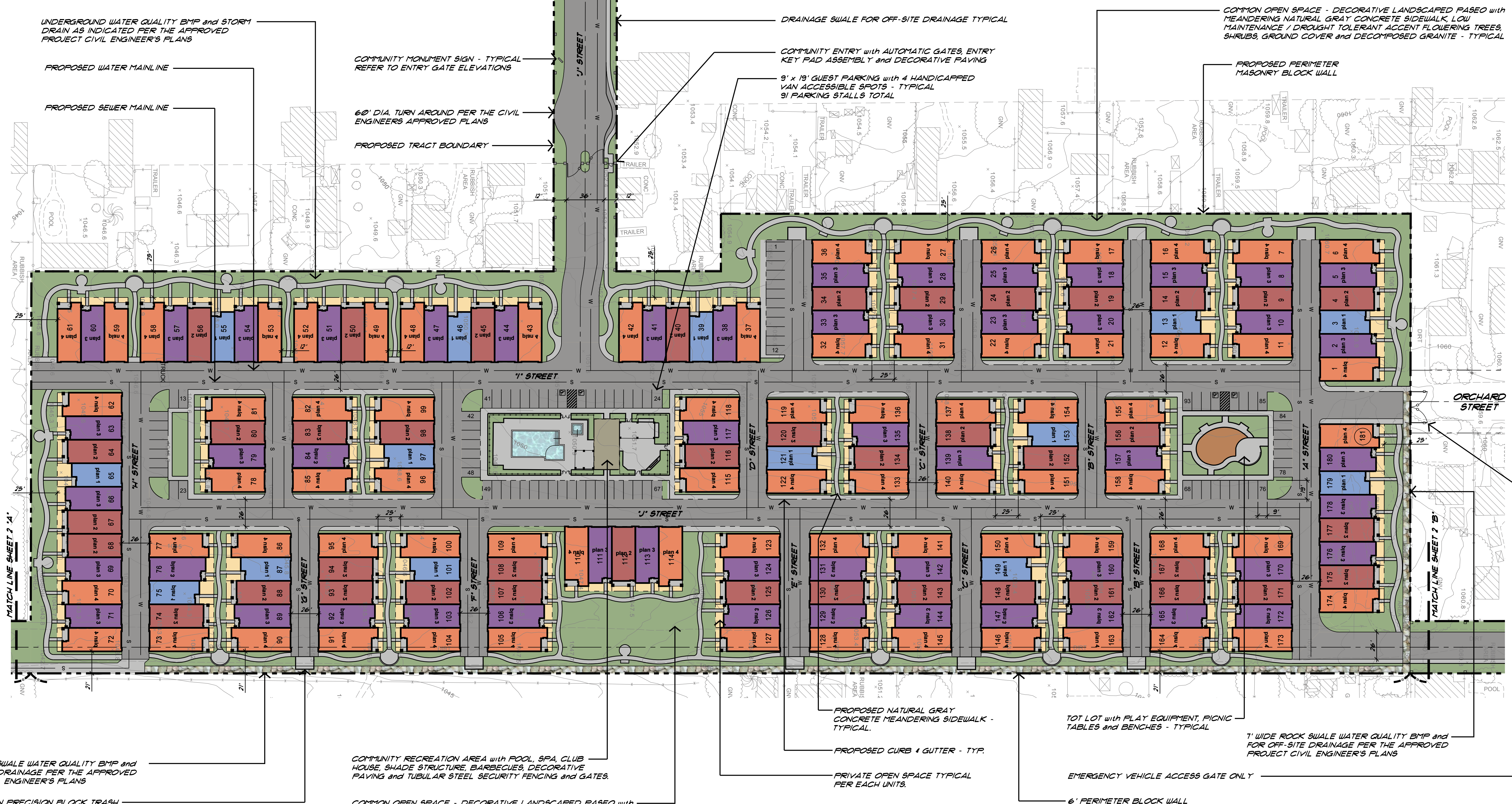
APPLICANT KEVIN KENT TLKM, LLC 499 W. FOOTHILL BLVD. #104 GLENORA, CA 91741 626-808-5067

CIVIL ENGINEER ENCOMPASS ASSOCIATES, INC. 5699 COUSINS PLACE RANCHO CUCAMONGA, CA 91737 AARON SKEERS 909-684-0093

LAND SURVEYOR KEL SOE & ASSOCIATES, INC. 1835 FIRST ST. NORCO, CA 92860 ROBERT KEL SOE 951-136-2164

KEVIN.TKMANAGEMENTSERVICES@HOTMAIL.COM

DATE	REMARKS
08.01.22	SITE PLAN REV 0713.22
09.10.22	ENTRY GATE REV 0813.22
09.29.22	PER PLAN REV 0930.22
12.21.22	IN-HOUSE CORRECTIONS



1' WIDE ROCK SWALE WATER QUALITY BMP and FOR OFF-SITE DRAINAGE PER THE APPROVED PROJECT CIVIL ENGINEER'S PLANS

(3) 12'x17'-6" TAN PRECISION BLOCK TRASH ENCLOSURES PER COUNTY SOLID WASTE STANDARDS

COMMUNITY RECREATION AREA with POOL, SPA, CLUB HOUSE, SHADE STRUCTURE, BARBECUES, DECORATIVE PAVING and TUBULAR STEEL SECURITY FENCING and GATES.

COMMON OPEN SPACE - DECORATIVE LANDSCAPED PASEO with MEANDERING NATURAL GRAY CONCRETE SIDEWALK, LOW MAINTENANCE / DROUGHT TOLERANT ACCENT FLOWERING TREES, SHRUBS, GROUND COVER and DECOMPOSED GRANITE - TYPICAL

PROPOSED NATURAL GRAY CONCRETE MEANDERING SIDEWALK - TYPICAL.

PROPOSED CURB & GUTTER - TYP.

PRIVATE OPEN SPACE TYPICAL PER EACH UNITS.

TOT LOT with PLAY EQUIPMENT, PICNIC TABLES and BENCHES - TYPICAL

EMERGENCY VEHICLE ACCESS GATE ONLY

6' PERIMETER BLOCK WALL

1' WIDE ROCK SWALE WATER QUALITY BMP and FOR OFF-SITE DRAINAGE PER THE APPROVED PROJECT CIVIL ENGINEER'S PLANS

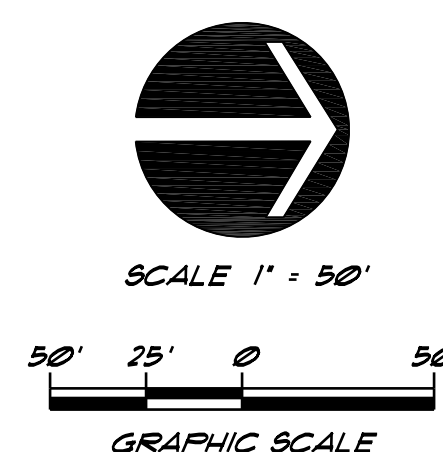
COVERAGE INFO

SITE 14.35 ACRES	625,006 SF
STREET/HARDSCAPE SIDEWALKS	144,151 SF
WALKING PATHS	32,305 SF
TOTAL	10,800 SF
TOTAL	187,256 = 29%
LANDSCAPE	233,995 SF = 37%

RESIDENTIAL UNITS

RESIDENCES	SF	GARAGE LIVING	QTY.	TOTAL
PLAN 140	562	450	10125 SF	29,348
PLAN 160	630	450	1140 SF	45,600
PLAN 170	635	450	1145 SF	62,975
PLAN 190	212	450	1177 SF	65,912

TOTAL	203,835
% COVERAGE	32%



PREPARED BY TLKM, LLC 449 W. FOOTHILL BLVD NO. 104 GLENORA, CA 91741 626-808-5067

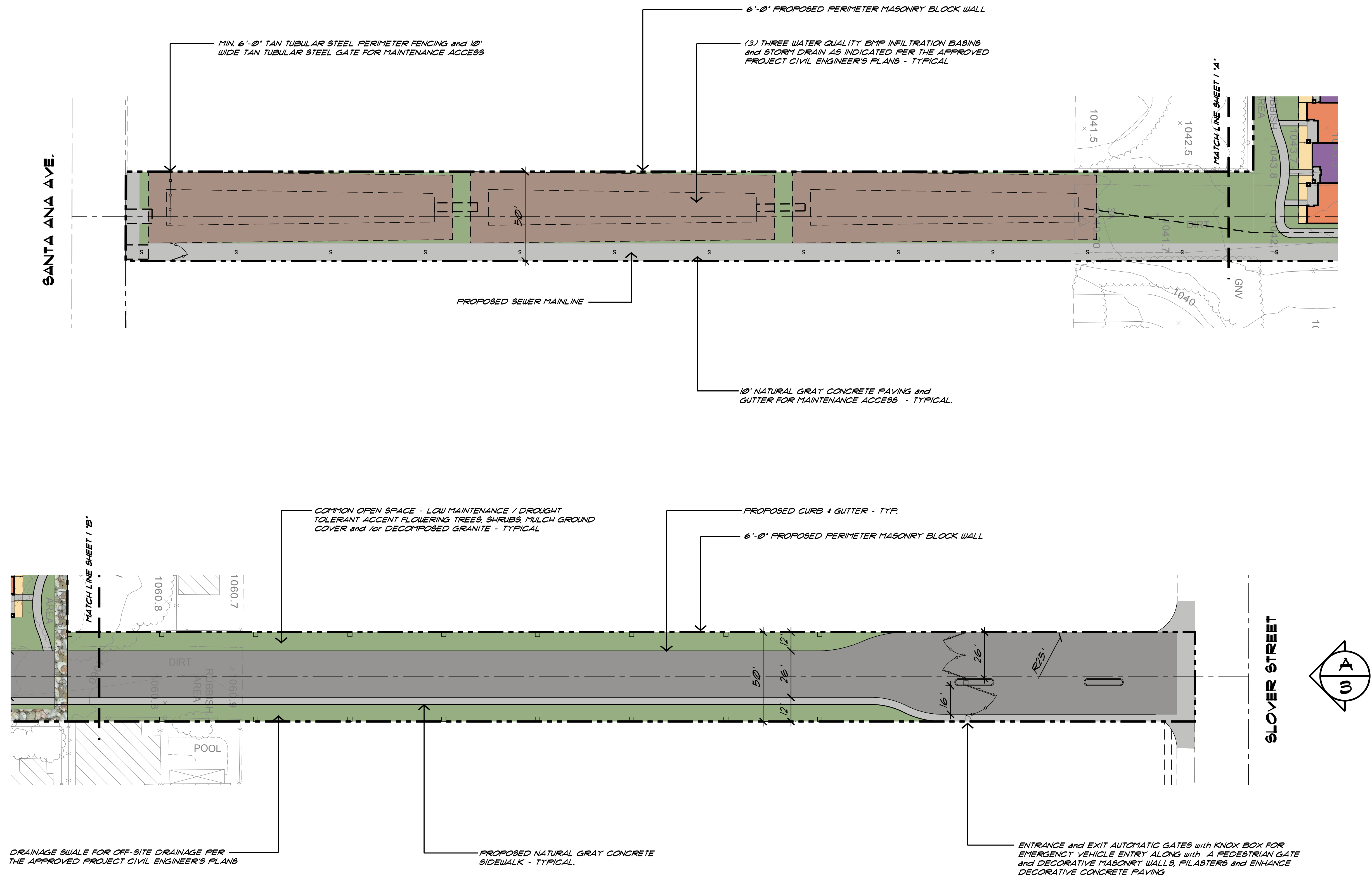
TENTATIVE TRACT MAP 20481 "J" STREET and LIDEN AVENUE BLOOMINGTON, CA

SITE PLAN

DATE JANUARY 3, 2022  
PROJECT NO.  
DRAWN BY  
CHECKED BY  
SHEET NO.

1





DATE	REMARKS
08.01.22	SITE PLAN REV 01.13.22
09.10.22	ENTRY GATE REV. 09.10.22
09.10.22	PER PLAN'S P.C. 09.10.22
12.21.22	IN-HOUSE CORRECTIONS
01.13.23	IN-HOUSE CORRECTIONS

OWNER / CLIENT

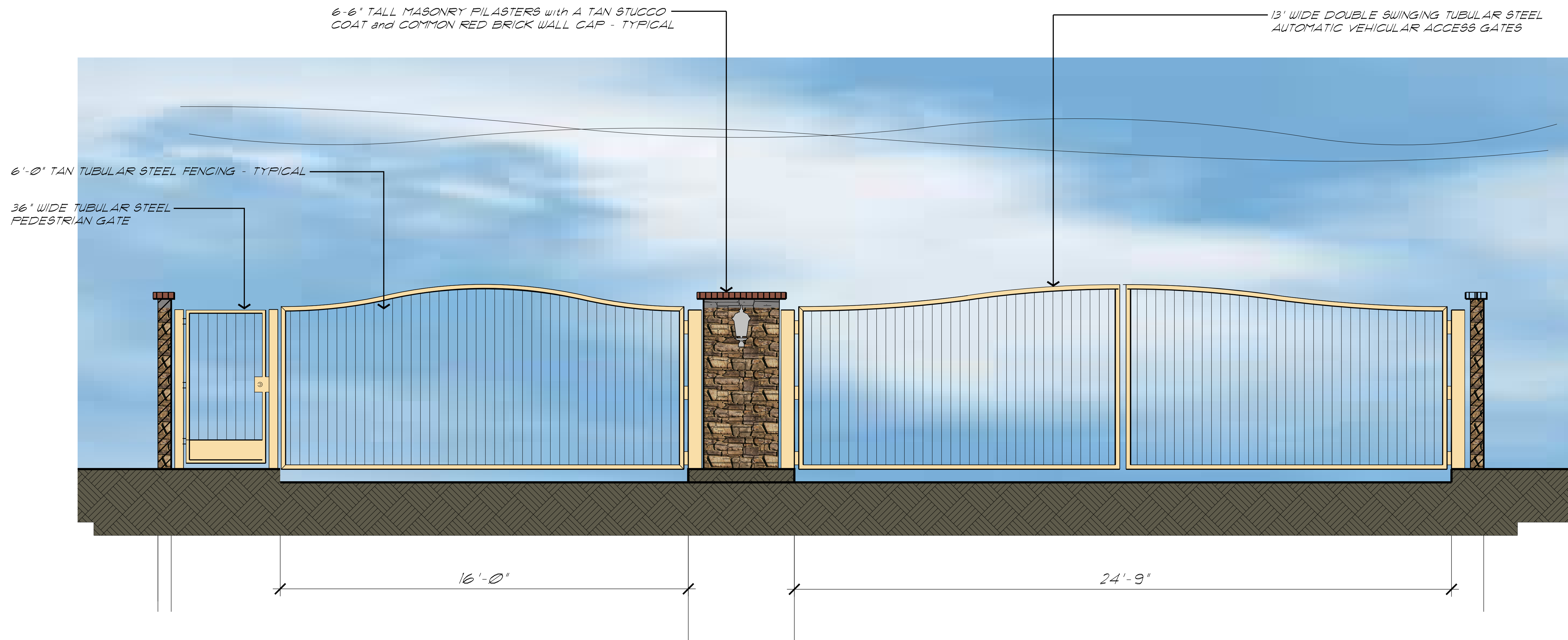
TENTATIVE TRACT MAP 20481  
"J" STREET and LIDEN AVENUE  
BLOOMINGTON, CA

SHEET TITLE

SITE PLAN / EXIT GATE

PREPARED BY  
TKM, LLC  
449 W. FOOTHILL BLVD. NO. 104  
GLEN DORA, CA 91741  
626-808-5067

DATE	JANUARY 3, 2022
PROJECT NO.	-
DRAWN BY	-
CHECKED BY	-
SHEET NO.	2



A

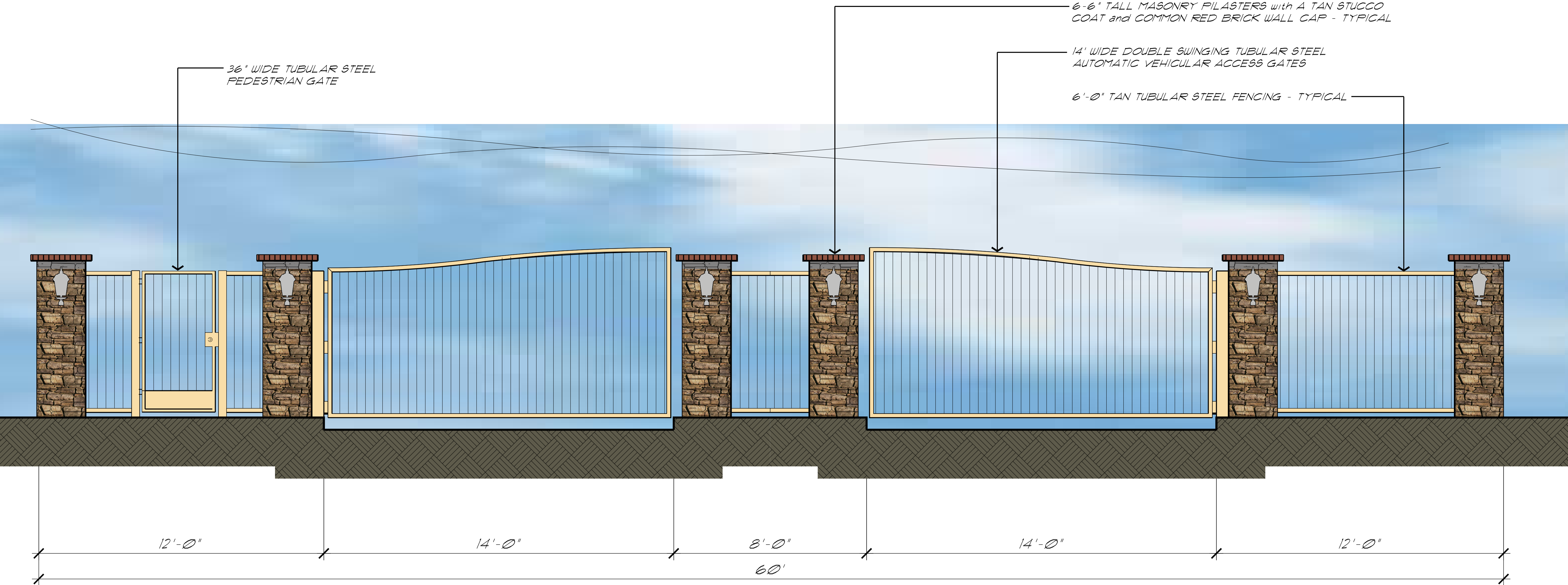
SLOVER STREET EXIT ONLY GATE and PILASTER ELEVATION

DATE	REMARKS
08.01.22	SITE PLAN REV 01.13.22
09.10.22	ENTRY GATE REV. 09.19.22
09.29.22	PER PLAN'S P.C. 09.30.22
12.21.22	IN-HOUSE CORRECTIONS
01.13.23	IN-HOUSE CORRECTIONS

OWNER / CLIENT	PREPARED BY TKM, LLC 449 W. FOOTHILL BLVD. NO. 104 GLEN DORA, CA 91741 626-808-5067
	TENTATIVE TRACT MAP 20481 "J" STREET and LIDEN AVENUE BLOOMINGTON, CA
SHEET TITLE	ENTRY GATE ELEVATION

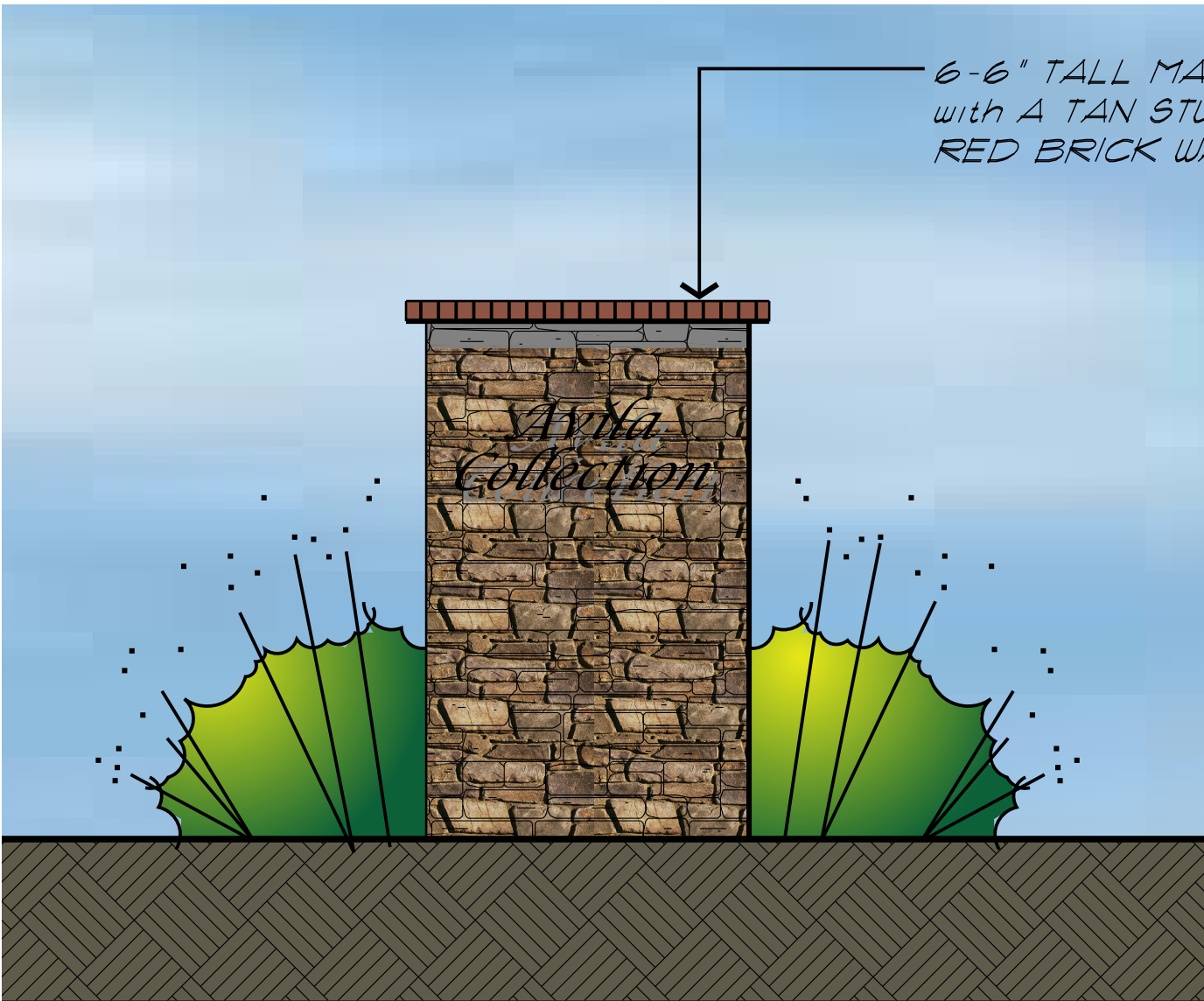
DATE JANUARY 3, 2022
PROJECT NO. -
DRAWN BY -
CHECKED BY -
SHEET NO. W





C

LINDEN AVE ENTRANCE / EXIT GATES and PILASTER ELEVATION



B

MONUMENT SIGN

DATE	REMARKS
08.01.22	SITE PLAN REV 01.23.22
09.10.22	ENTRY GATE REV 09.19.22
09.29.22	FEE PLAN'S F.C. 09.30.22
12.21.22	IN-HOUSE CORRECTIONS

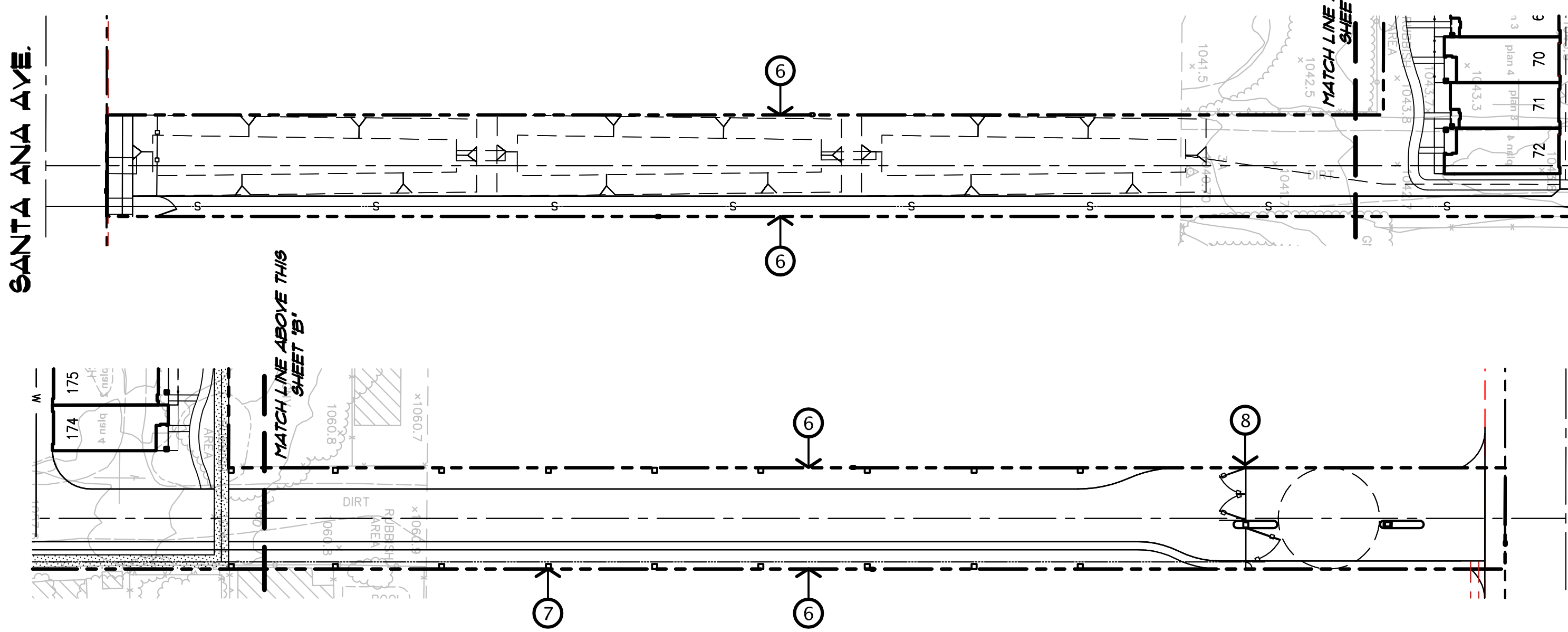
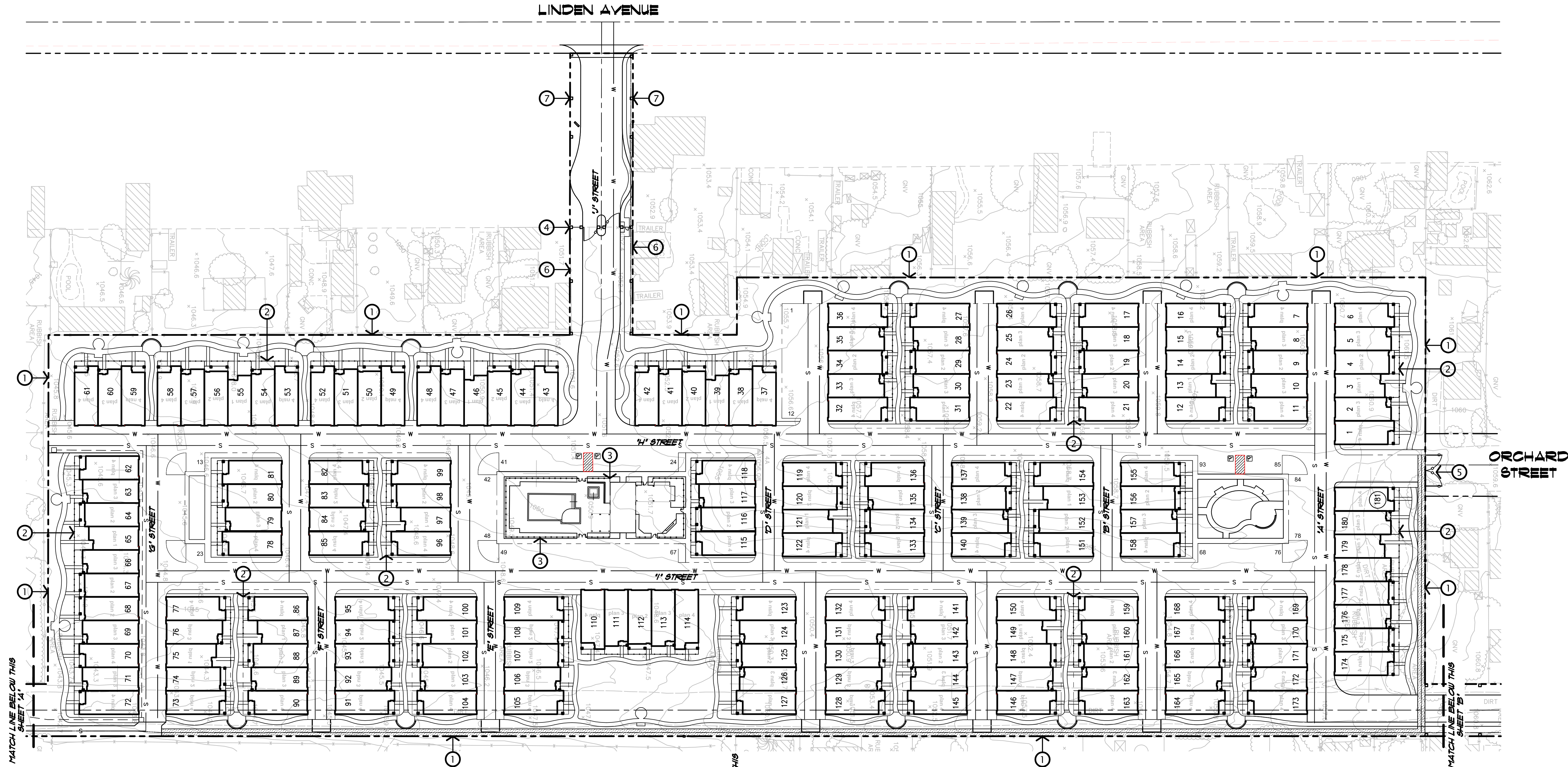
PREPARED BY	TLKM, LLC 449 W. FOOTHILL BLVD NO. 104 GLENIDORA, CA 91741 626-808-5067
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OWNER / CLIENT	TENTATIVE TRACT MAP 20481 "J" STREET and LIDEN AVENUE BLOOMINGTON, CA
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SHEET TITLE	ENTRY GATE ELEVATION
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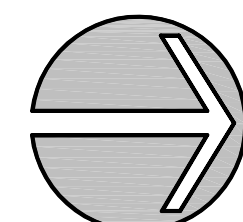
DATE	JANUARY 3, 2022
PROJECT NO.	-
DRAWN BY	-
CHECKED BY	-
SHEET NO.	4





### WALL and FENCING LEGEND

- PERIMETER WALL - 6'-0" MIN HEIGHT 'TAN' CONCRETE BLOCK WALL TOWARDS THE EXTERIOR WITH 'TAN' STUCCO FINISH TOWARDS THE INTERIOR WITH DECORATIVE BRICK WALL CAP - TYPICAL
- PRIVATE COURT YARD FENCING - ONE COURSE MASONRY BLOCK WALL WITH STUCCO COAT AND CAP TO MATCH RESIDENCE WITH A 3'-0" TALL TAN TUBULAR STEEL FENCING ABOVE - TYPICAL
- 5'-6" MIN HEIGHT TAN TUBULAR STEEL SECURITY POOL FENCING AND PEDESTRIAN GATES AS INDICATED - TYPICAL
- AUTOMATIC ENTRY GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL ENTRY GATES WITH KEY PAD ENTRY ASSEMBLY AND KNOX BOX ON LINDEN AVENUE AS INDICATED
- EMERGENCY VEHICLE ACCESS GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL EMERGENCY VEHICLE ACCESS GATES WITH KNOX BOX ENTRY PER THE COUNTY OF SAN BERNARDINO FIRE DEPARTMENT REQUIREMENTS AS INDICATED
- DECORATIVE ENTRY PERIMETER WALL - 6'-0" MIN HEIGHT 'TAN' PRECISION CONCRETE BLOCK WALL WITH TAN STUCCO COAT TOWARDS THE INTERIOR OF THE PROJECT WITH A DECORATIVE RED BRICK WALL CAP - TYPICAL
- 18" SQUARE DECORATIVE PILASTER - MAX 6'-6" TALL 'TAN' PRECISION BLOCK PILASTER TO RECEIVE AN EL DORADO STONE VENEER ONE SIDE ONLY VISIBLE FROM THE MAIN ENTRY STREETS WITH DECORATIVE RED BRICK PILASTER CAP AS INDICATED - TYPICAL
- AUTOMATIC EXIT ONLY GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL EXIT GATES WITH KNOX BOX FOR EMERGENCY VEHICLE ACCESS ON SLOVER STREET AS INDICATED



SCALE: 1" = 50'

DATE	REMARKS
08.01.22	SITE PLAN REV 0713.12
09.10.22	ENTRY GATE REV 09.10.22
09.29.22	FER PLAN'S F.C. 09.30.22
12.21.22	N-HOUSE CORRECTIONS
01.13.23	N-HOUSE CORRECTIONS

PREPARED BY:  
TKM, LLC  
449 W. FOOTHILL BLVD. NO. 104  
GLENORA, CA 91741  
626-808-5067

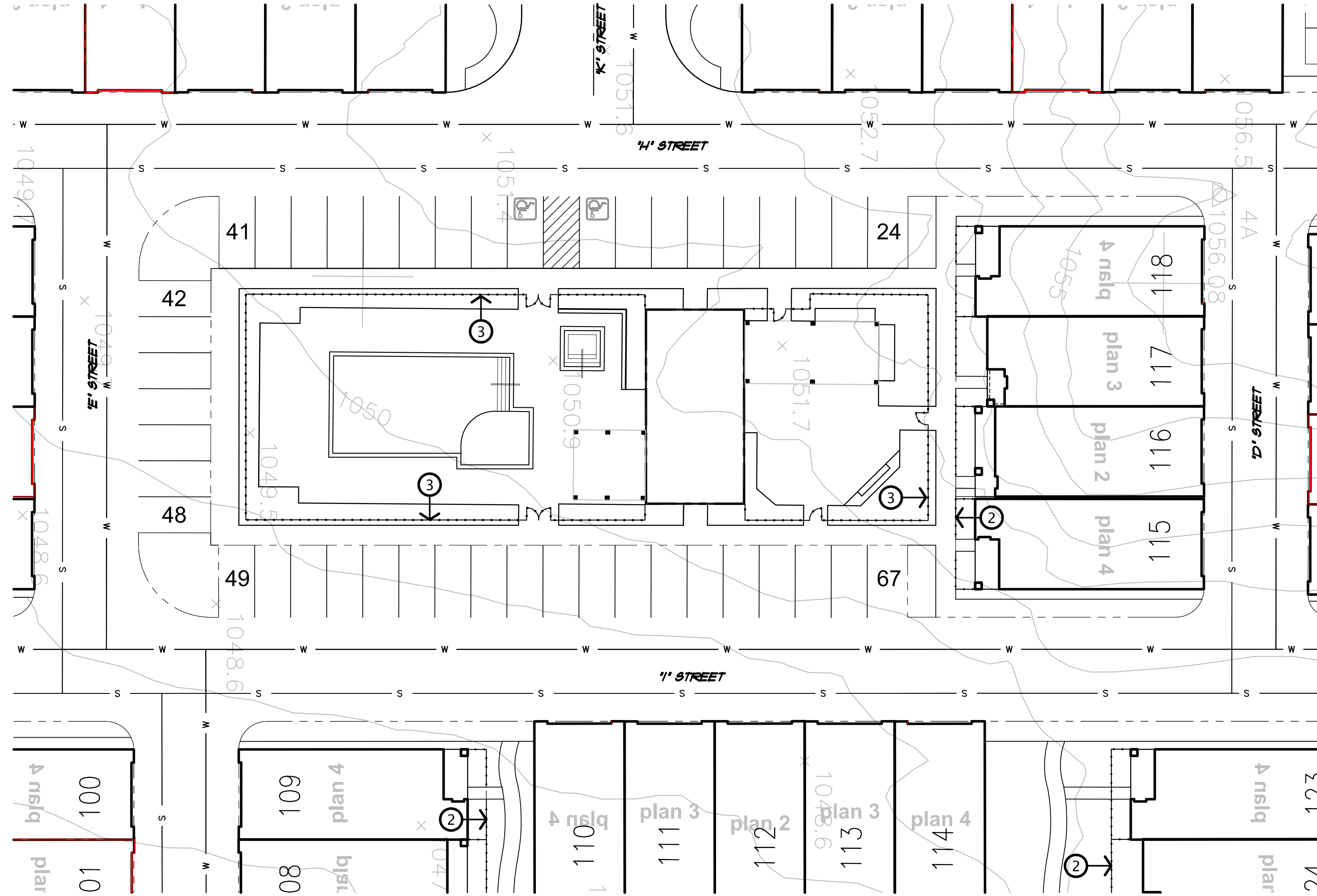
TENTATIVE TRACT MAP 20481  
"J" STREET and LINDEN AVENUE  
BLOOMINGTON, CA

OWNER / CLIENT:  
  
SHEET TITLE:  
**WALL and FENCING PLAN**

DATE: JANUARY 3, 2022
PROJECT NO.:
DRAWN BY:
CHECKED BY:
SHEET NO.

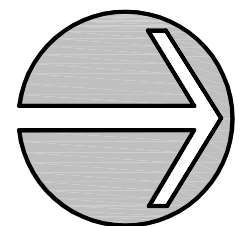






WALL and FENCING LEGEND

- PERIMETER WALL - 6'-0" MIN. HEIGHT 'TAN' CONCRETE BLOCK WALL TOWARDS THE EXTERIOR WITH 'TAN' STUCCO FINISH TOWARDS THE INTERIOR WITH DECORATIVE BRICK WALL CAP - TYPICAL
- PRIVATE COURT YARD FENCING - ONE COURSE MASONRY BLOCK WALL WITH STUCCO COAT AND CAP TO MATCH RESIDENCE WITH A 3'-0" TALL TAN TUBULAR STEEL FENCING ABOVE - TYPICAL
- 5'-6" MIN. HEIGHT TAN TUBULAR STEEL SECURITY POOL FENCING AND PEDESTRIAN GATES AS INDICATED - TYPICAL
- AUTOMATIC ENTRY GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL ENTRY GATES WITH KEY PAD ENTRY ASSEMBLY AND KNOX BOX ON LINDEN AVENUE AS INDICATED.
- EMERGENCY VEHICLE ACCESS GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL EMERGENCY VEHICLE ACCESS GATES WITH KNOX BOX ENTRY PER THE COUNTY OF SAN BERNARDINO FIRE DEPARTMENT REQUIREMENTS AS INDICATED.
- DECORATIVE ENTRY PERIMETER WALL - 6'-0" MIN. HEIGHT 'TAN' PRECISION CONCRETE BLOCK WALL WITH TAN STUCCO COAT TOWARDS THE INTERIOR OF THE PROJECT WITH A DECORATIVE RED BRICK WALL CAP - TYPICAL
- 10' SQUARE DECORATIVE PILASTER - MAX. 6'-6" TALL 'TAN' PRECISION BLOCK PILASTER TO RECEIVE AN EL DORADO STONE VENEER ONE SIDE ONLY VISIBLE FROM THE MAIN ENTRY STREETS WITH DECORATIVE RED BRICK PILASTER CAP AS INDICATED - TYPICAL
- AUTOMATIC EXIT ONLY GATES - 6'-0" TALL DOUBLE SWINGING TUBULAR STEEL EXIT GATES WITH KNOX BOX FOR EMERGENCY VEHICLE ACCESS ON SLOVER STREET AS INDICATED.



SCALE: 1" = 20'

DATE	REMARKS
08.01.22	SITE PLAN REV 0713.22
09.10.22	ENTRY GATE REV. 09.13.22
09.29.22	FEE PLAN'S F.C. 09.30.22
12.21.22	IN-HOUSE CORRECTIONS

OWNER / CLIENT:

TENTATIVE TRACT MAP 20481  
"J" STREET and LINDEN AVENUE  
BLOOMINGTON, CA

SHEET TITLE:

WALL and FENCING PLAN  
ENLARGEMENT

PREPARED BY:

TKM, LLC  
449 W. FOOTHILL BLVD. NO. 104  
GLENORA, CA 91741  
626-808-5067

DATE:	JANUARY 3, 2022
PROJECT NO.:	-
DRAWN BY:	-
CHECKED BY:	-
SHEET NO.	6